

VPI Immingham OCGT Project

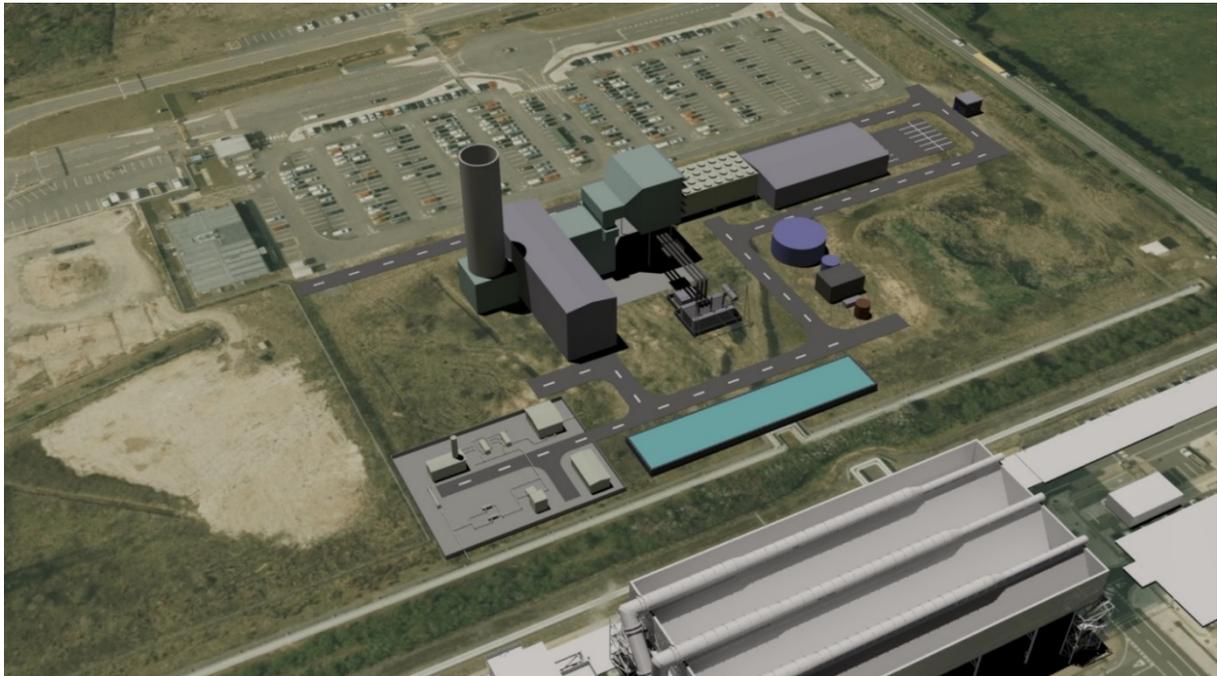
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The Immingham Open Cycle Gas Turbine Order

Land at and in the vicinity of the existing VPI Immingham Power Station, South Killingholme, North Lincolnshire, DN40 3DZ

The Applicant's Written Submission of Oral Case – DCO Hearing

Examination Deadline 3



Applicant: VPI Immingham B Ltd

Date: October 2019

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GLOSSARY

| Abbreviation | Description |
|-----------------------|---|
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| Access | Work No. 2 – access works comprising access to the OCGT Power Station Site and access to Work Nos. 3, 4, 5 and 6; |
| Access Site | The land required for Work No.2. |
| AGI | Above Ground Installation – installations used to support the safe and efficient operation of the pipeline; above ground installations are needed at the start and end of a gas pipeline and at intervals along the route. |
| Applicant | VPI Immingham B Ltd |
| Application | The Application for a Development Consent Order made to the Secretary of State under Section 37 of the Planning Act 2008 in respect of the Proposed Development, required pursuant to Section 31 of the Planning Act 2008 because the Proposed Development is a Nationally Significant Infrastructure Project under Section 14(1)(a) and Section 15 of the Planning Act 2008 by virtue of being an onshore generating station in England of more than 50 Megawatts electrical capacity. |
| Application Documents | The documents that make up the Application (as defined above). |
| CHP | Combined Heat and Power – A technology that puts to use the residual heat of the combustion process after generation of electricity that would otherwise be lost to the environment. |
| CTMP | Construction Traffic Management Plan – a plan outlining measures to organise and control vehicular movement on a construction site so that vehicles and pedestrians using site routes can move around safely. |
| CWTP | Construction Workers Travel Plan – a plan managing and promoting how construction workers travel to a particular area or organisation. It aims at promoting greener, cleaner travel choices and reducing reliance on the private car. |
| dB | decibel |
| DCO | A Development Consent Order made by the relevant Secretary of State pursuant to The Planning Act 2008 to authorise a Nationally Significant Infrastructure Project. A DCO can incorporate or remove the need for a range of consents which would otherwise |

| Abbreviation | Description |
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| | be required for a development. A DCO can also include powers of compulsory acquisition. |
| EA | Environment Agency – a non-departmental public body sponsored by the United Kingdom government's Department for Environment, Food and Rural Affairs (DEFRA), with responsibilities relating to the protection and enhancement of the environment in England. |
| EH | English Heritage – (now Historic England) – a non-departmental public body of the British Government responsible for heritage protection and management of a range of historic properties. |
| EHO | Environmental Health Officer – practitioners responsible for carrying out measures for protecting public health, including administering and enforcing legislation related to environmental health. |
| EIA | Environmental Impact Assessment – a term used for the assessment of environmental consequences (positive or negative) of a plan, policy, program or project prior to the decision to move forward with the proposed action. |
| Electrical Connection Site | The land required for Work No.5. |
| ES | Environmental Statement – a report in which the process and results of an Environmental Impact Assessment are documented. |
| Existing AGI | The exiting AGI within the Existing VPI CHP Site. |
| Existing AGI Site | The land comprising the exiting AGI within the Existing VPI CHP Site. |
| Existing Gas Pipeline | An existing underground gas pipeline owned by VPI LLP connecting the Existing AGI Site to an existing tie in the National Grid (NG) Feeder No.9 located to the west of South Killingholme. |
| Existing Gas Pipeline Site | The land comprising the Existing Gas Pipeline and a stand-off either side of it. |
| Existing VPI CHP Plant | The existing VPI Immingham Power Station. This facility is a gas-fired combined heat and power ('CHP') plant near Immingham providing steam and electricity to the neighbouring refineries and electricity to the National Grid. |
| Existing VPI CHP Plant Site | The land comprising the Existing VPI CHP Plant, located immediately to the south of the Main OCGT Power Station Site. |
| Flood Zone 1 | Land with an Annual Exceedance Probability of less than 0.1% risk from fluvial flooding. |
| Flood Zone 2 | Land with an Annual Exceedance Probability of between 0.1% and 1% risk from fluvial flooding. |
| Flood Zone 3a | Land having a 1 in 100 or greater annual probability of river flooding or land having a 1 in 200 or greater annual probability of sea flooding. |
| Flood Zone 3b | An area defined as the functional floodplain, that the area where water has to flow or be stored in the event of a flood. Land which would flood with a 1 in 20 (5%) annual probability or greater in any year, or is designed to flood in a 0.1% event should provide the starting point for designation of Flood Zone 3b. |

