

South Humber Bank Energy Centre Project

Planning Inspectorate Reference: EN010107

South Marsh Road, Stallingborough, DN41 8BZ

The South Humber Bank Energy Centre Order

7.6 - Statement of Common Ground with National Grid



Applicant: EP Waste Management Ltd
Date: May 2021

DOCUMENT HISTORY

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GLOSSARY

Abbreviation	Description
ACC	Air-cooled condenser.
CCGT	Combined Cycle Gas Turbine.
DCO	Development Consent Order: provides a consent for building and operating an NSIP.
EfW	Energy from Waste: the combustion of waste material to provide electricity and/ or heat.
EIA	Environmental Impact Assessment.
EPUKI	EP UK Investments Ltd.
EPWM	EP Waste Management Limited ('The Applicant')
ES	Environmental Statement.
mAOD	Metres Above Ordnance Datum.
MW	Megawatt: the measure of power produced.
NELC	North East Lincolnshire Council.
NSIP	Nationally Significant Infrastructure Project: for which a DCO is required.
PA 2008	Planning Act 2008.
PEIR	Preliminary Environmental Information Report - summarising the likely environmental impacts of the Proposed Development.
PINS	Planning Inspectorate.
Q2	Quarter 2.
RDF	Refuse derived fuel.
SHBEC	South Humber Bank Energy Centre.
SHBPS	South Humber Bank Power Station.
SoS	Secretary of State.

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1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This Statement of Common Ground with National Grid Electricity Transmission plc and National Grid Gas plc (Document Ref. 7.6) has been prepared on behalf of EP Waste Management Limited ('EPWM' or the 'Applicant'). It relates to the application (the 'Application') for a Development Consent Order (a 'DCO'), that has been 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').
- 1.1.1 EPWM is seeking development consent for the construction, operation and maintenance of an energy from waste ('EfW') power station with a gross electrical output of up to 95 megawatts (MW) including an electrical connection, a new site access, and other associated development (together 'the Proposed Development') on land at South Humber Bank Power Station ('SHBPS'), South Marsh Road, near Stallingborough in North East Lincolnshire ('the Site').
- 1.1.2 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 sections 14 and 15(2) of the PA 2008.
- 1.1.3 The DCO, if made by the SoS, would be known as the 'South Humber Bank Energy Centre Order' ('the Order').
- 1.1.4 Full planning permission ('the Planning Permission') was granted by North East Lincolnshire Council ('NELC') for an EfW power station with a gross electrical output of up to 49.9 MW and associated development ('the Consented Development') on land at SHBPS ('the Consented Development Site') under the Town and Country Planning Act 1990 on 12 April 2019. Since the Planning Permission was granted, the Applicant has assessed potential opportunities to improve the efficiency of the EfW power station, notably in relation to its electrical output. As a consequence, the Proposed Development would have a higher electrical output (up to 95 MW) than the Consented Development, although it would have the same maximum building dimensions and fuel throughput (up to 753,500 tonnes per annum (tpa)).

1.2 The Applicant

- 1.2.1 The Applicant is a subsidiary of EP UK Investments Limited ('EPUKI'). EPUKI owns and operates a number of other power stations in the UK and is a subsidiary of Energetický A Průmyslový Holding ('EPH'). EPH owns and operates energy generation assets in the Czech Republic, Slovak Republic, Germany, Italy, Hungary, Poland, Ireland, and the United Kingdom.

1.3 The Proposed Development Site

- 1.3.1 The Proposed Development Site (the 'Site' or the 'Order limits') is located within the boundary of the SHBPS site, east of the existing SHBPS, along with part of the carriageway within South Marsh Road. The principal access to the site is off South Marsh Road.

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- 1.3.2 The Site is located on the South Humber Bank between the towns of Immingham and Grimsby; both over 3 km from the Site.
- 1.3.3 The Site lies within the administrative area of NELC, a unitary authority. The Site is owned by EP SHB Limited, a subsidiary of EPUKI, and is therefore under the control of the Applicant, with the exception of the highway land on South Marsh Road required for the new Site access.
- 1.3.4 The existing SHBPS was constructed in two phases between 1997 and 1999 and consists of two Combined Cycle Gas Turbine (CCGT) units fired by natural gas, with a combined gross electrical capacity of approximately 1,400 MW. It is operated by EP SHB Limited.
- 1.3.5 The Site is around 23 hectares ('ha') in area and is generally flat, and typically stands at around 2.0 m Above Ordnance Datum (mAOD).
- 1.3.6 A more detailed description of the Site is provided at Chapter 3: Description of the Proposed Development Site in the Environmental Statement ('ES') Volume I (Document Ref. 6.2).

