



**Planning Act 2008 – section 91 and The Infrastructure Planning
(Examination Procedures) Rules 2010**

**Application by Keadby Generation Limited for an Order granting
Development Consent for the Keadby 3 Carbon Capture Power Station**

**Agenda for Issue Specific Hearing 2 (ISH2) on the draft Development
Consent Order (DCO)**

In its [letter dated 14 February 2022](#), the Examining Authority (ExA) notified Interested Parties (IP) of its decision to hold an Issue Specific Hearing into the above matter on the following date:

Hearing	Date/ time	Location	Attendees
Issue Specific Hearing 2 (ISH2) The draft DCO	Thursday 17 March 2022 10.00am¹ (Arrangements Conference starts at 09.30am ²)	Virtual event ³	Invited parties who have pre- registered

About the Issue Specific Hearing

The main purpose of this ISH on the draft DCO is to undertake an examination of the draft DCO Articles and Schedules.

In particular to:

- clarify issues around how the draft DCO is intended to work – what would be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
- identify any possible issues of prevention, mitigation or compensation which are not covered by the draft DCO, as currently drafted; and
- establish or confirm the views of other IPs as to the appropriateness, proportionality or efficacy of the proposals.

¹ Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.

² If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

³ Further information is available in Advice Note 8.6, available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>



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The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a Hearing does not preclude further examination of this issue, including the asking of further written questions. Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of these issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

Attendees/ Participation

All IPs are welcome to attend this Hearing. However, IPs will need to register their attendance with the Planning Inspectorate's Case Team no later than **noon** on **Tuesday 8 March 2022**, as joining instructions will need to be issued in advance of the Hearing. Please contact the Case Team to register by emailing: Keadby3@planninginspectorate.gov.uk.

An Arrangements Conference will be held for parties that have registered to make an oral submission or that the ExA has invited to participate. Those parties should please join the Arrangements Conference promptly using the instructions that are sent to them.

The Arrangements Conference will be hosted by the Case Team and will cover housekeeping arrangements and allow for questions to be asked about the Hearing arrangements. The ExA will not be present and there will not be a public livestream of the Arrangements Conference.

Subject to the ExA's power of control over the conduct of the Hearings, it will invite relevant parties to make an oral submission at the appropriate point in the agenda.

The Hearing and Arrangements Conference are being held in Microsoft Teams. Information on how to participate is provided in the [Planning Inspectorate's Advice Note 8.6](#).



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It is the Applicant's intention to livestream the Hearing, and a link to watch the livestream will be posted on the [project webpage of the Planning Inspectorate's National Infrastructure Planning website](#) closer to the event date. A recording of the Hearing will also be made available on the project webpage shortly after the event. Those not attending the ISH can watch the livestream or digital recording and respond to any matters raised in writing by **Deadline 5 (Tuesday 5 April 2022)**.



Provisional Draft Agenda

- 1. Welcome, introductions, arrangements for the Hearing**
- 2. Articles and Schedules of the draft DCO**

The Applicant will be asked to provide a very brief overview of each part of the draft DCO. The ExA will then ask questions in respect of DCO powers, seeking responses where appropriate from the Applicant, the Local Authorities and other IPs, who have registered to speak. These IPs will also be invited to ask questions of clarification in relation to DCO Articles and Schedules.

- 3. Schedule 2 of the draft DCO – Requirements**

The Applicant will be asked to provide an overview of the Requirements with particular focus on Requirements 5, 6, 16, 17, 25, 28, 29, 30, 33 and 38 (based on the Requirements as set out in the most recent version of the draft DCO [[REP3-003](#)] at the time of preparing this draft agenda). The ExA will then ask questions, seeking responses where appropriate from the Applicant, the Local Authorities, and any other IPs who have registered to speak. These IPs will also be invited to ask questions of clarification in relation to the draft DCO requirements.

- 4. Article 41 of the draft DCO – Certification of Plans**

To review the plans and documents to be certified and seek views as to whether the list is complete and if not, what additional documents would need to be included.

Note: The Content part of the draft DCO [[REP3-003](#)], related to the list of Articles appears to be numbered incorrectly. Article 32 (Statutory authority to override easements and other rights) has been removed from the main body of the Articles in the DCO, but not from the contents page. Therefore, all subsequent Articles, in the main body of the draft DCO have been renumbered, with the Certification of Plans, becoming Article 41 and not Article 42, as listed on the contents page.

- 5. Consents, licences and other agreements**

The Applicant will be asked to provide an update of progress and timescales for completion. The ExA will then ask questions, including discussing



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whether any Planning Obligations/ Section 106 agreements are proposed and if they are indicative timescales for finalising them.

- 6. Action points arising from the Hearing**
- 7. Any other business**
- 8. Close of Hearing**