| Abbreviation | Description |
|-----------------------------|---|
| FRA | Flood Risk Assessment – the formal assessment of flood risk issues relating to the Proposed Development. The findings are presented in an appendix to the Environmental Statement. |
| Gas Connection | Work No. 4 – the new underground and overground gas pipeline |
| Gas Connection Site | The land required for Work No.5. |
| GCN | Great Crested Newts |
| GW | Gigawatts – unit of power. |
| HA | Highways Agency (now known as Highways England) – government owned company responsible for managing the strategic road network in England. |
| ha | Hectare – unit of measurement. |
| HE | Historic England – an executive non-departmental body of the British Government tasked with protecting the historical environment of England. |
| HRA | Habitats Regulations Assessment – the assessment of the impacts of implementing a plan or policy on a Natura 2000 site. |
| km | Kilometre – unit of distance. |
| Local Nature Reserve or LNR | A non-statutory site of local importance for wildlife, geology, education or public enjoyment. |
| LPA | Local Planning Authority |
| LSE | Likely significant effect, a term used in the ES to describe when effects on a receptor are predicted to be significant |
| LVIA | Landscape and Visual Impact Assessment |
| Lw | Sound Power Level |
| LWS | Local Wildlife Site |
| m | Metres – unit of distance. |
| MW | Megawatts – unit of energy. |
| NATA | New Approach to Appraisal |
| NEILDB | North East Lincolnshire Local Drainage Board |
| NELC | North East Lincolnshire Council |
| NG | National Grid |
| NGG | National Grid Gas plc |
| NGET | National Grid Electricity Transmission plc |
| NLC | North Lincolnshire Council |
| NPPF | The National Planning Policy Framework – Policy Framework which was introduced in March 2012 and updated in July 2018. The NPPF is part of the Government's reform of the planning system intended to make it less complex, to protect the environment and to promote sustainable growth. It does not contain any specific policies on Nationally Significant Infrastructure Projects but its policies may be taken into account in decisions on DCOs if the Secretary of State considers them to be both important and relevant. |
| NPS | National Policy Statements – statements produced by Government under the Planning Act 2008 providing the policy framework for Nationally Significant Infrastructure Projects. They include the Government's view of the need for and objectives for the development of Nationally Significant Infrastructure Projects in |

| Abbreviation | Description |
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| | a particular sector such as energy and are the primary matter against which applications for NSIPs are determined. |
| NSER | No Significant Effects Report – for the Habitats Regulations Assessment (HRA). |
| NSIP | Nationally Significant Infrastructure Project – Defined by the Planning Act 2008 and including projects relating to energy (including generating stations, electric lines and pipelines); transport (including trunk roads and motorways, airports, harbour facilities, railways and rail freight interchanges); water (dams and reservoirs, and the transfer of water resources); waste water treatment plants and hazardous waste facilities. These projects are only defined as nationally significant if they satisfy a statutory threshold in terms of their scale or effect. The Proposed Development is a NSIP. |
| NSRs | Noise Sensitive Receptors – locations or areas where dwelling units or other fixed, developed sites of frequent human use occur. |
| NTS | Non-Technical Summary – this document is a summary of the Environmental Statement written in non-technical language for ease of understanding. |
| OCGT | Open Cycle Gas Turbine – a combustion turbine plant fired by gas or liquid fuel to turn a generator rotor that produces electricity. |
| OCGT Power Station | Work No. 1 – an OCGT power station with a gross capacity of up to 299MW. |
| OCGT Power Station Site | The land required for Work No.1. |
| Order | Immingham Open Cycle Gas Turbine Order |
| Order land | The area over which powers of compulsory acquisition or temporary possession are sought in the DCO, shown on the Land Plans. The Order land is the same area as the Project Land. |
| Order limits | The area in which consent to carry out works is sought in the DCO, the area is split into different Work Numbers which are set out Schedule 1 to the DCO and shown on the Works Plans. The Order limits is the same area as the Site . |
| PA 2008 | Planning Act 2008. An Act which provides the need for and the powers to apply for and grant development consent orders ('DCO') for nationally significant infrastructure projects ('NSIP'). |
| PEA | Preliminary Ecological Appraisal (PEA Report – report establishing baseline conditions and evaluating the importance of any ecological features present. |
| PEI | Preliminary Environmental Information – an initial statement of the main environmental information available for the study area. |
| PEIR | Preliminary Environmental Information Report – a report outlining the preliminary environmental information and which is published during the pre-application consultation on a NSIP. |
| PHE | Public Health England – an executive agency, sponsored by the Department of Health, to protect and improve the nation's health and wellbeing and reduce health inequalities. |
| PINS | Planning Inspectorate – executive agency of the Ministry of Housing, Communities and Local Government of the United Kingdom Government. It is responsible for examining applications |

| Abbreviation | Description |
|---|---|
| | for NSIPs, and reporting to the Secretary of State who makes a final decision on such applications. |
| PPG | Planning Practice Guidance – guidance expanding upon and supporting the NPPF. |
| Project Land | The land required for the Proposed Development (the Site) and the land comprising the Existing Gas Pipeline Site. The Project Land is the same as the 'Order land' (in the DCO). |
| Proposed Development | The construction, operation and maintenance of a new gas-fired electricity generating station with a gross output capacity of up to 299 MW, including electrical and gas supply connections, and other associated development. |
| PRoW | Public Right of Way |
| SAC | Special Area of Conservation – High quality conservation sites that are protected under the European Habitats Directive, due to their contribution to conserving those habitat types that are considered to be most in need of conservation. |
| SHBSES | South Humber Bank Strategic Employment Site |
| SINC | Site of Nature Conservation Interest |
| Site | The land required for the Proposed Development, and which is the same as the 'Order limits' (in the DCO). |
| SoCC | Statement of Community Consultation |
| SoS | The Secretary of State – the decision maker for DCO applications and head of a Government department. In this case the SoS for the Department for Business, Energy & Industrial Strategy (formerly the Department for Energy and Climate Change). |
| SPA | Special Protection Area – strictly protected sites classified in accordance with Article 4 of the EC Birds Directive. Special Protection Areas are Natura 2000 sites which are internationally important sites for the protection of threatened habitats and species. |
| SSSI | Site of Specific Scientific Interest – nationally designated Sites of Special Scientific Interest, an area designated for protection under the Wildlife and Countryside Act 1981 (as amended), due to its value as a wildlife and/or geological site. |
| SUDS | Sustainable Urban Drainage System |
| SWMP | Site Waste Management Plan (SWMP) |
| TA | Transport Assessment |
| TCPA 1990 | Town and Country Planning Act 1990 (as amended) – the Act that regulates the majority of development of land in England and Wales, but which is not directly applicable to this proposed development as it is a NSIP, regulated by the Planning Act 2008. |
| Temporary Construction and Laydown | Work No. 3 – temporary construction and laydown areas comprising hard standing, laydown and open storage areas, contractor compounds and staff welfare facilities, vehicle parking, roadways and haul routes, security fencing and gates, gatehouses, external lighting and lighting columns. There are three construction and laydown areas included in the Application. |
| Temporary Construction and Laydown Site | Land Required for Work No. 3. |

