

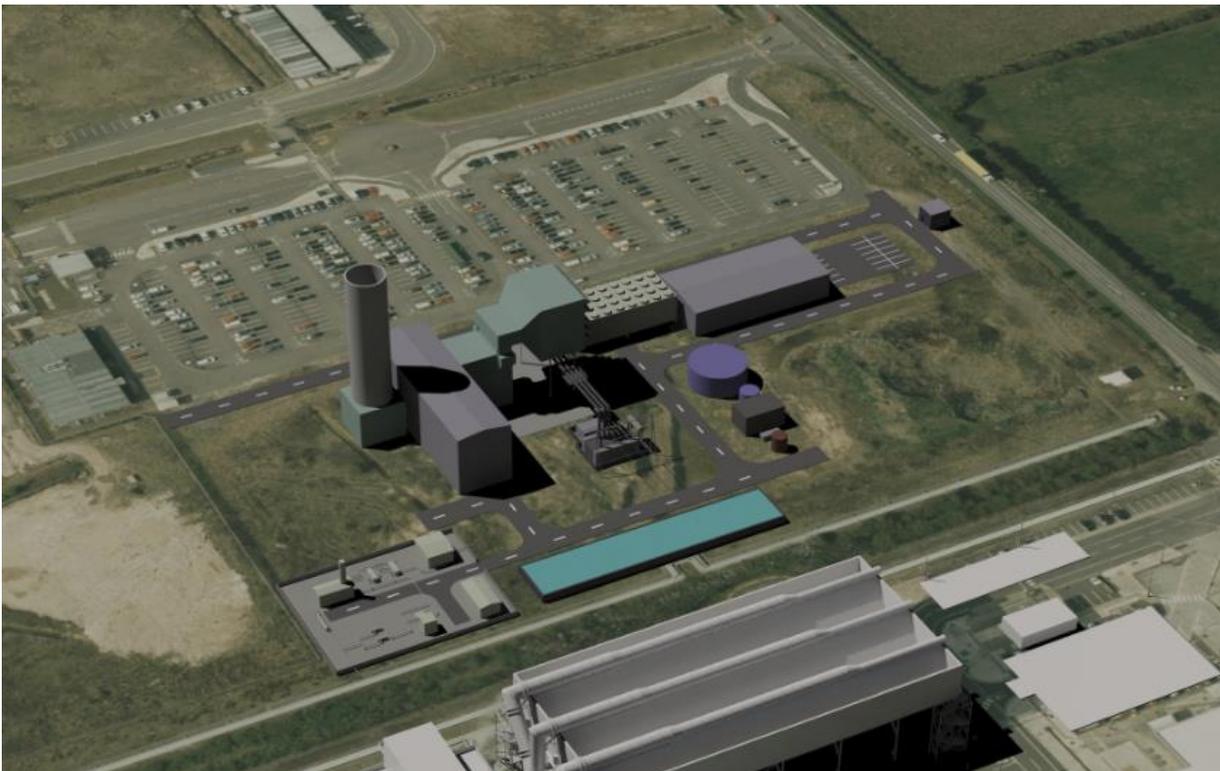
## **VPI Immingham OCGT Project**

**PINS Ref: EN010097**

**Land in the vicinity of the VPI Immingham Power Station,  
Rosper Road, South Killingholme, Lincolnshire, DN40 3DZ**

## **Statement of Community Consultation (‘SoCC’)**

**The Planning Act 2008 – Section 47**



**Applicant: VPI Immingham B Ltd**

**Date: October 2018**

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## GLOSSARY

<b>Abbreviation</b>	<b>Description</b>
AGI	Above Ground Installation
CHP	Combined Heat and Power
CO <sub>2</sub>	carbon dioxide
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
FAQ	Frequently Asked Questions
ha	hectares
MW	megawatts
NELC	North East Lincolnshire Council
NLC	North Lincolnshire Council
NPS	National Policy Statements
NSIP	Nationally Significant Infrastructure Projects
NTS	National Transmission System
OCGT	Open Cycle Gas Turbine
PA 2008	Planning Act 2008
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
SoCC	Statement of Community Consultation
SoS	Secretary of State
VPIB	VPI Immingham B Ltd

