



## **Application by Indaver Rivenhall Ltd for an Order Granting Development Consent for the Rivenhall IWMF and Energy Centre scheme**

### **The Examining Authority's proposed changes to the draft Development Consent Order (DC1)**

**Published on Tuesday 25 June 2024**

This document sets out the Examining Authority's (ExA) commentaries and proposed changes to the latest version of the draft Development Consent Order (dDCO) [REP3-004] and the Explanatory Memorandum (EM) [REP3-006]. Responses are due by **Deadline 4, Tuesday 9 July 2024**.

**The ExA's proposed changes take into account the evidence in Examination so far. The ExA will consider any further evidence that is submitted until the close of the Examination in its final considerations for the Recommended Development Consent Order (rDCO) to the Secretary of State (SoS). In that regard some aspects that are currently in active discussion may or may not have been included in the proposed changes outlined in this document.**

Column 1 sets out the unique reference number to each question which starts with 'DC1' (indicating that it is from dDCO commentary), followed by an issue number, a sub-heading number and a question number. When you are answering a question, please start your answer by quoting the unique reference number.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. Please provide a substantive response to the questions directed at you, or indicate why the question is not relevant to you. You may also respond to questions that are not directed at you, should the question be relevant to your interests.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions an [editable version of this table is available in Microsoft Word](#).

**Responses are due by Deadline 4, Tuesday 9 July 2024.**



## List of abbreviations

<b>ExA</b>	Examining Authority
<b>ES</b>	Environmental Statement
<b>TCPA</b>	Town and Country Planning Act

## Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the [Examination Library](#). The Examination Library will be updated regularly as the Examination progresses.



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**Deadline for responses is Deadline 4, Tuesday 9 July 2024**

<b>DC1.1. PART 1 Preliminary</b>		
<b>DC1.1.1 Article 2</b>		
DC1.1.1.1	Applicant	<p>The ExA considers that there is no need to refer to variations granted before the date of the Order, such as those pursuant to Section 73 of the 1990 Act, in line with the suggested wording of ECC [REP3-014].</p> <p>“TCPA permission” means:</p> <p>(a) the planning permission granted by Essex County Council with reference ESS/39/23/BTE dated 26 January 2024; or</p> <p>(b) any planning permission granted by the relevant planning authority pursuant to planning application ESS/02/22/BTE,</p> <p>and any other variations thereto <b>whether</b> granted <del>before or</del> after the date of this Order (which shall include for the avoidance of doubt any variations pursuant to Section 73 of the 1990 Act) and any non-material amendments <b>whether granted before or after the date of this Order</b> under Section 96A of the 1990 Act);</p>
<b>DC1.2. PART 3 Miscellaneous and general</b>		
<b>DC1.2.1 Article 9</b>		
DC1.2.1.1	Applicant  Essex County Council	<p>The ExA considers that the Land Plan should also be a certified document.</p> <p>9. d) The undertaker must, as soon as practicable after the date on which this Order is made, submit to the Secretary of State copies of—</p> <p><b>(a) Land Plan</b></p> <p><del>(ab)</del> Works Plan;</p> <p><del>(bc)</del> Environmental Statement;</p> <p><del>(ed)</del> Existing Generation Station Plan;</p> <p><del>(de)</del> Indicative Design and Location of Work No 1 and Work No 2 Plan; and</p> <p><b>(ef)</b> TCPA permission</p>

<b>DC1.3. SCHEDULE 1 – Authorised development</b>		
<b>DC1.3.1 Part 1</b>		
DC1.3.1.1	Applicant	<p>The ExA proposes the following amendments to ensure there are not any adverse effects above those assessed in the ES:</p> <p>1. A nationally significant infrastructure project as defined in sections 14(1)(a) and 15 of the 2008 Act –</p> <p>(a) Work No.1 – an extension to the existing generating station comprising mechanical modifications to the actuated steam turbine inlet control valves to allow steam capacity to be increased, with the effect that the extended generating station will have a gross installed generating capacity of <del>over 50</del> up to 65MW; and</p> <p>(b) Work No.2 – an extension to the existing generating station comprising the installation and commissioning of unrestricted actuated steam turbine inlet control valves with a capacity of <del>over 50</del> up to 65MW, with the effect that the extended generating station will have a gross installed generating capacity of <del>over 50</del> up to 65MW.</p>