| Abbreviation | Description |
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| TLOR | Total Lindsey Oil Refinery |
| UAEL | Unacceptable Observed Effect Level |
| Utilities and Services Connections | Work No 6 – utilities and services connections to the OCGT Power Station. |
| Utilities and Services Connections Site | The land required for Work No.6 – the land required for the utilities and services connections to the OCGT Power Station. |
| Vitol | Vitol Group – the owner of VPI LLP and VPIB. |
| VPIB | VPI Immingham B Limited – the Applicant |
| VPI EPA | VPI Energy Park A – the land proposed for the development of a 49.9 MW gas-fired power station that benefits from planning permission granted by NLC in 2018 (Reference: PA/2018/918). |
| VPI LLP | VPI Immingham LLP – the owner and operator of the Existing VPI CHP Plant. |
| WCA | The Wildlife and Countryside Act 1981 – legislation for the protection of animals, plants and certain habitats in the UK. |
| WHO | World Health Organisation |
| Work No.1 | An OCGT power station (the 'OCGT Power Station') with a gross capacity of up to 299MW. |
| Work No.2 | Access works (the 'Access Site'), comprising access to the Main OCGT Power Station Site and access to Work Nos. 3, 4, 5 and 6. |
| Work No.3 | Temporary construction and laydown area (the 'Temporary Construction and Laydown') comprising hard standing, laydown and open storage areas, contractor compounds and staff welfare facilities, vehicle parking, roadways and haul routes, security fencing and gates, gatehouses, external lighting and lighting columns; |
| Work No.4 | An underground and overground gas pipeline (the 'Gas Connection') of up to 600 mm (nominal internal diameter) for the transport of natural gas to Work No. 1. |
| Work No.5 | An electrical connection (the 'Electrical Connection') of up to 400 kilovolts and control systems. |
| Work No.6 | Utilities and services connections (the 'Utilities and Services Connections'). |
| WSI | Written Scheme of Investigation – a method statement or a project design to cover a suite of archaeological works for a site. |

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1. INTRODUCTION

1.1 Overview

- 1.1.1 This report has been prepared on behalf of VPI Immingham B Ltd ('VPIB' or the 'Applicant'). It forms part of the application (the 'Application') for a Development Consent Order (a 'DCO') submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy under section 37 of the Planning Act 2008' (the 'PA 2008').
- 1.1.2 VPIB is seeking development consent for the construction, operation and maintenance of a new gas-fired electricity generating station with a gross output capacity of up to 299 megawatts ('MW'), including electrical and gas supply connections, and other associated development (the 'Proposed Development'). The Proposed Development is located primarily on land (the 'Site') to the north of the existing VPI Immingham Power Station, Rosper Road, South Killingholme, North Lincolnshire, DN40 3DZ.
- 1.1.3 A DCO is required for the Proposed Development as it falls within the definition and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under section 14(1)(a) and sections 15(1) and 15(2) of the PA 2008. The DCO, if made by the SoS, would be known as the 'The Immingham Open Cycle Gas Turbine Order' (the 'Order').

1.2 VPI

- 1.2.1 VPI Immingham LLP ('VPI LLP') owns and operates the existing VPI Immingham Power Station, one of the largest combined heat and power ('CHP') plants in Europe, capable of generating 1,240 MW (about 2.5% of UK peak electricity demand) and up to 930 tonnes of steam per hour (hereafter referred to as the 'Existing VPI CHP Plant'). The steam is used by nearby oil refineries to turn crude oil into products, such as gasoline. The land comprising the Existing VPI CHP Plant is hereafter referred to as the 'Existing VPI CHP Plant Site'.
- 1.2.2 VPI LLP is a wholly owned subsidiary of the Vitol Group ('Vitol'), founded in 1966 in Rotterdam, the Netherlands. Since then Vitol has grown significantly to become a major participant in world commodity markets and is now the world's largest independent energy trader. Its trading portfolio includes crude oil, oil products, liquid petroleum gas, liquid natural gas, natural gas, coal, electricity, agricultural products, metals and carbon emissions. Vitol trades with all the major national oil companies, the integrated oil majors and independent refiners and traders. For further information on VPI LLP and Vitol please visit:
- <https://www.vpi-i.com/>
- 1.2.3 VPIB has been formed as a separate entity for the purposes of developing and operating the Proposed Development.

1.3 The Site

- 1.3.1 The Site is primarily located on land immediately to the north of the Existing VPI CHP Plant Site, as previously stated. Immingham Dock is located approximately 1.5 kilometres ('km') to the south east of the Site at its closest point. The Humber ports

facility is located approximately 500 metres ('m') north and the Humber Refinery is located approximately 500m to the south.

- 1.3.2 The villages of South Killingholme and North Killingholme are located approximately 1.4 km and 1.6 km to the west of the Site respectively, and the town of Immingham is located approximately 1.8 km to the south east. The nearest residential property comprises a single house off Marsh Lane, located approximately 325 m to the east of the Site.
- 1.3.3 The Site comprises the following main parts:
- OCGT Power Station Site;
 - Access Site;
 - Temporary Construction and Laydown Site;
 - Gas Connection Site;
 - Electrical Connection Site; and
 - Utilities and Services Connections Site.
- 1.3.4 The Site is located entirely within the boundary of the administrative area of North Lincolnshire Council ('NLC'), a unitary authority. The different parts of the Site are illustrated in the Works Plans (Application Document Ref: 4.3).
- 1.3.5 The Site has been selected by the Applicant for the Proposed Development, as opposed to other potentially available sites, for the following reasons:
- it comprises primarily of previously developed or disturbed land, including land within the operational envelope of the Existing VPI CHP Plant Site;
 - it is situated in an industrial setting with few immediate receptors and is not particularly sensitive from an environmental perspective;
 - it is primarily located adjacent to the Existing VPI CHP Plant, which provides visual screening and synergies in terms of the existing workforce, and utilities and service connections;
 - it benefits from excellent grid connections (gas and electricity) on the Existing VPI CHP Plant Site; and
 - it benefits from existing highway accesses onto Rosper Road, with the latter providing a direct connection (via a short section of Humber Road) to the Strategic Highway Network (A160) a short distance to the south of the Site.
- 1.3.6 A more detailed description of the Site is provided in Environmental Statement ('ES') Volume 1 Chapter 3 'Site Description' (Application Document Ref: 6.2.3).

