



**Canal &
River Trust**

Making life better by water

keadby3@planninginspectorate.gov.uk

Your Ref EN010114

Our Ref IPP-117

Tuesday 21 December 2021

Dear Mr Christopher Butler

Proposal: Application by Keadby Generation Limited for an Order Granting Development Consent for the Keadby 3 Low Carbon Gas Power Station Project.

Canal & River Trust Response Submission for Deadline One (Unique Reference : KDB3-SP090)

Thank you for your consultation.

Please find below our latest information in relation to the examination, with headings to identify the various elements in relation to Deadline One, which we hope you find clear, helpful and satisfactory.

Trust's Role as an Interested Party

The Canal & River Trust ("The Trust") wish to confirm that we wish to be treated as an Interested Party with respect to the above application. We understand that this request has been previously accepted by the Examining Authority. The Trust has provided comments in relation to the section 42 consultation on 07th January 2021 and subsequently has made further representations accepted at the discretion of the Examining Authority in September 2021.

Statement of Common Ground

The Trust is in the process of agreeing a draft Statement of Common Ground with the applicant and is aiming to work with the promoter towards the early resolution of issues which remain outstanding. We understand that the applicant is due to send the latest version of the draft with their Deadline One response.

Confirmation of Wish to Speak at the Open Floor Hearing

The Trust would, at this stage, wish to make representations at an Open Floor Hearing.

As highlighted in our representation from September 2021 and the latest draft Statement of Common Ground, the Trust would currently wish to raise commentary upon:

1. The management of freight deliveries and the potential impact on the use of Keadby Lock
2. The wording of the Protective Provisions within the draft DCO, notably with regards to the abidance with the Trust's Code of Practice and the proposed cap on the Applicant's indemnity

The Trust is seeking to discuss these matters with the applicant further prior to the hearing dates. Should agreement be made, the Trust may withdraw our intention to speak at the Hearing.

Canal & River Trust

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Confirmation of Wish to Speak at the Compulsory Acquisition Meeting

The Trust would, at this stage, wish to speak at the Compulsory Acquisition Meeting.

We would wish to make representations with regards to the proposed Compulsory Acquisition of the Trust land in respect to Plots 27; 37; 38; 39; 75; 80; 80a; and 81. As per our September representation, the Trust is concerned that considerable measures of permanent appropriation of rights and ownership are being sought over Trust land, without any further detail being provided as to what rights are being sought. We note that this approach is in conflict with the "Guidance on Compulsory Purchase Process and the Crichel Down Rules" published by the Department for Levelling Up, Housing & Communities.

The Trust is seeking to discuss these matters with the applicant further prior to the hearing dates. Should we reach agreement with the applicant, the Trust may withdraw our intention to speak.

Issue Specific Hearing(s)

The Trust note that the Examining Authority may choose to hold Issue Specific Hearings (ISH) about topics that may need to be explored orally. The Trust would be available to attend should the Examining Authority consider it necessary.

Accompanied Site Inspection

The Trust note the proposal to hold an accompanied site inspection on the week commencing 11th April 2022. The Trust do not explicitly request to attend the Accompanied Site Inspection.

We suggest that the Examining Authority (ExA) may wish to walk the towpath upon the Stainforth & Keadby Canal to view the location of works associated with Work No 4A (Canal Water Supply Connection Works). We believe this may help the Examining Authority appreciate the localised visual impact of these works. Notably, the Examining Authority may benefit from having sight of the existing abstraction equipment in the area, associated with the Keadby 2 works, which would likely be of similar design.

Please feel free to contact me on the details below should you have any questions or require further information.

Yours sincerely,

Simon Tucker MRTPI
Area Planner

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