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## 1.0 INTRODUCTION

### Overview

- 1.1 This Statement of Community Consultation (SoCC) has been prepared on behalf of VPI Immingham B Ltd ('VPIB') in respect of its proposal to submit an application for Business, Energy and Industrial Strategy for a 'Development Consent Order' ('DCO') under the Planning Act 2008 (as amended) (the 'PA 2008') to allow construction and operation of a new Open Cycle Gas Turbine ('OCGT') power station of up to 299 megawatts ('MW') gross output and associated development (the 'Project').
- 1.2 The application will be submitted to the Planning Inspectorate ('PINS') who will consider the DCO application and report on it to the Secretary of State ('SoS') for Business, Energy and Industrial Strategy. The SoS will decide whether or not to grant development consent.
- 1.3 The Project would be located on land adjacent to Rosper Road, South Killingholme, Immingham, DN40 3DZ (the 'Project Site'). The land is located primarily within the administrative boundary of North Lincolnshire Council ('NLC') with a small section lying within the administrative boundary of North East Lincolnshire Council ('NELC').
- 1.4 The Project would provide responsive support to the UK national grid and would be sited immediately to the north of the existing VPI Immingham Combined Heat and Power ('CHP') Plant (the 'Existing Power Station'). The Existing Power Station is one of the largest CHP plants in Europe, capable of generating 1,240 megawatts – around 2.5% of UK peak electricity demand – and up to 930 tonnes of steam per hour, which is used by nearby oil refineries as heat required in the process of turning crude oil into products such as petroleum.
- 1.5 The 'Project Site' is located near to the Port of Immingham in an industrial area. Immingham Dock is located approximately 1.5 kilometres ('km') to the south east at its closest point, while the Humber ports facility is located approximately 500m north and the Humber Refinery approximately 500m to the south. The nearest town is Immingham, located approximately 2.5 km south east of the Project Site at its closest point and the nearest residential property is a single property on Marsh Lane located approximately 500 m to the south east of the Project Site. The villages of South and North Killingholme are located approximately 1.4 and 1.7 km west, south west of the main part of the Project Site.
- 1.6 The Project includes associated development such as a new gas supply pipeline to form a connection point onto the existing gas pipeline supplying the Existing Power Station, adjacent to its southern boundary, and an electrical cable to form a new connection point to the existing substation within the Existing Power Station site. The Project Site also includes an existing gas pipeline that runs from the Existing Power Station to the National Transmission System ('NTS') for gas (No. 9 Feeder pipeline) to the west of South Killingholme. VPIB is not proposing to carry out any construction works to the existing pipeline, and requires rights to use, operate and maintain it in the same way as is currently the case for the Existing Power Station.
- 1.7 VPIB will engage in a range of pre-application consultation and engagement ahead of submitting the DCO application for the Project to PINS. VPIB has already undertaken a first round of non-statutory consultation (the 'Stage 1 Consultation') from 6 July to 6 August 2018 and a second round of statutory consultation is scheduled to commence in October 2018 (the 'Stage 2 Consultation'). The second round of consultation will meet the

statutory requirements set out in the PA 2008. It is proposed to submit the DCO application in the second quarter of 2019.

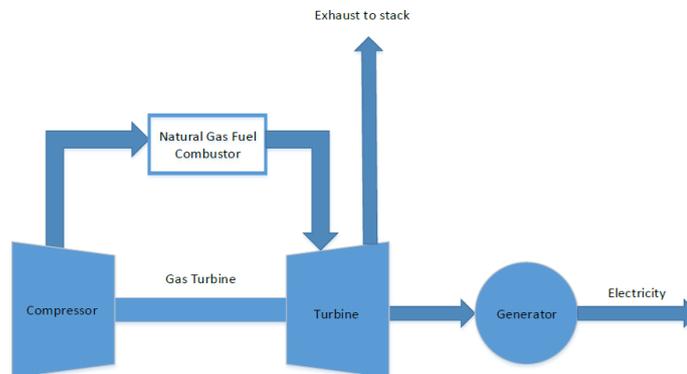
- 1.8 A Draft Consultation Strategy was prepared prior to the Stage 1 Consultation and has informed the preparation of this SoCC. The Draft Consultation Strategy was submitted to the host local authorities for review in May 2018. NLC responded in June 2018 to confirm that the proposed approach to consultation is considered robust and acceptable, and that NLC would have no concerns or objections to the consultation being carried out in accordance with the stated approach. NELC raised no objections to the proposed approach and verbally confirmed its acceptability.
- 1.9 This SoCC has been prepared in accordance with Section 47(1) of the PA 2008 and will firstly be submitted to NLC and NELC for informal consultation and then again for formal consultation under Section 47(2), once the document has been finalised and any comments from the informal consultation have been addressed.
- 1.10 VPIB will then publish the final SoCC and make copies of it available locally, and will publish a notice in a local newspaper confirming this. This is likely to take place shortly before the Stage 2 Consultation starts.

### Who is VPIB?

- 1.11 VPIB is a wholly owned subsidiary of VPI Holding Ltd, which is the parent company of VPI Immingham LLP which owns and operates the Existing Power Station. For more information visit <https://www.vpi-i.com/>.