1.4 The Existing Gas Pipeline

- 1.4.1 In addition to the Site, the Application includes provision for the use of an existing gas pipeline (the 'Existing Gas Pipeline') to provide fuel to the Proposed Development. The Existing Gas Pipeline was originally constructed in 2003 to provide fuel to the

Existing VPI CHP Plant. The route of the pipeline runs from a connection point at an above ground installation (the 'Existing AGI Site') within the Existing VPI CHP Plant Site to a tie in point at the existing National Grid ('NG') Feeder No.9 pipeline located to the west of South Killingholme.

- 1.4.2 A small part of the Existing Gas Pipeline Site lies within the administrative area of North East Lincolnshire District Council ('NELC'), the neighbouring local authority.
- 1.4.3 The Applicant is not seeking consent to carry out any works to the Existing Gas Pipeline and, as a result, it does not form part of the Site or Proposed Development. It is included in the Application on the basis that the Applicant is seeking rights to use and maintain the pipeline and it is therefore included within the DCO 'Order land' (the area over which powers of compulsory acquisition or temporary possession are sought). The area of land covered by the Existing Gas Pipeline, including a 13 m stand-off either side of it to provide for access and any future maintenance requirements, is hereafter referred to as the 'Existing Gas Pipeline Site'.
- 1.4.4 The Site and the Existing Gas Pipeline Site are collectively referred to as the 'Project Land'. The area covered by the Project land is illustrated in the Location Plan (Application Document Ref: 4.1).
- 1.4.5 The Existing Gas Pipeline has not been assessed as part of the Environmental Impact Assessment ('EIA') carried out in respect of the Application. This is on the basis that it is a pre-existing pipeline and the Applicant is not seeking consent to carry out any works to it. Further explanation in respect of this matter is provided in ES Volume 1, Chapter 1 'Introduction' and Chapter 3 'Site Description' (Application Document Refs: 6.2.1 and 6.2.3).

1.5 The Proposed Development

- 1.5.1 The main components of the Proposed Development are summarised below, as set out in the draft DCO (Application Document Ref: 2.1):
- Work No. 1 – an OCGT power station (the 'OCGT Power Station') with a gross capacity of up to 299MW;
 - Work No. 2 – access works (the 'Access'), comprising access to the OCGT Power Station Site and access to Work Nos. 3, 4, 5 and 6;
 - Work No. 3 – temporary construction and laydown area ('Temporary Construction and Laydown') comprising hard standing, laydown and open storage areas, contractor compounds and staff welfare facilities, vehicle parking, roadways and haul routes, security fencing and gates, gatehouses, external lighting and lighting columns;
 - Work No. 4 – gas supply connection works (the 'Gas Connection') comprising an underground and/or overground gas pipeline of up to 600 millimetres (nominal internal diameter) and approximately 800 m in length for the transport of natural gas from the Existing Gas Pipeline to Work No. 1;
 - Work No. 5 – an electrical connection (the 'Electrical Connection') of up to 400 kilovolts and associated controls systems; and

- Work No 6 – utilities and services connections (the 'Utilities and Services Connections').
- 1.5.2 It is anticipated that subject to the DCO having been made by the SoS and a final investment decision by VPIB, construction work on the Proposed Development would commence in early 2021. The overall construction programme is expected to last approximately 21 months and is anticipated to be completed in late 2022, with the Proposed Development entering commercial operation later that year or early the following year.
- 1.5.3 A more detailed description of the Proposed Development is provided at Schedule 1 'Authorised Development' of the draft DCO (Application Document Ref: 2.1) and ES Volume 1, Chapter 4 'The Proposed Development' (Application Document Ref: 6.2.4).
- 1.5.4 The areas within which each of the main components of the Proposed Development are to be built are shown by the coloured and hatched areas on the Works Plans (Application Document Ref: 4.3).

1.6 The purpose and structure of this document

- 1.6.1 This document provides a written summary of the Applicant's oral case at the Issue Specific Hearing ('ISH') on the Draft DCO held at 10am on 2 October 2019. This document has been submitted for Deadline 3 of the Examination (10 October 2019).

2. WRITTEN SUMMARY OF APPLICANT'S ORAL CASE

2.1 Introductory remarks

2.1.1 The ISH on the Draft DCO was held at 10am on 2 October 2019 at the Ashbourne Hotel, Vicarage Lane, North Killingholme, North Lincolnshire, DN40 3JL.

2.1.2 The main purpose of the ISH was to consider the drafting aspects of the Draft DCO (Document Ref. 2.3) and in particular to:

- clarify issues around how the Draft DCO is intended to work, what is to be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
- identify any possible issues not covered by the Draft DCO as currently drafted; and
- establish or confirm the views of Interested Parties as to the appropriateness, proportionality and efficacy of the provisions and requirements as currently drafted.

2.1.3 The ISH took the form of running through the Examining Authority's ('ExA') agenda published on 13 September 2019 and the updated Draft DCO submitted for Deadline 2 on 12 September 2019 (Document Ref. 2.3).

2.2 The Applicant (participants)

2.2.1 The Applicant:

- Marvin Seaman, VPI
- Nick McDonald, Pinsent Masons
- Richard Lowe, AECOM
- James Riley, AECOM
- Jake Barnes-Gott, DWD

