



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London
SW1H 0ET

Email: beiseip@beis.gov.uk
Web: www.gov.uk/beis

To:

EP Waste Management Limited
National Grid

Your Ref:
Our Ref: EN010107

Date: 27 August 2021

cc:

All Interested and Other Parties

Dear Sir or Madam,

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

Application by EP Waste Management Limited (“the Applicant”) for an Order granting Development Consent for the proposed South Humber Bank Energy Centre, Stallingborough, North East Lincolnshire (“the Proposed Development”)

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 10 May 2021, 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 10 August 2021. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months from the date of the submission of the Report to determine the application.
2. The Secretary of State requests, without prejudice to his decision on the proposed development, that the parties identified in bold should provide any updates or information as appropriate. Additional comments from any interested parties on these particular points will also be considered. The issues are grouped by topic heading.

Section 106 Town & Country Planning Act 1990 Agreement

3. The Secretary of State notes that due to the use of out-dated Land Registry information, the interests of the Mortgagee, Lloyds Bank plc, were not bound to the Original Deed completed by the parties as part of the planning permission granted by North East Lincolnshire Council (NELC) under its reference DC/1070/18/FUL. A section 106 deed of variation was signed by NELC and the Applicant, dated 19 April 2021, but the confirmatory deed, which was intended to bind the Mortgagee to the Deed of Variation was unsigned and undated. The Secretary of State requests that the **Applicant** provides information on any progress which has been made to resolve this issue and if it has now been concluded.

Protective provisions to safeguard National Grid equipment within the South Humber Bank Energy Centre site

4. The Secretary of State notes that although an agreement in principle was reached between the Applicant and National Grid (being National Grid Electricity Transmission plc and National Grid Gas plc) at the close of examination, National Grid still had an outstanding objection to the Proposed Development regarding potential damage to their apparatus located within the South Humber Bank Energy Centre site. The Secretary of State requests that the **Applicant** and **National Grid** confirm whether the agreement between the two parties has now been completed and whether National Grid has withdrawn its objection to the Proposed Development and if not, to inform him of what the outstanding issues are and any further steps that have been taken towards reaching an agreement.

The deadline for responses is 23.59 on 10 September 2021.

5. Due to COVID-19, responses on the information requested should be submitted by e-mail only to:
SouthHumberBank@planninginspectorate.gov.uk
6. Responses will be published on the South Humber Bank Energy Centre Project page of the National Infrastructure Planning website as soon as possible after **10 September 2021**.
<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/south-humber-bank-energy-centre/>
7. Comments may then be invited from Interested and Other Parties within a further 28 days on the above matters only (if appropriate). The Secretary of State will then consider the responses and information received in reaching a decision on the Application.
8. This letter is without prejudice to the Secretary of State's decision whether or not to grant development consent for the South Humber Bank Energy Centre Project, and 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

Gareth Leigh
Head of Energy Infrastructure Planning