### The Project

- 1.12 The Project would comprise a fast response gas-fired power station with an output capacity of up to 299 MW. It would produce electricity from a single OCGT unit using natural gas sourced from the gas pipeline to the Existing Power Station. In an OCGT power station, the natural gas is fired in the combustion system of the gas turbine to drive a generator that produces electricity (see **Figure 1.1** below). Waste heat is sent to an exhaust and no steam cycle is installed. The Project would be able to quickly increase or 'top up' supply during periods of potential electricity shortfall on the National Grid. The power station would be capable of being started at short notice to help cope with periods of high demand or low supply nationally (for example, when the wind is not blowing) to support the increasing penetration of intermittent renewables supplying the National Grid.

**Figure 1.1 – Diagram of OCGT operation**

**Figure 1 - Diagram of OCGT operation**

1.13 The main benefits of the Project would be as follows:

- contributing to security of national electricity supply, which can be addressed through having a mix of energy generating technologies;
- providing a reliable and very responsive source of flexible power generating capacity to support peak periods of demand and back up variable renewable forms of energy production; and
- lower carbon dioxide ('CO<sub>2</sub>') emissions per megawatt of electricity generated from natural gas compared to existing coal fired power stations that recently have performed this role, helping to deliver UK climate change targets.

### The application process

1.14 Onshore electricity generating stations in England with a capacity of more than 50 MW gross output are classified as 'Nationally Significant Infrastructure Projects' ('NSIPs') under Section 15(2) of the PA 2008 and therefore a DCO is required for their construction and operation. The Project is anticipated to have a gross output of up to 299MW and therefore falls within this definition.

1.15 The Planning Inspectorate ('PINS') is the government agency responsible for examining applications for DCOs which authorise NSIPs. VPIB will therefore submit an application for a DCO to the PINS.

1.16 On receipt of the application, PINS will firstly decide whether or not the application should be accepted. If accepted, it will proceed to examine the application, and following the completion of the examination process will then recommend to the SoS (in this case the SoS for Business, Energy and Industrial Strategy) whether or not the application should be approved and in what terms. **Appendix 1** of this report illustrates the six key steps of application process for the DCOs.

1.17 In deciding whether or not to approve the application, the SoS must determine the application in accordance with the relevant National Policy Statements ('NPS'), unless the factors set out in the PA 2008 direct otherwise. The NPSs set out the need for new

energy infrastructure and the issues to be considered in determining such applications. These can be viewed at: <https://www.gov.uk/government/publications/national-policy-statements-for-energy-infrastructure>. For the Project, the NPSs of relevance are:

- EN-1 – Overarching National Policy statement for Energy;
- EN-2 – National Policy Statement for Fossil Fuel Electricity Generating Infrastructure;
- EN-4 – National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines; and
- EN-5 – National Policy Statement for Electricity Networks Infrastructure.

1.18 EN-1 clearly states that the UK needs all types of energy infrastructure covered by the document (including new gas-fired generation) in order to achieve energy security of supply at the same time as reducing greenhouse gas emissions. PINS will therefore examine applications for energy infrastructure, such as the Project, on the basis that the need for that infrastructure has been proved. Consequently, representations to the consultation and examination of the Project should focus on the merits of the Project, and not matters of policy contained within the NPSs.

1.19 For more information about the DCO process, please refer to:

<https://infrastructure.planninginspectorate.gov.uk/application-process/the-process/>

## 2.0 VPIB'S PROPOSED APPROACH TO CONSULTATION

### Introduction

2.1 VPIB will carry out effective and meaningful pre-application consultation, as part of a strategy of preparing a well-developed and comprehensive DCO application, in which the important issues have been appropriately considered during the pre-application stage.

2.2 VPIB recognises that early involvement of the local community, local authorities, statutory consultees and other stakeholders provides benefits for all parties, as government guidance<sup>1</sup> explains and which is also reflected in the statutory requirement to produce this SoCC:

*“Early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties, by:*

- *helping the applicant identify and resolve issues at the earliest stage, which can reduce the overall risk to the project further down the line as it becomes more difficult to make changes once an application has been submitted;*
- *enabling members of the public to influence proposed projects, feedback on potential options, and encouraging the community to help shape the proposal to maximise local benefits and minimise any downsides;*
- *helping local people understand the potential nature and local impact of the proposed project, with the potential to dispel misapprehensions at an early stage;*
- *enabling applicants to obtain important information about the economic, social and environmental impacts of a scheme from consultees, which can help rule out unsuitable options;*
- *enabling potential mitigating measures to be considered and, if appropriate, built into the project before an application is submitted; and*
- *identifying ways in which the project could, without significant costs to promoters, support wider strategic or local objectives.”*

2.3 The Project is classified under Schedule 2, Paragraph 3 of 'The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended)' and so does not immediately fall under EIA development, but is instead subject to a decision by the SoS. VPIB have notified the SoS under Regulation 8 that it proposes to provide an Environmental Statement and thus will be EIA development.