2.3 Applicant's Summary of Oral Case

Table 2.3 – Applicant's Summary of Oral Case

| Item | Matters | Summary of Oral Case |
|------|--|---|
| 1. | Welcome, introductions and arrangements for the Hearing | N/A |
| 2. | Structure of the Order The Applicant to: -summarise the structure of the dDCO | <p>The Applicant submitted a form of draft DCO with the Application (Document 2.1), and has since provided an updated draft at Deadline 2 (Document 2.3), along with an updated Explanatory Memorandum (Document 2.5).</p> <p>The draft DCO complies with the statutory requirements of the Planning Act 2008, and is in the form of a statutory instrument.</p> <p>The Parts and Articles closely follow the form of many other DCOs, particularly for electricity generating stations, with updates necessary for the Proposed Development.</p> <p>Part 1</p> <p>Part 1 contains the preliminary provisions, providing how the Order may be cited and when it comes into force (Article 1), with Article 2 then providing the various terms which are defined for the purposes of the Order. In addition to the standard defined terms, the Applicant has also included defined all the application documents which are referred to in the DCO, provided for definitions to define phases of the works (such as construction and commissioning), and "permitted preliminary works", a concept that allows a limited range of activities to commence earlier than the main construction works, where appropriate. That is achieved through excepting the permitted preliminary works from relevant requirements in Schedule 2.</p> <p>Part 2</p> |

| Item | Matters | Summary of Oral Case |
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| | | <p>Part 2 provides the main powers of development consent, and to maintain and operate the generating station. These tie the works both to the Order limits and to the works plans (Document 4.3, considered again below in the context of Schedule 1.</p> <p>Articles 6 and 7 then provide who has the benefit of the Order and the transfer of it. Article 6 specifies that the Order is for the benefit of VPI Immingham B Limited, except for the electrical connection (Work No. 5) where the benefit is also provided to National Grid so that it can, if necessary, undertake those works. Article 7 provides for the circumstances in which the benefit of the Order can be transferred to other parties without the Secretary of State's consent, with consent required in all other cases.</p> <p>Part 3</p> <p>Part 3 provides powers to carry out works to and within streets, including the power to alter the layout of streets (Article 8), carry out street works (Article 9) and create and use accesses (Articles 10 and 12). The undertaker will also have powers to temporarily control streets, so as to be able to safely manage traffic when works are being carried out (Articles 11 and 14). Article 13 provides for a power for the undertaker to enter into agreements with the street authority in relation to street works and other powers.</p> <p>Part 4</p> <p>Part 4 provides supplementary powers to discharge water (Article 15), survey land (Article 16) and remove human remains, which may be necessary for the construction and operational stages of the Proposed Development.</p> <p>Part 5</p> |

| Item | Matters | Summary of Oral Case |
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| | | <p>Part 5 contains the powers of acquisition relating to land. The main power is in Article 18 which is broadly drawn to allow the undertaker to acquire so much of the Order land as is required for the authorised development. Article 18 allows the undertaker to acquire the freehold interest - this is however subject to articles 21 and 27. These respectively allow the acquisition of new rights in the land specified in Schedule 6, and the temporary possession of the land specified in Schedule 8. Collectively these provisions mean that the broad power in Article 18 is in fact limited to those areas shown shaded pink on the Land Plans (Document 4.2), being the OCGT Main Site, for Work No. 1.</p> <p>The power to acquire new rights (article 21) applies across the whole Order land – to allow the acquisition of rights only if that is appropriate – and as noted earlier to the land in Schedule 6 (shaded blue on the Land Plans).</p> <p>The power to temporarily possess land for purposes of construction (article 27) similarly applies to the whole of the Order land, so that the undertaker could take temporary possession of areas in order to carry out works and identify the exact corridors in which a permanent interest may be needed, as well as specifying areas of which only temporary possession may be taken (that in Schedule 8 and shown shaded yellow on the Land Plans).</p> <p>Article 24 provides that the undertaker may acquire only the subsoil or rights within it, rather than the whole of the land, to provide the undertaker to take 'less' of the land than it would otherwise have to if that is appropriate for a particular piece of apparatus or area of the authorised development.</p> <p>Article 26 provides for the undertaker to be able to acquire interests within a street, to ensure that infrastructure for the authorised development can be delivered in such areas.</p> |

| Item | Matters | Summary of Oral Case |
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| | | <p>Articles 19 and 22 provide that existing easements, rights and similar interests are, as appropriate, extinguished, overridden or suspended, to ensure that they cannot impede the construction or operation of the authorised development.</p> <p>Article 28 provides a further power to temporarily possess land, this time for the purposes of maintenance of the authorised development. This power expires one year after the date of final commissioning.</p> <p>Article 20 provides for the standard 5 year limit on the use of compulsory acquisition powers, and Articles 23 and 25 provide for various amendments to compulsory purchase legislation to ensure that acquisition and compensation pursuant to the Order fits with that legislation.</p> <p>Articles 29, 30 and 31 are standard provisions relating to statutory undertakers, initially providing a broad power (in article 29) to acquire land and apparatus belonging to them, but this is subject to the protections provided by the protective provisions (Schedule 9), and those relating to apparatus in streets (article 30) and to ensure that no person suffers a cost for having to seek a new connection as a result of the authorised development (article 31).</p> <p>Part 6</p> <p>Part 6 provides for additional powers to carry out activities which may be necessary to protect and ensure the safe operation of the authorised development, being works to trees within the Order land (Article 32) and protective works to buildings which the undertaker considers to be necessary or expedient (Article 33).</p> <p>Part 7</p> |

| Item | Matters | Summary of Oral Case |
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| | | <p>Part 7 includes various further provisions which are model provisions or are commonly included in DCOs. Article 34 provides for how landlord and tenant law is to apply to agreements relating to the authorised development.</p> <p>Article 35 ensures that the undertaker's land will, where appropriate, be treated as 'operational land' for the purposes of the TCPA1990, which would not otherwise be the case where development consent is granted.</p> <p>Article 36 provides the undertaker with a defence to statutory nuisance proceedings, as permitted by Section 156 of the 2008 Act, and the Applicant has provided a Statutory Nuisance Statement (Document 5.5) as part of the Application.</p> <p>Article 37 gives effect to Schedule 9, the protective provisions.</p> <p>Article 38 provides for how approvals are to be given under the DCO, and ensures that there is an appropriate process in place to enable delivery of the authorised development. Paragraphs (3) and (5) relate to approvals of matters submitted pursuant to the requirements (in Schedule 2), with Schedule 10 setting out a procedure for the submission and consideration of applications, including consultation with statutory bodies. Paragraphs (1), (2), (4) and (6) of article 38 relate to other approvals that may be required under the DCO, including pursuant to the protective provisions.</p> <p>Articles 39, 40 and 42 are standard provisions which respectively provide for certification of the documents referenced in the Order, how notices must be served, and for arbitration to apply in the event of any dispute.</p> <p>Article 41 gives effect to the proposed amendment to the Able Marine Energy Park Development Consent Order 2014, as per the terms of Schedule 13, which is required (along with the protective provisions in Part 8 of Schedule 9) to ensure that the Able Marine project and the authorised development can co-exist during the construction</p> |

