

SLOUGH MULTIFUEL EXTENSION PROJECT

Planning Inspectorate Ref: EN010129

The Slough Multifuel Extension Order

Land at 342 Edinburgh Avenue, Slough Trading Estate, Slough

**Document Ref: 8.1 – Statement of Common Ground with Slough
Borough Council**

The Planning Act 2008



Applicant: SSE Slough Multifuel Limited

January 2023

DOCUMENT HISTORY

Document Ref.	8.1		
Revision	1.0 (DRAFT)		
Author	DWD		
Signed		Date	11.01.23
Approved By			
Signed		Date	11.01.23
Document Owner			

CONTENTS

1.0 INTRODUCTION	1
1.1 Introduction	1
1.2 Description of the Proposed Project.....	1
1.3 The Applicant.....	1
1.4 Slough Borough Council Status	2
1.5 The Purpose and Structure of this Document	2
2.0 SUMMARY OF CONSULTATION AND DISCUSSIONS.....	3
3.0 MATTERS AGREED	4
4.0 MATTERS TO BE AGREED	5

TABLES

TABLE 2.1: SUMMARY OF CONSULTATION	4
TABLE 2.2: SUMMARY OF DISCUSSIONS	4
TABLE 3.1: MATTERS AGREED	5
TABLE 4.1: MATTERS TO BE AGREED	6

1.0 INTRODUCTION

1.1 Introduction

- 1.1.1 This Statement of Common Ground ('SoCG') (Document Ref. 8.1) has been prepared jointly by SSE Slough Multifuel Limited (the Applicant) and Slough Borough Council ('SBC') in respect of the Slough Multifuel Facility Extension Project (hereafter referred to as the 'Proposed Project').
- 1.1.2 The SoCG relates to the application (the 'Application') that has been submitted to the Secretary of State ('SoS') for Business, Energy and Industrial Strategy, under Section 37 of 'The Planning Act 2008' (the 'PA 2008'), seeking development consent for the Proposed Project. The Application was accepted for Examination by the SoS on 26th September 2022.
- 1.1.3 The Applicant is seeking development consent for the extension of the consented Slough Multifuel Facility (the 'Consented Development'), an energy from waste electricity generating station, on land at the Slough Trading Estate, Slough (the 'Site').
- 1.1.4 A DCO is required for the extension (the 'Proposed Project') as it falls within the definitions and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under Sections 14(1)(a) and 15(1)(2)(a) and (c) of the PA 2008, being the extension of an onshore electricity generating station in England, which when extended will have a capacity of more than 50 megawatts ('MW').
- 1.1.5 The SoCG sets out the matters of agreement between the Applicant and SBC (the 'Parties').
 - 1.1.1 The agreements to date have been reached through consultation and continuing discussions between the Parties. The Parties are committed to maintain regular dialogue through the Examination with the aim of reaching agreement on all relevant matters relating to the Application.

1.2 The Proposed Project Site

- 1.2.1 The Proposed Project Site (the 'Site') lies entirely within the administrative boundary of SBC, a unitary authority, and is located either side of Edinburgh Avenue within the Slough Trading Estate (National Grid Reference SU 953 814) approximately 2.5 kilometres ('km') north west of Slough Town Centre.
- 1.2.2 The Site extends to approximately 2.8 hectares ('ha') in area and was acquired by SSE in 2008. It forms part of the original Slough Heat and Power Plant site.
- 1.2.3 The Consented Development, which was originally consented in June 2017 under 'The Town and Country Planning Act 1990' (the 'TCPA') (Planning Permission Refs. P/00987/051 (being a Section 73 variation of P/00987/024 and P/00987/035) and P/00987/025, P/00987/052 and P/19876/000), is currently being constructed at the Site. Construction of the Consented Development at the Site is well advanced and is currently expected to be completed by Quarter 4 2024.