1.4 The Proposed Development

- 1.4.1 The main components of the Proposed Development are summarised below:
- Work No. 1— an electricity generating station located on land at SHBPS, fuelled by refuse derived fuel ('RDF') with a gross electrical output of up to 95 MW at ISO conditions;
 - Work No. 1A— two emissions stacks and associated emissions monitoring systems;
 - Work No. 1B— administration block, including control room, workshops, stores and welfare facilities;
 - Work No. 2— comprising electrical, gas, water, telecommunication, steam and other utility connections for the generating station (Work No. 1);
 - Work No. 3— landscaping and biodiversity works;
 - Work No. 4— a new site access on to South Marsh Road and works to an existing access on to South Marsh Road; and
 - Work No. 5— temporary construction and laydown areas.
- 1.4.2 Various types of ancillary development further required in connection with and subsidiary to the above works are detailed in Schedule 1 of the DCO.
- 1.4.3 The Proposed Development comprises the works contained in the Consented Development, along with additional works not forming part of the Consented Development ('the Additional Works'). The Additional Works are summarised below.
- a larger air-cooled condenser ('ACC'), with an additional row of fans and heat exchangers;
 - a greater installed cooling capacity for the generator;
 - an increased transformer capacity; and

- ancillary works.

1.4.4 A more detailed description of the Proposed Development is provided at Schedule 1 'Authorised Development' of the Draft DCO and Chapter 4: The Proposed Development in the ES Volume I (Document Ref. 6.2) and the areas within which each of the main components of the Proposed Development are to be built is shown by the coloured and hatched areas on the Works Plans (Document Ref. 4.3). Three representative construction scenarios (timescales) are described within Chapter 5: Construction Programme and Management in the ES Volume I (Document Ref. 6.2) and assessed in the Environmental Impact Assessment ('EIA').

1.5 Purpose of this Document

1.5.1 This document is intended to summarise clearly the agreements reached between the parties on matters relevant to the examination of the Application and assist the Examining Authority. It has been prepared with regard to the guidance in 'Planning Act 2008: examination of applications for development consent' (Department for Communities and Local Government, March 2015).

1.5.2 This version of the document summarises the agreements regarding matters such as the electricity grid connection, potential gas connection, land matters and protective provisions, based on the information available at this time, which principally comprises the Grid Connection Statement (Document Ref. 5.2) and the Draft Development Consent Order (Document Ref. 2.1).

1.6 Status of this Version

1.6.1 The SoCG was prepared in May 2021 and subsequently was agreed as suitable and including all of the relevant matters.

1.6.2 It is being submitted to the Examining Authority to assist the examination of the Application.

1.6.3 Section 3 of this document summarises the role of National Grid, Section 4 sets out what has been agreed in relation to the above matters and Section 5 sets out any areas of disagreement/ matters to be agreed.

2.0 THE ROLE OF NATIONAL GRID

- 2.1.1 National Grid is the system operator of Great Britain's electricity and gas supply respectively through National Grid Electricity Transmission plc and National Grid Gas plc. National Grid manages the electricity and gas networks throughout England, Scotland and Wales.

3.0 MATTERS AGREED

3.1 Electrical Connection

- 3.1.1 It is agreed that electricity from the Proposed Development will be exported to the NGET 400 kV system at the existing SHBPS 400 kV substation.
- 3.1.2 The Applicant accepted NGET's offer of a Bilateral Connection Agreement (BCA) and Construction Agreement (Consag) for connection to the SHBPS 400 kV substation on 31st March 2020 (offer reference A/EP SHB/19/0606-1EN(0)).
- 3.1.3 The connection to the NGET system at the 400 kV substation will be made through underground or overground electrical cables to the terminal point for connection, which is expected to be at the substation boundary. The Applicant's chosen Engineering, Procurement and Construction (EPC) contractor will undertake detailed design of the connection route within the Site.
- 3.1.4 Works within the NGET compound do not form part of the Proposed Development but are likely to involve the installation of a new gas insulated substation (GIS) bay inside the NGET 400kV substation compound, transmission reinforcement works and associated civil and ancillary works. All these works would be within the NGET substation compound and undertaken by NGET.
- 3.1.5 The Applicant will be responsible for the operation and maintenance of all on Site plant and apparatus (within the Order limits) over the life of the Proposed Development.
- 3.1.6 NGET would be responsible for the operation and maintenance of their equipment within the existing SHBPS NGET substation.