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| | | <p>and operational stages, and in particular to manage the use of the powers under each order.</p> <p>Article 43 requires the undertaker to put in place financial security for compensation that may be payable as a result of the use of compulsory acquisition powers, and for that security to be directly enforceable by a party entitled to compensation.</p> |
| | <p>-describe the extent of the Works, provisions and powers sought</p> | <p>Schedule 1 sets out what the authorised development is - a generating station of up to 299MW gross electrical capacity - and what it comprises.</p> <p>Schedule 1 is split into 6 Works Nos, which correspond with the 6 coloured areas shown on the Works Plans (Document 4.3). Article 3(2) ensures that each Work No. can only be constructed within the relevant area shown on the Works Plans.</p> <p>The works comprise of the following;</p> <p>Work No. 1 – an open cycle gas turbine (OCGT) power station with a generating capacity of up to 299MW, comprising a gas turbine and building, exhaust stack, gas and electrical connection compounds, water tanks, coolers, control room, workshop and offices, and other ancillary buildings;</p> <p>Work No. 2 – access works, providing access to the OCGT power station, gas, electrical and other utility connections, and access to the temporary construction and laydown areas.</p> <p>Work No. 3 – three temporary construction and laydown areas comprising hard standing, laydown and open storage areas, contractor compounds and welfare facilities, roadways, parking and other infrastructure required during construction;</p> <p>Work No. 4 – a gas supply connection comprising an underground or overground gas pipeline (of up to 600 millimetres internal diameter) and approximately 800 m in length</p> |

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| | | <p>for the transport of natural gas from the Existing Gas Pipeline to the OCGT power station;</p> <p>Work No. 5 – an electrical connection of up to 400 kilovolts and associated controls systems, between the OCGT power station and the National Grid Substation for the export of power to the National Transmission System; and</p> <p>Work No. 6 – utilities and services connections including air, water, telecommunications and low voltage electricity, between the OCGT and the Existing VPI CHP Plant.</p> <p>In addition Schedule 1 includes further specified development that may take place with Work Nos. 1 to 6, such as earthworks, drainage, buildings, structures, fencing, gatehouses, parking, hard-standing, landscaping and ecological works. The undertaker is also permitted, as is common in DCOs, to carry out other works as are necessary for the relevant part of the authorised development and only if those works fall within the scope of that assessed in the Environmental Statement (Document 6.1 to 6.4).</p> |
| | <p>-briefly introduce each of the draft Requirements and Schedules and their purpose</p> | <p>Schedule 2 sets out the requirements which apply to the carrying out and operation of the authorised development.</p> <p>The most up to date requirements are set out in Schedule 2 of the draft DCO (Rev 2.0) submitted at Deadline 2 of the Examination (Document Ref: 2.3). The most recently submitted version. There are 28 requirements in total.</p> <p>A number of changes were made for Deadline 2 and any further changes have also been made following discussions after Deadline 2.</p> <p>It is worth noting that the 'Undertaker' means VPI (the Applicant) and the 'relevant planning authority' means North Lincolnshire Council.</p> |

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| | | <p>Requirement 1 (Interpretation) defines a list of key terms and bodies that are referred to in the requirements.</p> <p>Requirement 2 (Commencement of the authorised development) states that the authorised development must be commenced within five years from the date the DCO comes into force. <i>Meaning when it is duly made by the SoS.</i></p> <p>Requirement 3 (Notice of commencement and date of final commissioning) requires the undertaker to give notice to the relevant planning authority of commencement of the authorised development and the date of final commissioning.</p> <p>The wording of this Requirement was changed at Deadline 2, where notice of the 'date of final commissioning' replaced 'completion of commissioning'. The latter is not a defined term for the purposes of the draft DCO.</p> <p><i>The Applicant confirmed this in the response to FWQ Q1.3.13 (Application Ref: 7.2).</i></p> <p>Requirement 4 (Notice of commencement of commercial use) requires the undertaker to notify the relevant planning authority of the intended start of commercial use before it starts if possible and, failing that, within 7 days of commercial use starting.</p> <p>Requirement 5 (Detailed design) requires the specific design details for Work Nos. 1-6 to be submitted and approved by the relevant planning authority prior to commencement of the authorised development.</p> <p>Requirement 6 requires the submission of a biodiversity enhancement and management plan. The requirement is split into two plans, one relating to the protection during the construction period and the other relating to the management and enhancement operational period.</p> |

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| | | <p>Requirement 6 was altered at Deadline 2, where it was added that the biodiversity protection plan would be submitted to the relevant planning after consultation with Natural England. Agreed through discussions with Natural England and included in the SoCG also submitted at Deadline 2 (Application Document Ref: 8.4).</p> <p>Requirement 7 (External lighting) requires details of all external lighting for use during construction to be approved by the relevant planning authority prior to commencement of the authorised development.</p> <p>Requirement 8 (Highway accesses) requires the submission of details relating to any altered highway accesses to be approved by the relevant planning authority, following consultation with the highway authority, before development can commence.</p> <p>Requirement 9 (Means of enclosure) requires a programme for the removal of any temporary means of enclosure during construction to be submitted to and approved by the relevant planning authority prior to commencement of the authorised development, save for any means of enclosure used as part of the permitted preliminary works.</p> <p>This Requirement was changed at Deadline 2 – more detail will be provided as part of Agenda Item 3.</p> <p>Requirement 10 (Surface water drainage) requires details of the temporary surface water drainage systems to be submitted to and approved by the relevant planning authority before the commencement of development. Furthermore, that any permanent systems to replace them are approved prior to constructing any of the temporary systems.</p> <p>The requirement includes for consultation with the Environment Agency, the lead local flood authority, North East Lindsey Internal Drainage Board and Anglian Water.</p> |

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| | | <p>This Requirement was changed at Deadline 2 where reference to a scheme to deal with foul water drainage was removed. It was agreed that the control of surface water and foul water drainage from the Proposed Development should be secured through two requirements. The Requirement relating to foul water drainage is now no.25. The split is necessary because it has been agreed that the control of surface water drainage in this instance does not fall within the EA's remit, rather it is for the lead local flood authority. This has been agreed in the signed SoCG with the EA (Document Ref: 8.3).</p> <p>Requirement 11 (Flood risk mitigation) requires a scheme for the mitigation of flood risk to be submitted to and approved by the relevant planning authority prior to commencement of the authorised development.</p> <p>This Requirement was changed at Deadline 2 where sub-paragraph (6) removed the requirement to consult with the Environment Agency on a flood emergency response and contingency plan, as this is for the lead local flood authority. This has been agreed in the signed SoCG with the EA (Document Ref: 8.3).</p> <p>Requirement 12 (Contaminated land and groundwater) provides that no part of the authorised development may commence, other than investigations to assess ground conditions, until a scheme to deal with the contamination of land has been submitted to and approved by the relevant planning authority.</p> <p>This Requirement was changed at Deadline 2 where it was further specified that the reference to Chapter 11 in sub-paragraph (2) was from the Environmental Statement (Application Document Ref: 6.2.11). In response to FWQ 1.3.16.</p> <p>Requirement 13 (Archaeology) requires a detailed written scheme of investigation (WSI) to be submitted to and approved by the relevant planning authority, prior to commencement of the authorised development. The scheme submitted and approved must be in accordance with ES, Volume I, Chapter 13</p> |

