

Date: 26 April 2022
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DWD Ref: 14592



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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 ExA's 'Rule 8' letter dated 14 December 2021 [PD-008] and the ExA's "Rule 8 (3) and Rule 17 – Amendments to the Examination Timetable and Request for Further Information" Letter dated 25 April 2022 [PD-018] inserting a new deadline on 10 May 2022 which is named Deadline 6a. As a result, the list of documents requested at Deadline 6 in PD-008 is considered to be the following:

- Responses to ExQ2;
- Final SoCG;
- Final Statement of Commonality of the SoCG;
- Update regarding progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession;
- Comments on any information submitted for Deadline 5; and
- Responses to the Rule 17 letter of 13 April 2022.

For reference the following documents are then to be submitted by 10 May 2022 at Deadline 6a:

- Comments on responses submitted for Deadline 6 (if required);
- Final Guide to the Application;
- Final update regarding progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession;

Partners

R J Greeves BSc (Hons) MRICS
G Bullock BA (Hons) BPL MRTPI
A Vickery BSc MRICS IRRV (Hons)
S Price BA (Hons) DipTP MRTPI

A R Holden BSc (Hons) FRICS
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B Murphy BA (Hons) MRUP MRTPI
A Meech BSc MRICS
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T Lodeiro BA (Hons) PGDip MSc MRICS
A Pilbrow BSc (Hons) MRICS IRRV(Hons)
C Turnbull BSc (Hons) MSc MRTPI



- Final Book of Reference;
- Final CA/ TP schedule;
- Applicant's preferred DCO in the SI template validation report and a validated copy of the DCO;
- Applicant's preferred DCO in word format.

Response to Rule 8 Letter [PD-008]

Responses to ExQ2

The Applicant submits alongside this letter its response to the Examining Authority's Further Written Questions [PD-016].

Final SoCGs and Statement of Commonality of the SoCGs

The Applicant submits alongside this letter final Statements of Common Ground with the following parties:

- North Lincolnshire Council (Document Ref. 8.1) (Signed);
- Natural England (Document Ref. 8.3) (Unsigned - this responds to comments provided by NE and was provided by the Applicant on 26 April for signing. A signed version has not been received but it is anticipated that a signed copy can be submitted at deadline 6a);
- Marine Management Organisation (Document Ref. 8.4) (Signed);
- National Grid Carbon Limited (part of National Grid Ventures) (Document Ref. 8.6) (Unsigned – this version contains drafting sent by NGCL to the Applicant along with our response in section 5 but no signed version has been received at the time of writing. It is anticipated that a signed version will be submitted at deadline 6a which could include an update on protective provisions);
- National Grid Electricity Transmission and National Grid Gas (Document Ref. 8.7) (Signed);
- Northern Powergrid (Document Ref. 8.12) (Unsigned – this version contains drafting provided by Northern Powergrid, but a signed copy has not been received back at the time of writing. We intend to submit the signed version at Deadline 6a);
- UK Health Security Agency (Document Ref. 8.13) (Unsigned – this version responds to the version issued by UKHSA dated 22 April 2022 and a copy was provided to UKHSA on 26 April for signing. A signed version has not been received at the time of writing, but it is anticipated that a signed copy can be submitted at deadline 6a);
- Severn Trent Water (Document Ref. 8.16) (Signed); and
- Isle of Axholme and North Nottinghamshire Internal Drainage Board (Document Ref. 8.17) (This version reflects discussions between the parties and has been passed for signing within the IDB organisation, but a signed copy has not been received back at the time of writing. We intend to submit the signed version at Deadline 6a).

The Applicant also submits alongside this letter a Final Statement of Commonality of the SoCGs (Document Ref. 9.5).