1.3 The Proposed Project

- 1.3.1 The Proposed Project involves the extension of the Consented Development through carrying out the following physical works (Work No. 1 at Schedule 1 'Authorised Development' of the draft DCO, Document Ref. 2.1) to increase the efficiency and gross installed capacity of the generating station from just under 50MW to circa 60MW:
- a boiler primary air preheating system comprising heat exchanger bundles, pipework, valves, pipe supports, thermal insulation, instrumentation, cabling and containment;
 - a boiler secondary air preheating system comprising heat exchanger bundles, pipework, valves, pipe supports, thermal insulation, instrumentation, cabling and containment; and
 - mechanical modifications to the actuated stream turbine inlet control valve to allow steam capacity to be increased.
- 1.3.2 As is set out more fully in the Explanatory Memorandum (Document Ref. 2.2), it is only the extension which is the NSIP pursuant to Sections 14(1)(a) and 15(1) of the PA 2008, and the development forming part of the extension (being the Authorised Development) which requires development consent pursuant to Section 31 of the PA 2008. The Consented Development is consented and being constructed pursuant to the TCPA. It is not an NSIP, nor does it form part of one.
- 1.3.3 Separately, the extended generating station requires an ancillary authorisation to 'operate' at over 50MW pursuant to Section 36 of 'The Electricity Act 1989', and this is included within the DCO.
- 1.3.4 The Proposed Project also includes 'associated development' within the meaning of Section 115(2) of the PA 2008, including but not limited to, temporary construction laydown areas, contractor facilities, vehicle parking and cycle storage facilities.
- 1.3.5 The Proposed Project will not increase the throughput of waste, vehicle movements, or operating hours at the Slough Multifuel Facility, and will not alter the scale or external appearance of the consented buildings and structures.

1.4 The Applicant

- 1.4.1 The Applicant, SSE Slough Multifuel Limited (SMF), is a 50:50 joint venture between SSE Thermal and Copenhagen Infrastructure Partners (CIP).
- 1.4.2 SSE Thermal, part of the FTSE-listed SSE plc, is a leading developer, owner and operator of flexible generation, energy-from-waste, and energy storage assets, with over 600 direct employees across the UK and Ireland. SSE Thermal's vision is to become the leading provider of flexible thermal energy in a net-zero world. SSE Generation Limited was granted planning permission in June 2017 to construct the Consented Development at the Site. SSE currently operates the existing Slough Heat and Power Plant at the Slough Trading Estate through a company called Slough Heat and Power Limited.

1.4.3 Copenhagen Infrastructure Partners (CIP) was founded in 2012 and is a fund management company specialised in offering tailor made investment in energy infrastructure assets globally, in particular within the renewable energy sector. CIP are renewable market pioneers with involvement in some of the World's largest offshore wind projects and other major energy infrastructure projects in North-Western Europe, North America, and Asia Pacific. CIP has extensive biomass and energy from waste experience in the UK.

1.5 Slough Borough Council Status

1.5.1 SBC is a relevant local authority for the purposes of Section 42(1)(b) of the PA 2008. The entirety of the Application Site (the 'Order Limits') lies within SBC's administrative boundary.

1.6 The Purpose and Structure of this Document

1.6.1 The purpose of this document is to summarise the agreements reached between the Parties on matters relevant to the Examination of the Application and to assist the Examining Authority (the 'ExA').

1.6.2 The SoCG 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).

1.6.3 The SoCG is structured as follows:

- **Section 2** – sets out consultation and related discussions held between the Applicant and SBC.
- **Section 3** – sets out the matters discussed and agreed to date.
- **Section 4** – sets out matters to be agreed and the proposed way forward.

2.0 SUMMARY OF CONSULTATION AND DISCUSSIONS

Overview

- 2.1.1 This section provides a summary of how the Applicant has consulted SBC on the Proposed Project and also sets out the discussions that have taken place between the Parties.

Summary of Consultation

- 2.1.2 **Table 2.1** below provides a summary of how the Applicant has consulted SBC.

Table 2.1: Summary of Consultation

Consultation Stage/Date	Commentary/SBC Response
Stage 1 Consultation (non-statutory) (15 November – 17 December 2021)	The Applicant provided an updates via its Local Liaison Group (of which SBC is a member and had been attending on a quarterly basis in connection with the Consented Development) on the work being carried out in respect of the Proposed Project and the proposals for future consultation.
Statement of Community Consultation (SoCC) (22 February – 22 March 2022)	The Applicant consulted SBC on the content of the Statement of Community Consultation (SoCC) in accordance with Section 47 of the PA 2008. SBC confirmed they had no comments to make on 23 March 2022.
Stage 2 Consultation (statutory) (5 May 2022 – 17 June 2022)	The Applicant consulted SBC pursuant to Section 42 of the PA 2008, via letter dated 3 May 2022.
Section 56 'Notifying Persons of Accepted Application' (10 November 2022 – 23 December 2022)	The Applicant issued a letter and notice to SBC in accordance with Section 56 of the PA 2008 advising them of how to submit Relevant Representations to the Planning Inspectorate and the timeframes for doing so.