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| | | <p>(cultural heritage) and the Framework Written Scheme Of Investigation submitted as part of the application (Application Document Refs: 6.2.13 and 3.4.31).</p> <p>The Applicant has been discussing the Framework WSI with the relevant planning authority over the past few weeks and have agreed to some changes to it. The Applicant is not proposing any changes to the wording of the requirements itself. More detail on this will be provided under Agenda Item 3.</p> <p>Requirement 14 requires a construction environmental management plan to be submitted to and approved by the relevant planning authority prior to commencement of development. The plan submitted and approved must be in accordance with the Framework CEMP submitted as part of the application (Application Document Ref: 6.4.3) and include, amongst other things, measures designed to minimise the impact of construction works.</p> <p>This requirement was changed at Deadline 2 where:</p> <ul style="list-style-type: none"> • consultation with Natural England was included; and • sub-paragraph (g) was added to require than the plan includes details of marking and protecting a cultural heritage asset A6 (non-designated Iron Age/Roman settlement site) beneath the Temporary Construction and Laydown Site. <p>It is proposed to make further changes to Requirement 14 to more specifically refer to piling during construction.</p> <p>The Applicant is currently awaiting NE's agreement to this addition.</p> <p>Further amendments are also proposed in respect of reference to the WSI – see Agenda Item 3.</p> |

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| | | <p>Requirement 15 (Protection of highway surfaces) requires details for the undertaking of the highway condition surveys to be approved by the relevant planning authority prior to the commencement of the authorised development. The surveys must then be carried out in accordance with the approved surveys following completion of the construction phase.</p> <p>Requirement 16 requires a Construction traffic management plan) to be submitted to and approved by the relevant planning authority prior to commencement of the authorised development.</p> <p>Requirement 17 requires a travel plan for construction workers to be submitted to the relevant planning authority prior to commencement of the authorised development.</p> <p>Requirement 18 (Construction hours) specifies the hours in the day when construction works may be carried out. The restrictions do not apply to work that does not exceed a specified noise limit (to be agreed with the relevant planning authority), is approved in advance by the planning authority or is associated with an emergency.</p> <p>Requirement 19 (Control of noise – operation) requires that no part of the authorised development is brought into commercial use until a scheme for the management and monitoring of noise during operation has been submitted to and approved by the relevant planning authority.</p> <p>Further discussion on this requirement will take place under Agenda Item 3.</p> <p>Requirement 20 (Piling and penetrative foundation design) requires a piling and penetrative foundation design method statement, informed by a risk assessment for that part, to be submitted to and approved by the relevant planning authority before development within Work No. 1 (The OCGT Power Station) may commence.</p> |

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| | | <p>Requirement 21 (Waste management on site – construction wastes) requires a construction site waste management plan to be submitted to and approved by the relevant planning authority prior to commencement of the authorised development.</p> <p>Requirement 22 (Restoration of land used temporarily for construction) prevents the authorised development being brought into commercial use until the scheme for the restoration of any land within the Order limits which has been used temporarily for construction has been submitted to and approved by the relevant planning authority.</p> <p>Requirement 23 (Employment, skills and training plan) requires submission and approval by the relevant planning authority of an employment, skills and training plan, particularly in relation to local people – before the authorised development can commence.</p> <p>The wording of this Requirement was subject to a minor grammatical change at Deadline 2 whereby sub-paragraph (2) now reads that the approved plan must be implemented and maintained during the construction and operation of the authorised development unless otherwise agreed 'with' the relevant planning authority, instead of agreed 'by' the relevant planning authority.</p> <p>Requirement 24 (Decommissioning) requires the undertaker to submit a decommissioning environmental management plan, in accordance with the Environmental Statement, to the relevant planning authority within 12 months any decision to decommission the authorised development.</p> <p>Requirement 25 (Foul water drainage) requires the undertaker to submit a scheme detailing how foul water drainage is to be dealt with for approval by the relevant planning authority before the commencement of development.</p> <p>This was an additional Requirement that was introduced at Deadline 2, following discussions with the Environment Agency,</p> |

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| | | <p>Requirement 26 (Requirement for written approval) (previously 25 prior to Deadline 2) confirms that the relevant planning authority's approval or agreement to any requirement must be given in writing.</p> <p>Requirement 27 (Approved detailed and amendments to them) (previously 26 prior to Deadline 2) requires that all details submitted to the relevant planning authority for approval must be in accordance with the parameters in the Environmental Statement and reflect the principles of the documents submitted for certification (in accordance with Article 39 of the draft DCO).</p> <p>Requirement 28 (Amendments agreed by the relevant planning authority) clarifies that where the phrase 'unless otherwise agreed' appears in requirements, it does not permit changes which could give rise to any materially new or materially different environmental effects that those assessed in the Environmental Statement.</p> <p>The wording of this Requirement was subject to a minor change at Deadline 2.</p> <p>Where 'unless otherwise agreed by the relevant planning authority' was changed to 'unless otherwise agreed with the relevant planning authority' in sub-paragraph (1).</p> <p><i>[Post-hearing note: the Applicant has now updated the wording of requirements 14 and 19 in line with the above, along with a number of other changes to the Draft DCO submitted at Deadline 3.]</i></p> |
| | <p>-provide a brief summary of any changes made in the revised dDCO submitted at Deadline 2</p> | <p>The changes made by the Applicant at Deadline 2 were largely in response to FWQs or as a result of discussions with interested parties. Briefly, they comprised the following.</p> <p>Article 2 was updated to simplify the way application documents are referenced in the Order.</p> |

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| | | <p>Article 7 was updated, as agreed with National Grid, to provide it with notice of occasions on which there is a proposal to change who has the benefit of the Order.</p> <p>Article 28 was corrected to provide for a period of <i>one year</i> after completion of commissioning of the generating station during which temporary possession may be taken of relevant parts of the Order land.</p> <p>Article 38 was updated to clarify the drafting in relation to approvals sought by the undertaker pursuant to the Order, in response to the query raised in the FWQs.</p> <p>Article 42 was updated to remove the Secretary of State from the ambit of the arbitration provision, again in response to the matter being raised in the FWQs.</p> <p>There were administrative corrections in Schedule 3.</p> <p>The protective provisions for Centrica Storage Limited in Part 7 of Schedule 9 were updated, as per the discussions between the Applicant and that party.</p> <p>Paragraph 2 in Schedule 10 was updated to ensure that the tailpiece (relating to deemed refusal by the LPA) applies to both (a) and (b) in sub-paragraph (4).</p> <p>The book of reference details were updated in Schedule 11, following submission of a revised version during the pre-examination stage.</p> |
| | Comments and questions will be invited from Interested Parties. | None raised. |
| 3. | Main discussion points -Article 24 – acquisition of Sub-Soil only | In response to a question from the Examining Authority, the Applicant confirmed that article 24 is included as a power, and is considered to be a mechanism through which the Applicant may be able to reduce the impact of an acquisition required for the purposes of the Proposed Development, by taking an interest in (vertically) less of the land. This will be considered at the detailed design stage. |