The status of the remaining Statements of Common Ground is as follows:

- Environment Agency (Document Ref. 8.2) – A signed version of this SoCG was submitted at Deadline 5. No update is made at this deadline, but both parties have been issued ExQ2 questions and responses are due at today’s deadline.
- Historic England (Document Ref. 8.5) – A signed version of this SoCG was submitted at Deadline 1.
- Canal and River Trust (Document Ref. 8.8) - we have obtained a signed version containing erroneous text that we do not believe would assist the ExA. We are checking the text with the Trust and will provide a corrected signed version at Deadline 6a;
- Network Rail (Document Ref. 8.9) – No update available. The SoCG at Deadline 1 outlined the key issues, which centre on compulsory acquisition and compensation. A description of the positions of the parties is set out in response to the request for an explanation of the position ExQ2.6.1, ExQ2.6.3 and ExQ2.6.6 in Document Ref 9.17 submitted at today’s deadline.
- Trinity House/Associated British Ports (Document Ref. 8.11) – A signed version of this SoCG was submitted at Deadline 1.
- Keadby with Althorpe Parish Council (Document Ref. 8.14) – No update available other than in relation to the request in the previous submitted SoCG around consultation on planting schemes. The Applicant has included provision for this in updated wording in Requirement 6 of the draft DCO (Document Ref. 2.1) at today’s deadline and this will also be in the Applicant’s Preferred Final DCO at Deadline 6a.
- National Highways (Document Ref. 8.15) – A signed version of this SoCG was submitted at Deadline 1.

Other Updated Documents

The Applicant also submits alongside this letter an Application Guide (Document Ref. 1.2), an updated Statement of Commonality of Statements of Common Ground (Document 9.5), and an update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession (Document Ref. 9.6).

Comments on information submitted for Deadline 5

The Applicant submits alongside this letter the Applicant’s Response to Deadline 5 Submissions (Document Ref. 9.18) which responds in detail to submissions by ClientEarth, MMO, Denise Steel, and Pollock Associates.

Other

With regards to ExA’s request for further information to be submitted at this Deadline, the Applicant includes its responses to the questions raised in the ExA’s Rule 17 – Request for Further Information Letter dated 13 April 2022 [PD-017] as an appendix to the Cover Letter relating to the Proposed Development Changes Request also submitted at this deadline. This includes an updated draft DCO.

Updates on matters in the Applicant's Deadline 5 Cover Letter [REP5-001] and other matters

Please find below updates in relation to matters raised in the Applicant's Deadline 5 Cover Letter [REP5-001] and other matters:

- As mentioned in the Applicant's Deadline 5 Cover Letter [REP5-001], the Applicant has submitted a signed SoCG with North Lincolnshire Council alongside this letter.
- NGCL Protective Provisions – An update is provided in the enclosed SoCG with NGCL and it is intended that updated PPs will be agreed and included in the Applicant's Final Preferred Draft DCO at Deadline 6a.
- The Applicant submits alongside this letter an updated Framework Construction Environmental Management Plan (Document Ref. 7.1) which has been updated in line with the Applicant's responses to ExQ2.

Documents Submitted at Deadline 6

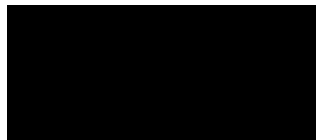
The Applicant requests that the ExA accepts the following documents submitted at Deadline 6:

- Document 1.2 – Application Guide [Revision 7.0];
- Document 7.1 – Framework Construction Environmental Management Plan [Revision 3.0] (tracked and clean);
- Document 8.1 – Signed Statement of Common Ground with North Lincolnshire Council [Revision 2.0];
- Document 8.3 – Statement of Common Ground with Natural England [Revision 2.0];
- Document 8.4 – Signed Statement of Common Ground with Marine Management Organisation [Revision 2.0];
- Document 8.6 – Statement of Common Ground with National Grid Carbon Limited (part of National Grid Ventures) [Revision 3.0];
- Document 8.7 – Signed Statement of Common Ground with National Grid Electricity Transmission and National Grid Gas [Revision 3.0];
- Document 8.12 – Statement of Common Ground with Northern Powergrid [Revision 2.0];
- Document 8.13 – Statement of Common Ground with UK Health Security Agency [Revision 3.0];
- Document 8.16 – Signed Statement of Common Ground with Severn Trent Water [Revision 2.0];
- Document 8.17 – Statement of Common Ground with Isle of Axholme and North Nottinghamshire Internal Drainage Board [Revision 2.0];
- Document 9.5 – Statement of Commonality of Statements of Common Ground [Revision 4.0];

- Document 9.6 – Update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession [Revision 5.0];
- Document 9.17 – Applicant’s Response to Examiner’s Further Written Questions; and
- Document 9.18 – Applicant’s Response to Deadline 5 Submissions.

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