



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London
SW1H 0ET

Web: www.gov.uk/beis

To:
The Applicant
The Environment Agency
The Crown Estate

Our Ref: EN010114

Date: 21 October 2022

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Keadby Generation Limited (“the Applicant”) for an Order granting Development Consent for the proposed Keadby 3 Carbon Capture Equipped Gas Fired Generating Station (“the proposed Development”)

1. Following the completion of the Examination on 7 June 2022, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the application for the proposed Development to the Secretary of State on 7 September 2022. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application from the date of the receipt of the Report and Recommendation.
2. The Secretary of State issued a request for further information to the Applicant, the Environment Agency, Network Rail and The Crown Estate on 22 September 2022.
3. The Secretary of State received responses from the Applicant, the Environment Agency and Network Rail. He notes that there are still outstanding issues in respect of some of the matters on which he sought clarification. He reminds all the parties that these issues should have been resolved by the end of the examination and that, in general, parties should not rely on additional consultation following the examination to resolve such issues.
4. Further to his previous request, the Secretary of State requires **The Environment Agency** and **The Crown Estate** to provide information on the matters set out below.

5. Compulsory Acquisition and Related Matters

- 5.1. The Secretary of State requests a final update from the **Environment Agency** on the matters referred to in its letter of 7 October 2022.
- 5.2. The Secretary of State requests that **The Crown Estate** provides the necessary Crown authority, in regard to powers sought in relation to Crown Land and/or Crown rights consistent with the Book of Reference at Deadline 6a or confirms that such authority will not be granted.
- 5.3. In the event that the necessary authority from The Crown Estate were not to be obtained, the **Applicant** is required to advise what are the implications for the project if affected land were to be removed (as set out in the Book of Reference at Deadline 6a).
6. **Responses to the requested information should be submitted by email only to: keadby3@planninginspectorate.gov.uk by 23.59 on 4 November 2022.**

Responses will be published on the Keadby 3 Carbon Capture Power Station project page of the National Infrastructure Planning website as soon as possible after **4 November 2022**:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/keadby-3-carbon-capture-power-station/>

7. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the proposed development. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully



Gareth Leigh

Head of Energy Infrastructure Planning