

Date: 5 April 2022  
PINS Ref: EN010114  
DWD Ref: 14592



George Harrold  
Case Manager  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
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6 New Bridge Street  
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Dear George,

**KEADBY 3 CARBON CAPTURE POWER STATION PROJECT – APPLICATION BY KEADBY GENERATION LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE KEADBY 3 CARBON CAPTURE POWER STATION – LAND AT THE KEADBY POWER STATION SITE, TRENTSIDE, KEADBY, SCUNTHORPE, LINCOLNSHIRE, DN17 3EF**

**THE PLANNING ACT 2008**

**THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010, RULE 8**

The Applicant writes in response to the 'Rule 8' letter dated 14 December 2021 [PD-008] in which the Examining Authority ('ExA') has requested, at Deadline 5:

- Written summaries of oral submissions made at any Hearings held during the week commencing 7 March 2022 and 14 March 2022;
- Comments on any information submitted at Deadline 4;
- An updated version of the dDCO in clean, tracked and word versions;
- Schedule of changes to the dDCO;
- An updated Statement of Commonality of SoCG;
- An updated Guide to the Application;
- An updated Compulsory Acquisition Schedule;
- An updated Book of Reference;
- An update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession;
- Any further information requested by the ExA.

The Applicant is also submitting the Proposed Application for a Change which the Examining Authority was previously notified of on 1 February 2022 [REP2-013, REP2-014] for Deadline 5. However, this is

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considered to be a separate submission and benefits from its own Cover Letter and is not therefore described any further in this letter.

### **Response to Rule 8 Letter [PD-008]**

#### ***Written summaries of oral submissions made at Hearings***

The Applicant submits alongside this letter Written Summaries of Oral Submissions (Document Ref. 9.14) containing written summaries of the three hearings.

#### ***Comments on any information submitted for Deadline 4***

The Applicant has no comments to make on information submitted for Deadline 4 that are not addressed in other documents submitted at this deadline.

#### ***Updated documents***

The Applicant submits alongside this letter an updated Application Guide [Revision 6.0] (Document 1.2), an updated Draft Development Consent Order [Revision 5.0] (tracked PDF, clean PDF and tracked word versions) (Document 2.1), an updated Book of Reference [Revision 5.0] (Document 3.1), Update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession [Revision 4.0] (Document 9.6) and Schedule of Updates to Draft Development Consent Order [Revision 4.0] (Document 9.7).

The Book of Reference has been updated due to further diligence such as information being received from agents, as follows. Tracked and clean versions have been provided.

<b>Party</b>	<b>Update</b>	<b>Reason</b>
National Grid Electricity Transmission plc	Added as new entry in respect of rights to plots 40a, 40b, 42, 43 & 44. Qualifier updated to include rights on plots 40 & 41.	Further diligence carried out revealing deed dated 9/5/1994 on title HS350339.
National Grid Electricity Transmission plc	Added as reputed owner to plot 114	This plot is unregistered but leased to SSE. Further discussions between SSE and National Grid suggest this could be freehold National Grid Electricity Transmission plc.
Solafields & Kingdom Energy	Added in respect of option agreement to plots 40, 40a, 41, 44, 45, 55, 55a, 55b, 56, 56a, 60	Email correspondence with Mr Strawson's land agent. RFI and formal notices advising of the intent to acquire have been issued.

#### ***Any further information requested by the ExA***

The Applicant submits alongside this letter the Applicant's Response to Action Points arising from Hearings (Document 9.14) in response to the Examining Authority's Action Points from the Issue

Specific and Compulsory Acquisition Hearings held between 15 and 17 March 2022 [EV-031], a number of documents which have been updated as a result of said Action Points, which are included in the list at the end of this letter.

#### **Updates on matters in the Applicant's Deadline 4 Cover Letter [REP4-001] and other matters**

Please find below updates in relation to matters raised in the Applicant's Deadline 4 Cover Letter [REP4-001] and other matters:

- The Applicant is continuing to work closely with North Lincolnshire Council and intends to submit an updated Statement of Common Ground at Deadline 6.
- The Applicant submits alongside this letter a signed and dated Statement of Common Ground with Environment Agency [Revision 3.0] (Document 8.2).
- Discussions are on-going with National Grid Carbon ("NGC") regarding protective provisions. NGC provided draft protective provisions on 2 March 2022, together with a briefing note explaining the scope and purpose of each provision. The Applicant understands a copy of these will be submitted into examination at this deadline by NGCL. The Applicant reviewed these and provided a response to NGC on 28 March 2022 identifying that a standalone bilateral agreement ('side agreement') would be needed in tandem to ensure alignment to the future codes and interface agreements that will regulate the carbon transport pipeline, and proposing that in parallel an alternative approach is explored (the Applicant would draft a new schedule to the DCO to provide for advance consultation of NGCL on design and siting matters for as yet uninstalled infrastructure while NGCL would provide drafting for inclusion of NGCL within the existing NGET/NGG PPs in Part 1 of Schedule 10). The parties are continuing to discuss and work on these drafting approaches, and will update the ExA on the chosen approach at Deadline 6.

#### **Documents Submitted at Deadline 5**

The Applicant requests that the ExA accepts the following documents submitted at Deadline 5:

- Document 1.2 – Application Guide [Revision 6.0];
- Document 2.1 – Draft Development Consent Order<sup>1</sup> [Revision 5.0] (tracked PDF, clean PDF and tracked Word versions);
- Document 3.1 – Book of Reference [Revision 5.0]<sup>2</sup> (clean and tracked);
- Document 3.3 – Funding Statement [Revision 2.0] (clean and tracked);
- Document 4.14 – Indicative General Arrangement and Elevations A18 Gatehouse [Revision 2.0];
- Document 5.2 – Electricity Grid Connection Statement [Revision 2.0] (clean and tracked);

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<sup>1</sup> This is separate from the Draft DCO submitted as part of the Change Request at the same deadline.

<sup>2</sup> This is separate from the Book of Reference submitted as part of the Change Request at the same deadline.

- Document 6.3.22 – Appendix 12C Navigational Risk Assessment [Revision 2.0] (clean and tracked);
- Document 8.2 – Statement of Common Ground with the Environment Agency [Revision 3.0] (signed and dated)<sup>3</sup>;
- Document 9.6 – Update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession [Revision 4.0];
- Document 9.14 – Applicant’s Response to Action Points arising from Hearings;
- Document 9.15 – Written Summaries of Oral Submissions made at Hearings; and
- Document 9.16 – Additional Information Canal Water Abstraction Assessment.

Should you have any questions with regard to the Application or this Deadline 5 submission package, please do not hesitate to contact Colin Turnbull at this office using the details provided.

Yours sincerely,



**DWD**

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<sup>3</sup> A Statement of Commonality has not been updated in respect of this single SOCG revision, but will be provided at Deadline 6 along with the other SoCGs provided at this deadline.