



**NORTH
LINCOLNSHIRE
GREEN
ENERGY PARK**

Planning Act 2008

Infrastructure Planning
(Applications
Prescribed Forms and
Procedure) Regulations
2009

**North Lincolnshire Green
Energy Park**

Volume 8

8.2.16 Final Statement of Common
Ground with Rainham Steel Company
Ltd

PINS reference: EN010116

May 2023

Revision number: 1



GLOSSARY

Acronym	Full term / Description
2008 Act	Planning Act 2008
AGI	Above Ground Installations
CCTV	Closed Circuit Television
CBMF	Concrete Block Manufacturing Facility
CCUS	Carbon Capture, Utilisation and Storage
CO ₂	Carbon Dioxide
DCO	Development Consent Order
DHPWN	District Heating and Private Wire Network
EV	Electric Vehicle
ERF	Energy Recovery Facility
ES	Environmental Statement
FGTr	Flue Gas Treatment Residue
H ₂	Hydrogen
NSIP	Nationally Significant Infrastructure Project
NLGEP	North Lincolnshire Green Energy Park
PRF	Plastic Recycling Facility
RSCL	Rainham Steel Company Ltd
RHTF	Residue Handling and Treatment Facility
S21	Solar 21
SoS	Secretary of State
SoCG	Statement of Common Ground
SuDS	Sustainable Drainage Systems

CONTENTS

1.0	Introduction	3
1.1	Overview	3
1.2	The Proposed Development	3
1.3	Parties to this Statement of Common Ground.....	4
1.4	The Purpose and Structure of this Document	5
2.0	Summary of Engagement	5
3.0	Matters	7
4.0	Signatures.....	10

TABLES

Table 2.1: Summary of Engagement	5
Table 3.2: List of Matters	8

1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared on behalf of North Lincolnshire Green Energy Park Limited ('the Applicant'). It forms part of the application (the 'Application') for a Development Consent Order (a 'DCO'), that has been submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy, under Section 37 of 'The Planning Act 2008' (the '2008 Act').
- 1.1.2 The Proposed Development is an Energy Recovery Facility (ERF) capable of converting up to 760,000 tonnes of non-recyclable waste into 95 MW of electricity and a carbon capture, utilisation and storage (CCUS) facility which will treat a proportion of the excess gasses released from the ERF to remove and store carbon dioxide (CO₂) prior to emission into the atmosphere. It is described in **Chapter 3: Project Description and Alternatives** of the Environmental Statement (ES) (Examination Library reference APP-051).
- 1.1.3 The Proposed Development meets the criteria to be considered as an NSIP under the 2008 Act as a 'generating station' under section 15(2). Section 15(2) defined an NSIP as a proposed generating station which would be located within England, would not be offshore, and would have a total generating capacity of more than 50MW.

1.2 The Proposed Development

- 1.2.1 The North Lincolnshire Green Energy Park (NLGEP), located at Flixborough, North Lincolnshire, comprises an ERF capable of converting up to 760,000 tonnes of non-recyclable waste into 95 MW of electricity and a CCUS facility which will treat a proportion of the excess gasses released from the ERF to remove and store CO₂. Prior to emission into the atmosphere. The design of the ERF and CCUS will also enable future connection to the Zero Carbon Humber pipeline, when this is consented and operational, to enable the possibility of full carbon capture in the future.
- 1.2.2 The NSIP incorporates a switchyard, to ensure that the power created can be exported to the National Grid or to local businesses, and a water treatment facility, to take water from the mains supply or recycled process water to remove impurities and make it suitable for use in the boilers, the CCUS facility, concrete block manufacture, hydrogen production and the maintenance of the water levels in the wetland area.
- 1.2.3 The Project includes the following Associated Development to support the operation of the NSIP:
- a bottom ash and flue gas residue handling and treatment facility (RHTF);
 - a concrete block manufacturing facility (CBMF);

- a plastic recycling facility (PRF);
 - a hydrogen production and storage facility;
 - an electric vehicle (EV) and hydrogen (H2) refuelling station;
 - battery storage;
 - a hydrogen and natural gas above ground installation (AGI);
 - a new access road and parking;
 - a gatehouse and visitor centre with elevated walkway;
 - railway reinstatement works including; sidings at Dragonby, reinstatement and safety improvements to the 6km private railway spur, and the construction of a new railhead with sidings south of Flixborough Wharf;
 - a northern and southern district heating and private wire network (DHPWN);
 - habitat creation, landscaping and ecological mitigation, including green infrastructure and 65-acre wetland area;
 - new public rights of way and cycle ways including footbridges;
 - Sustainable Drainage Systems (SuDS) and flood defence; and
 - utility constructions and diversions.
- 1.2.4 The Project will also include development in connection with the above works such as security gates, fencing, boundary treatment, lighting, hard and soft landscaping, surface and foul water treatment and drainage systems and CCTV.
- 1.2.5 The Project also includes temporary facilities required during the course of construction including site establishment and preparation works, temporary construction laydown areas, contractor facilities, materials and plant storage, generators, concrete batching facilities, vehicle and cycle parking facilities, offices, staff welfare facilities, security fencing and gates, external lighting, roadways and haul routes, wheel wash facilities, and signage.
- 1.2.6 The overarching aim of the Project is to support the UK's transition to a low carbon economy as outlined in the Sixth Carbon Budget (December 2020), the national Ten Point Plan for a Green Industrial Revolution (November 2020) and the North Lincolnshire prospectus for a Green Future which is currently being developed. It will do this by enabling circular resource strategies and low-carbon infrastructure to be deployed as an integral part of the design (for example by re-processing ash, wastewater and carbon dioxide to manufacture concrete blocks) and capturing waste-heat to supply local homes and businesses with heat via a district heating network.

