



The Planning Inspectorate

National Infrastructure
Planning
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To all Interested Parties,
National Grid Electricity Transmission
Plc, National Grid Gas Plc
and Cadent Gas Ltd

Your Ref:

Our Ref: EN010114

Date: 7 March 2022

Dear Sir/ Madam

Planning Act 2008 – section 89; and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17

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

Request for further information

The Examining Authority (ExA) is writing to request further information from all Interested Parties under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010. The ExA is also seeking specific responses from Cadent Gas Ltd (Cadent Gas), National Grid Electricity Transmission Plc (NGET) and National Grid Gas Plc (NGG) in relation to recent Additional Submissions made by Cadent Gas and National Grid, which appear to be contradictory.

This letter relates to the Development Consent Order (DCO) application as currently submitted and is unrelated to any change request the Applicant may formally submit during the Examination period, or any change request consultations currently being undertaken by the Applicant.

Rule 17 - Publication of further responses to consultation on the Applicant's Scoping Report

The ExA has recently been made aware of a clerical error which occurred during the scoping process, resulting in a consultation response from Public Health England (now UK Health Security Agency) being overlooked in the publication of the Planning Inspectorate's Scoping Opinion and a late consultation response from the Ministry of

Defence not being published or provided to the Applicant prior to submission of the application.

Both consultation responses are now available on the [project webpage of the Planning Inspectorate's National Infrastructure Planning website](#)¹, but for ease of reference direct links are as follows:

1. [Scoping consultation response from Public Health England](#)².
2. [Late scoping consultation response from the Ministry of Defence](#)³.

The ExA is now seeking views from all Interested Parties on whether the advice contained in the consultation responses from Public Health England and/ or the Ministry of Defence would have had any bearing on the approach or findings of the Environmental Statement submitted with the application.

The deadline for the submission of any responses is **Deadline 5 (Tuesday 5 April 2022)**. Responses will be published shortly after Deadline 5.

Any Interested Party wishing to comment on information submitted in response to this request at Deadline 5 may do so at **Deadline 6 (Tuesday 26 April 2022)**.

Rule 17 – Clarification regarding representations from Cadent Gas and National Grid

Questions under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (EPR) in seeking clarification regarding representations from Cadent Gas and National Grid are set out in **Annex A** of this letter. They are addressed to Cadent Gas, NGET and NGG, although the Applicant and other Interested Parties wishing to respond may do so.

The deadline for the submission of any responses is **Deadline 5 (Tuesday 5 April 2022)**. Responses will be published shortly after Deadline 5.

Any other business

Queries regarding the content of this letter should be addressed to the Case Team using the details listed at the top of this letter.

Yours faithfully

Christopher Butler

Examining Authority

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¹ URL: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/keadby-3-carbon-capture-power-station/?ipcsection=docs&stage=1&filter1=Environmental+Impact+Assessment+Scoping>

² URL: <http://infrastructure.planninginspectorate.gov.uk/document/EN010114-000697>

³ URL: <http://infrastructure.planninginspectorate.gov.uk/document/EN010114-000696>

Questions under EPR Rule 17

On 15 February 2022, the Planning Inspectorate received two separate communications from (1) Cadent Gas and (2) what appears to be Cadent Gas and National Grid jointly. These have been accepted as Additional Submissions (AS) into the DCO Examination and have been published with references [[AS-014](#)] and [[AS-015](#)] respectively.

The AS from Cadent Gas [[AS-014](#)] stated "*Cadent have no objections to these proposed activities*" and is similar to the AS made by Cadent Gas on 24 December 2021 [[AS-012](#)]. The AS that appears to be from Cadent Gas and National Grid jointly [[AS-015](#)] stated "*Cadent and/or National Grid therefore formally objects to these activities pending further consultation.*" As such, these ASs appear to be contradictory.

	Question to:	Question:
1.	Cadent Gas	In the light of the above, the ExA would ask Cadent Gas to clarify: <ul style="list-style-type: none"> i) what authority Cadent Gas has to make representations on behalf of NGET and/ or NGG; ii) do Cadent Gas raise no objection or object to this DCO application; and if objecting to clearly set out the reasoning/ justification for the objection; and iii) if authorised to make representation on behalf of NGET and NGG, do NGET and NGG raise no objection or object to this DCO application; and if objecting, clearly set out the reasoning/ justification for the objection.
2.	NGET and NGG	In the light of the above, the ExA would ask NGET and NGG to clarify: <ul style="list-style-type: none"> i) whether Cadent Gas is authorised to make representations on behalf of NGET and/ or NGG; and ii) whether NGET and NGG raise no objection or object to this DCO application; and if objecting to clearly set out the reasoning/ justification for the objection.