



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London
SW1H 0ET

Web: www.gov.uk/beis

To:
The Applicant
The Crown Estate
The Environment Agency

Our Ref: EN010114

Date: 22 November 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 (by 7th December 2022).
2. The Secretary of State issued a request for information on the 22 September 2022 and a further request for information to the **Applicant, the Environment Agency and The Crown Estate** on 21 October 2022.
3. Following his latest request for information the Secretary of State notes that there remain outstanding issues in respect of matters on which he sought clarification. He now urgently requires an update on these issues. He reminds parties that these matters need to be resolved ahead of the statutory deadline to determine the Application. Please note that any further delay will impact on a timely decision being taken and will require the Secretary of State to make a Written Ministerial Statement to Parliament to extend the statutory deadline for making the decision. There is a very strong focus in Government on speeding up planning decisions, as you will be aware, and hence Ministers are extremely keen to avoid extensions other than in cases where they are absolutely necessary.

4. Compulsory Acquisition and Related Matters

- 4.1. 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 as referred to in their letter dated 4 November 2022 or confirms that such authority will not be granted. **The Crown Estate** should also set out what changes, if any, should be made to the DCO as a result of its decision.
- 4.2. The Secretary of State requests a final update from the **Environment Agency** on the matters referred to in its letter of 7 October 2022, including what changes, if any, should be made to the DCO as a result of the update.
- 4.3. The Secretary of State requests that the **Applicant** provide an update on the outstanding matters referred to above, including what changes, if any, should be made to the DCO as a result of the update.
5. **Responses to the requested information should be submitted by email only to: keadby3@planninginspectorate.gov.uk by midday on 28 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 **28 November 2022**:

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

6. 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



David Wagstaff, Deputy Director, Energy Infrastructure Planning
Department of Business, Energy and Industrial Strategy