1.3 Parties to this Statement of Common Ground

- 1.3.1 This Statement of Common Ground is between the Applicant and Rainham Steel Company Ltd (RSCL).

1.3.2 RSCL and the landowner Voric (Scunthorpe) Ltd are land occupiers and landowners of land and business impacted by the North Lincolnshire Green Energy Park application.

1.4 The Purpose and Structure of this Document

1.4.1 The purpose of this document is to summarise clearly the agreements reached between the parties on matters relevant to the examination of the Application and to assist the Examining Authority in their determination of the Application. It has been prepared with regard to the guidance in 'Planning Act 2008: examination of application for development consent' (Department for Communities and Local Government, March 2015).

1.4.2 The document is structured as follows:

- Section 2 – sets out the key correspondence and engagement between the parties up until the submission of the Application; and,
- Section 3 – sets out the matters agreed and matters outstanding between the parties in respect of the Application.

2.0 SUMMARY OF ENGAGEMENT

2.1.1 The below Table 2.1 contains a record of key correspondence and engagement between the Applicant and RSCL pertinent to this SoCG.

Table 2.1: Summary of Engagement


Date	Attendance	Topics Covered
10/10/2019	S21, RSCL	The NLGEPL Project, awaiting the outcome of British Steel, delay in any plans or decisions
31/07/2020	S21, RSCL	Email update on NLGEPL DCO progress, update of British Steel and Jingha Steel negotiations,
18/08/2020	S21, RSCL	Options for relocation for the Rainham Steel Site, British Steel, options for the port and railway. Historic Contamination Reports for the site, historic archaeological discoveries, the potential benefits of the Glanford Business Park tax benefits
23/09/2020	S21, RSCL	Update on DCO consultation, changes to the RLB, archaeology, relocation options
01/10/2020	S21, RSCL	Update on Bellwin House planning application
29/10/2020	Email exchange	Follow up on request for a proposal on re-location of RSCL site close to the port, railway and use of the steel shed. DCO process does not allow relocation of businesses within the RLB.
10/07/2021	Email exchanges	The need to undertake ground investigation works on the Rainham Steel site, stalling of the re-location options, no offer to compensate an outright move of the RSCL operation to an alternative site away from Flixborough
21/07/2021	S21, RSCL	Proposal for an outright offer to secure the RSCL site, an option to lease the site was put forward by RSCL
26/08/2021	Email exchanges	Presenting options and requesting red book valuation of the site as a basis of an offer
25/01/2022	S21, RSCL	DCO Update
18/03/2022	Email exchanges	DCO statements exchange and agreement on legal charges
18/08/2022	S21, RSCL	Solar opportunities and DCO update
10/11/2022	S21, RSCL	Proposal for acquisition and relocation
21/02/2023	S21, RSCL	Signed heads of Terms by email
13/04/2023	S21, RSCL	Draft Option to Purchase documentation sent by email for legal review

3.0 MATTERS

- 3.1.1 The below Table 3.2 contains a list of 'matters agreed' correct at the date 10th May 2023 along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

Table 3.2: List of Matters

RAINHAM STEEL POSITION	APPLICANT POSITION	STATUS
We are a tenant on one of the sites (14 acres) within the red line boundary and within 50 meters of the Flixborough port. The use the local ports (Flixborough and PD Ports) to import material into the UK is essential to our business operations and the supply of sectional steel to the UK. The inability to import to local ports and have a facility close to these ports will have a major impact on our business.	The Applicant is unable to provide a land swap for a business unrelated to the NSIP within the DCO guidance. The Applicant originally identified land within the RLB to relocate the Rainham Steel storage facility before this option was ruled unacceptable under the DCO process	
The establishment of a consented site with easy access to the Flixborough Wharf that included some betterment with regards to the size of the site would be the preferred solution	The applicant notes (Rainham Steel's & Voric (Scunthorpe) Ltd) preference and is well advanced in negotiations to enter into an option agreement with a nearby landowner (to acquire land outside of the RLB). Discussions have also taken place with NLC with a view to submitting a planning application on said land to accommodate Rainham Steel's requirements.	
The Lease of the current Rainham Steel site, owned by Voric (Scunthorpe) Ltd as an alternative to an outright purchase of the land	The Applicant has a preference to own the land outright but in the event that a land valuation could not be reached, then a lease could be considered.	
The purchase of the site, with limited availability of suitable brownfield sites would need to reflect this at a price more than double of the current offered price.	The Applicant has agreed signed heads of terms on a private commercial agreement to purchase the site freehold with a preferred option by both (Rainham Steel & Voric (Scunthorpe) Ltd) and the Applicant to deliver a relocation site within the proximity of the Flixborough Wharf.	
A full option to purchase agreement was requested before the close of the cross-examination period before Rainham	A full Option to Purchase was provided on 13 April 2023 for the (Rainham Steel's & Voric (Scunthorpe) Ltd) legal	

Steel would retract their Written Representation to the Examiners	team to review reflecting the terms outlined in the signed Heads of Terms	
---	---	---



4.0 SIGNATURES

4.1.1 This Statement of Common Ground is agreed:

On behalf of the Rainham Steel Company Ltd and Voric (Scunthorpe) Limited:

Name: Francis Micallef

Signature: 

Date: 10th May 2023

On behalf of the Applicant:

Name: David Jones

Signature: 

Date: 10/05/2023