3.2 Gas Connection

- 3.2.1 It is agreed that the Applicant has provided for a potential gas connection between Work Number 1 (the generating station) and National Grid Gas' (NGG's) above ground installation (AGI). Gas may be used as the fuel for auxiliary burners within the plant.
- 3.2.2 In the event that the Applicant selects gas as the auxiliary fuel and a connection to NGG's AGI is required, an application would be made under the A2O process. The works to connect to the NGG AGI would be made through gas pipes to the terminal point for connection, which would be expected to be at the AGI's boundary. The Applicant's chosen EPC contractor would undertake detailed design of the connection route within the Site.
- 3.2.3 Any works within the NGG compound do not form part of the Proposed Development, and would be undertaken by NGG. These would be likely to comprise installation of valves and pipework and supporting instrumentation as well as potential changes to security fencing.
- 3.2.4 The Applicant will be responsible for the operation and maintenance of all on Site plant and apparatus over the life of the Proposed Development.

3.2.5 NGG would be responsible for the operation and maintenance of their equipment within the existing AGI.

3.3 Land Matters and Protective Provisions

3.3.1 A company within the same group as the Applicant owns the freehold interest in the Site and this is where the connections up to the boundaries of the existing SHBPS NGET substation and existing AGI would be made.

3.3.2 The NGET substation and NGG AGI are located within the SHBPS site (although both are themselves excluded from the Order limits) and the group company also owns the freehold of the land on which the NGET substation and NGG AGI are situated, subject to leases respectively to NGET and NGG. Whilst the substation and AGI are outside of the Order limits, there may still be impacts from the works being undertaken and the protective provisions should also take account of these assets.

3.3.3 Both NGET and NGG have the benefit of rights associated with the substation and AGI (such as for access and to allow the laying and maintenance of apparatus) over other parts of the Site. The connection agreement with NGET provides the necessary contractual rights for the Applicant to connect to the substation.

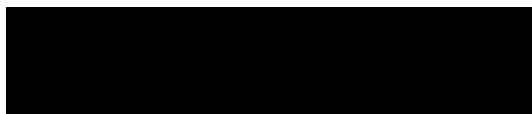
3.3.4 The Applicant has not sought powers of compulsory acquisition or temporary possession in the Draft DCO (Document Ref. 2.1). However, the updated Draft DCO does contain powers (in Article 19) allowing the Applicant to reposition the apparatus belonging to statutory undertakers. This article is subject to the protective provision and protective provisions are therefore essential to protect National Grid's undertaking and performance of statutory functions.

3.3.5 The Applicant has included a set of protective provisions for the benefit of National Grid in the Draft DCO (Document Ref. 2.1), and separately issued these directly to National Grid for comment. The parties have since discussed the terms of the protective provisions. The principles have now been agreed and the drafting is currently being settled between the parties (see section 4).

4.0 MATTERS NOT YET AGREED

- 4.1.1 The parties have now agreed the principles of the matters which are to be covered in the protective provisions and related side agreement, but the exact form of the documents remains under negotiation between the parties.
- 4.1.2 The parties anticipate agreeing the documents within a matter of days, and potentially before the end of the examination. If completion does occur before the end of the examination the parties will each write to the Examining Authority to confirm:
- The agreed form of protective provisions to be incorporated into the DCO; and
 - That National Grid withdraws its objection to the DCO Application, subject to the inclusion of those protective provisions in the DCO (and note nothing in this Statement of Common Ground implies that National Grid's objection is withdrawn at this stage).
- 4.1.3 If completion occurs after the end of the examination the parties will write to the Secretary of State with the same information as set out in the bullets immediately above.
- 4.1.4 In agreeing the protective provisions, as well as considering impacts on its assets within the Order limits, National Grid must consider the AGI and Substation which, whilst carved out of the Order limits are within the SHBPS site. National Grid's view is that the potential consequences of any damage caused by the Proposed Development to this apparatus must be taken into account and reflected in the protective provisions.

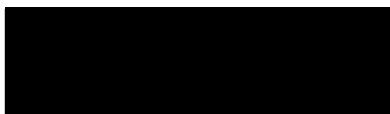
Signed:



(Eversheds Sutherland (International) LLP, Solicitors to National Grid)

On behalf of: National Grid

Date: 05 May 2021



Signed:

(Pinsent Masons LLP, Solicitors to EP Waste Management Ltd)

On behalf of: EP Waste Management Ltd

Date: 05 May 2021