



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
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Email: beiseip@beis.gov.uk

Web: www.gov.uk/beis

To:

VPI Immingham B Ltd
Cadent Gas Limited
Defence Infrastructure Organisation
Hornsea 1 Limited
Network Rail Infrastructure Limited
Optimus Wind, Breesea, Sonningmay Wind, and
Soundmark Wind Limited (“the Hornsea 2 Companies”)
Phillips 66 Limited
Total Lindsey Oil Refinery Limited
cc:

Your Ref:

Our Ref: EN010097

Date: 10 June 2020

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by VPI Immingham B Ltd (“the Applicant”) for an Order granting Development Consent for the proposed VPI Immingham Open Cycle Gas Turbine (“OCGT”) Power Station and associated infrastructure (“the proposed Development”)

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 8 February 2020, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 7 May 2020. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application.
2. There are issues on which the Secretary of State would be grateful if the parties identified in bold could provide any updates or information as appropriate. Additional comments from any **interested parties** on these points only will also be considered.

Compulsory Acquisition and Outstanding Agreements at the close of Examination

The Secretary of State notes that at the close of Examination some objections had not been withdrawn or agreements were still outstanding between the Applicant and a number of parties. The Secretary of State requests the following parties provide him with an update on the status of negotiations:

- The **Applicant** and **Cadent Gas Limited** in respect to protective provisions for compulsory acquisition;
- the **Applicant** and **Hornsea 1 Limited** in respect to protective provisions for compulsory acquisition and a crossing agreement;
- the **Applicant** and **Optimus Wind, Breesea, Sonningmay Wind and Soundmark Wind Limited (The Hornsea 2 Companies)** in respect to protective provisions for compulsory acquisition and a crossing agreement;
- the **Applicant** and **Total Lindsey Oil Refinery Limited** in regard to protective provisions for compulsory acquisition;
- the **Applicant** and **Network Rail Infrastructure Limited** in regard to compulsory acquisition and property agreements; and
- the **Applicant** and **Phillips 66 Limited** in regard to compulsory acquisition and property agreements.

Defence Infrastructure Organisation Safeguarding

3. The Secretary of State notes that the Defence Infrastructure Organisation (“DIO”) raised air safety concerns during the Examination, and requested the stack be fitted with aviation warning lights. The DIO also requested that a requirement was included in the DCO covering the provision of information regarding safety. The DIO was asked in both the Written and Further Written Examining Authority’s Questions (Q1.10.1 and Q2.5.1) to expand on the justification for its request. The Secretary of State notes that the DIO did not respond. The Secretary of State therefore requests the DIO provides justification to him as to why aviation warning lights or other requirements in respect of safety are necessary.
4. **Responses are requested by 23.59 on 26 June 2020.**
5. Due to COVID-19, responses on the information requested above should be submitted by email only to: ImminghamOCGT@planninginspectorate.gov.uk.
6. Responses will be published on the VPI Immingham OCGT project page of the National Infrastructure Planning website:
<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/vpi-immingham-ocgt/> as soon as possible after **26 June 2020**.
7. This letter is without prejudice to the Secretary of State’s consideration of whether to grant or withhold development consent for the VPI Immingham OCGT Power

Station. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully

Gareth Leigh

Head of Energy Infrastructure Planning