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| | | The Applicant confirmed that in its view the article did not need to be restricted to (say) certain types of infrastructure such as pipes or cables, given the purpose of the article and noting that in any case its use is logically restricted to parts of the Proposed Development which can exist and only require underground rights. |
| | -Article 29 – Statutory undertakers | In response to a question from the Examining Authority, the Applicant confirmed that it is seeking agreement with all statutory undertakers that would allow each of them to withdraw their representations, during the examination. The Applicant also confirmed it would address issues raised under section 127 of the Planning Act 2008 before the end of the examination, to the extent necessary. See also below 'Update on Protective Provisions'. |
| | -Requirement 9 – Amendment of Requirement 9 in relation to permitted preliminary works/temporary means of enclosure. | In response to a question from the Examining Authority, the Applicant confirmed it would consider the form of the equivalent provision in the Abergelli Power Gas Fired Generating Station Order 2019, and update the Examining Authority at Deadline 3. <i>[Post-hearing note: the Applicant has updated requirement 9 so as to adopt a similar approach to that taken in the above DCO.]</i> |
| | -Requirement 13 – Written Scheme of Investigation | The Applicant is not proposing any changes to the wording of Requirement 13, rather changes are proposed to the Framework WSI referred to in Requirement 13, to secure further detail required by the historic environment officer at the relevant planning authority. Requirement 13 (Archaeology) requires a detailed WSI to be submitted for approval by the relevant planning authority prior to commencement of the authorised development. The scheme submitted and approved must be in accordance with Chapter 13 (cultural heritage) of the Environmental Statement and the Framework WSI (Application Document Refs: 6.2.13 and 3.4.31). |

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| | | <p>The Framework WSI sets out the framework for an archaeological strip, map and record exercise for the main part of the site, amongst other things.</p> <p>The Applicant has been discussing the Framework WSI with the Historic Environment Officer at the relevant planning authority over the past few weeks and have agreed to some changes to it, in order that it makes adequate provision relating to the proposed strip map and record exercise and preserving assets in-situ, amongst other things.</p> <p>It has also been agreed that Requirement 14 will be amended to refer specifically to a requirement for the detailed CEMP to take account of and be in accordance with the WSI required under Requirement 13.</p> |
| | <p>-Requirement 19 – Operational noise restriction</p> | <p>An operational noise limit (Rating Level) based on +5 dB above then Background Sound Level is intended to avoid 'significant adverse impacts' as defined by BS 4142, in accordance with our EIA methodology.</p> <p>NLC has requested an operational noise limit (Rating Level) based on +3 dB above then Background Sound Level. Whilst the applicant is content to include this as an aspiration, commitment to a +3dB at this stage is not considered possible. The Applicant has proposed a variation to Requirement 19 and discussions with NLC on this point are ongoing.</p> <p><i>[Post-hearing note: the Applicant has updated the wording to requirement 19 to address NLC's concerns above.]</i></p> |
| | <p>-Update on Protective Provisions</p> | <p>In response to a question from the Examining Authority, the Applicant confirmed that the protective provisions were under discussion with relevant parties, and the</p> |

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| | | <p>Applicant was working towards agreeing terms to allow all parties to withdraw their representation before the end of the examination.</p> <p>The Applicant will update the Examining Authority at relevant examination deadlines, and will include updated protective provisions in the draft DCO as appropriate.</p> <p>In relation to the provisions included in Schedule 9 of the DCO and in response to questions from the Examining Authority, the Applicant confirmed the position was as follows.</p> <ul style="list-style-type: none"> • Discussions with National Grid are continuing and the position remains as per that set out at Deadline 2. • Anglian Water is content with the form of protective provisions. • The protective provisions for the benefit of CLH are included by the Applicant in case agreement cannot be reached on CLH's preferred method (a protection agreement). The Applicant will confirm with CLH whether it will seek the removal of the provisions currently in Part 6 once that agreement is in place. • The Applicant is seeking confirmation from Centrica that it is now content with the form of protective provisions and that it will withdraw its representation, this is awaited. • In relation to Able, the Applicant confirmed the following update which had been agreed with Able prior to the hearings. The parties have agreed that the principle of the Applicant's proposed approach is acceptable, subject to agreeing the terms of the protective provisions. The provisions have been discussed, and comments on them have passed between the parties, with relatively few outstanding points remaining. The Applicant anticipates being able to agree the form of the PPs prior to Deadline 4 or soon thereafter. <p>In relation to Orsted (the Hornsea 1 and Hornsea 2 companies), the Applicant set out that the form of a protection agreement was being discussed between the parties, taking into account the existing agreement in place between Hornsea 1 and VPI LLP.</p> |

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| | | <p>The principle of the crossing agreement approach is agreed, and the terms are being discussed. In addition the Hornsea 1 and Hornsea 2 companies have requested protective provisions on the face of the DCO, expressed to be sub-servient to the crossing agreements in the usual way. The Applicant has agreed the principle of this, and the parties are discussing the terms to be included.</p> <p>In response to various matters raised by Phillips 66 Limited in relation to the protective provisions, the Applicant responded as follows. The Applicant's position in relation to the case for compulsory acquisition is to be considered in the following hearing, but the Applicant's over-arching position is that there is a compelling case in the public interest for compulsory acquisition, and that applies to the whole Order land including that owned by Phillips 66. The Applicant is proposing protections to benefit Phillips 66, through property agreements, protective provisions and a protection agreement. Those replicate or continue the existing protections, particularly in relation to the Existing Gas Pipeline. The Applicant will continue discussions with Phillips 66 on those matters.</p> |
| 4. | Opportunity for other parties to ask questions about/comment on the proposed revisions to the draft DCO. | N/A |
| 5. | Discharge of requirements and conditions, appeals and disputes | <p>In response to a comment from North Lincolnshire Council on paragraph 3(3) of Schedule 10 to the draft DCO (Document Ref. 2.7), the Applicant undertook to consider the matter and discuss it further with the Council.</p> <p><i>[Post-hearing note: the Applicant has proposed additional wording in paragraph 3(3) to the Council, and has included this in the updated Draft DCO (Document Ref. 2.7) submitted at Deadline 3. This provides for the parties to be able to agree a longer period, where required by a consultee.]</i></p> |
| 6. | Other Matters | None raised |
| 7. | Close of the Hearing | The ExA closed the hearing. |

2.4 Close

2.4.1 The hearing closed at 11.23am.