Summary of Discussions

2.1.3 A summary of the discussions that have taken place between the Parties to date is set out in **Table 2.2** below.

Table 2.2 – Summary of Discussions

Consultation Stage/Date	Matters Discussed
Teams meeting – 15 February 2022	Briefing meeting regarding the consultation on the draft SoCC, and the process of agreeing/publicising it ahead of the Stage 2 Consultation.
Teams meeting – 26 April 2022	General project update call regarding timescales and methods ahead of the Stage 2 Consultation.
Teams meeting – 8 June 2022	Meeting between the Applicant and SBC to discuss the proposed approach to the draft DCO requirements and their relationship with pre-existing planning conditions signed off with regard to the Consented Development.
Teams meeting – 7 December 2022	Meeting held between the Applicant and SBC to provide the LPA with an update regarding the Application, the programme to DCO examination and the process for drafting and agreeing the Section 106 deed of variation and SoCG.

3.0 MATTERS AGREED

3.1 Introduction

3.1.1 This section at **Table 3.1** below sets out the matters in agreement between the Parties.

Table 3.1 – Matters Agreed

No.	Matter Agreed	Commentary
1.	Existing permissions	<p>The Consented Development is currently lawfully being constructed pursuant to the following planning permissions:</p> <ul style="list-style-type: none"> (1) The majority of the facility is currently being constructed pursuant to a section 73 permission with reference P/00987/51 dated 1 February 2022 (which is a Section 73 variation of permission P/00987/035 dated 3 March 2020, which itself was a Section 73 variation of the original permission P/00987/024 dated 2 June 2017); (2) Minor works forming part of the facility (including a services building, water treatment plant and car park) are consented under planning permission P/00987/025 dated 2 June 2017 (as varied by non-material amendment permission P/00987/053 dated 22 June 2022); (3) Minor works forming part of the facility (including the construction of a weighbridge gatehouse, silo enclosure and external staircase) are consented under planning permission P/00987/052 dated 4 May 2022; and (4) Minor works forming part of the facility consisting of the erection of a new boundary fence at land off Greenock Road are consented under planning permission P/19876/000 dated 5 August 2022. <p>In the Application documents, these are referred to together as the “Existing Permissions”.</p> <p>Since the date of submission of the Application, a further planning permission has been granted in respect of the facility: Permission with reference</p>

		<p>P/20018/000 was granted on 10 October 2022 and consents the construction of an electrical house, acid tank and cooling tower access and underground infrastructure associated with cooling tower 8.</p> <p>For the purpose of this SoCG, references to the ‘Existing Permissions’ shall include the further permission granted on 10 October 2022.</p>
2.	Conditions attached to the existing permissions	The conditions attached to the Existing Permissions remain necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.
3.	Requirements to be attached to the draft DCO	It is appropriate for Requirements to be included in the draft proposed DCO in the form appended hereto at Annex 1. The Requirements secure that the Proposed Project is constructed in accordance with the Construction Environment Management Plan approved for the Consented Development and more generally provide that the Proposed Project will comply with the relevant planning conditions attached to the Existing Permissions (relating to the construction, commissioning, operation and decommissioning of the Consented Development), the effect being that the whole facility will be governed by the same conditions.
4.	Section 106 Deed of Variation	The Parties agree that a Section 106 deed of variation shall be entered into to link the DCO to the existing obligations contained within the existing S106 Agreement ¹ which relates to the Consented Development.

¹ A Section 106 agreement was entered into on 4 May 2017 between (1) Slough Borough Council, (2) Slough Trading Estate Limited, (3) Fibre Power (Slough) Limited, Slough Utility Services Limited, Intertrust Corporate Trustee (Jersey) Limited and Intertrust Trustee (Jersey) Limited, and (4) SSE Generation Limited (the “S106 Agreement”). The S106 Agreement has been varied by a deed of variation entered into on 17 November 2020 between (1) Slough Borough Council, (2) Slough Trading Estate Limited, (3) Fibre Power (Slough) Limited, (4) Slough Utility Services Limited, (5) Intertrust Trustee 2 (Jersey) Limited, (6) Intertrust Corporate Trustee (Jersey) Limited and (7) SSE Generation Limited (the “DoV”). The effect of the DoV is to vary the obligations relating to HGV movements.

5.	Environmental Statement	SBC agrees with the conclusions of the Environmental Statement.
----	-------------------------	---

4.0 MATTERS TO BE AGREED

4.1.1 At the time of issue of this SoCG, the Parties have no outstanding matters to resolve, therefore all matters are agreed as set out in Table 3.1.

Signed:

On behalf of: SSE Slough Multifuel Limited

Date:

Signed:

On behalf of: Slough Borough Council

Date:

Annex 1

Draft DCO Requirements