2.4 VPIB will therefore carry out assessments and impact studies to evaluate the likely significant environmental effects of the proposals. This information will ultimately be combined into an Environmental Statement ('ES') that will form part of the DCO application.

2.5 VPIB has already applied to PINS for a 'Scoping Opinion' as to the scope, level of details and information to be provided within the ES. PINS consulted with a number of statutory consultees and other bodies, and a formal Scoping Opinion was issued on 16 July 2018.

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<sup>1</sup> Department for Communities and Local Government, "Planning Act 2008: Guidance on the pre-application process", (March 2015): paragraph 18

2.6 During the upcoming Stage 2 Consultation, VPIB will make available environmental information that will enable consultees to gain an understanding of the initial findings of the assessments of likely significant environmental effects, how these have influenced design development and also the approach to mitigating significant effects, in the form of a Preliminary Environmental Information Report ('PEIR'). The PEIR will be made available in the ways set out in the following sections.

### VPIB's proposed consultation strategy and objectives

2.7 VPIB's overall consultation objectives are to:

- raise awareness of what is proposed and to give local occupiers and residents, NLC, NELC and other local authorities, statutory consultees and other stakeholders the opportunity to make informed comments upon the proposals;
- provide clear and concise information at appropriate times;
- invite feedback and have regard to it in developing the Project; and
- show, within the application, how the Project has taken account of consultation.

2.8 VPIB has taken account of relevant local and national policy and guidance including:

- NLC Statement of Community Involvement (Adopted 2010);
- NELC Statement of Community Involvement (Adopted 2013);
- Department for Communities and Local Government (DCLG): Planning Act 2008: Guidance on the pre-application process (2015);
- The Planning Inspectorate Advice Note Two: The role of local authorities in the development consent process (Published February 2015 Version 1 Advice Note 2);
- The Planning Inspectorate Advice Note Three: EIA consultation and notification (Republished August 2017, version 7);
- The Planning Inspectorate Advice Note Eight: Overview of the nationally significant infrastructure planning process for members of the public and others (Published February 2017);
- The Planning Inspectorate Advice Note Eleven: Working with public bodies in the infrastructure planning process (Republished November 2017, version 4); and
- The Planning Inspectorate Advice Note Fourteen: Compiling the consultation report (Republished April 2012, version 2).

2.9 In addition to the above published guidance, VPIB's approach to consultation has and will continue to be guided by discussions with NLC and NELC, and by a review of good practice on recent applications of a similar nature and scale. VPIB will also be informed by its experience in operating and developing the Existing Power Station in recent years and the company's and its advisors' knowledge of the Project Site, the surrounding communities and the environment.

2.10 To deliver these objectives, as previously stated, VPIB has adopted a two stage consultation process consisting of:

- **Stage 1 Consultation (non-statutory consultation):** consultation with communities in close proximity to the Project Site, as well as relevant technical bodies (e.g. Natural England and the Environment Agency); statutory undertakers;

NLC, NELC and other adjacent local authorities; land ownership interests identified through early land referencing work; and other stakeholders in the local area; and

- **Stage 2 Consultation (Statutory Consultation):** consultation in accordance with the statutory requirements of the PA 2008 with the local community in a wider geographical area, and relevant prescribed consultees and bodies, including technical and regulatory organisations, relevant statutory undertakers, relevant local authorities, and those persons with an interest in the land required for the Project<sup>2</sup>.

2.11 Whilst the Stage 1 Consultation was non-statutory, VPIB carried it out in a manner which largely mirrors the requirements of the PA 2008.

### When VPIB will consult

2.12 Stage 1 Consultation was undertaken from 6 July 2018 to 6 August 2018. The consultation followed a programme of targeted communication to raise awareness of the Project and the consultation.

2.13 Stage 2 Consultation is scheduled to commence in October 2018 and last for at least 30 days.

2.14 VPIB has sought to avoid established holiday periods and use venues that have good accessibility, in a variety of locations within and near to a defined consultation area (further detail on the consultation area is provided later in this section).

### What VPIB will consult on

2.15 The Stage 2 Consultation materials will provide information on the aspects of the Project that are being consulted on.

2.16 Accordingly, Stage 1 Consultation introduced the Project, explained why it is needed and how it accords with national energy policy, and provided information on:

- initial proposals for the Project, its purpose, scale and potential layout;
- key timescales and means of further involvement; and
- the environmental assessment work that will be carried out for the Project.

2.17 Stage 2 Consultation will be conducted in accordance with this document, and will involve consultation on the detail of VPIB's proposed DCO application in accordance with the pre-application consultation and publicity requirements of the PA 2008, including:

- details of VPIB's revised proposals (taking account of comments received during Stage 1 Consultation) including how the final site could be laid out and its general appearance;
- the PEIR;
- indicative arrangements for construction; and
- emerging proposals for avoiding, minimising and/or mitigating likely environmental effects.

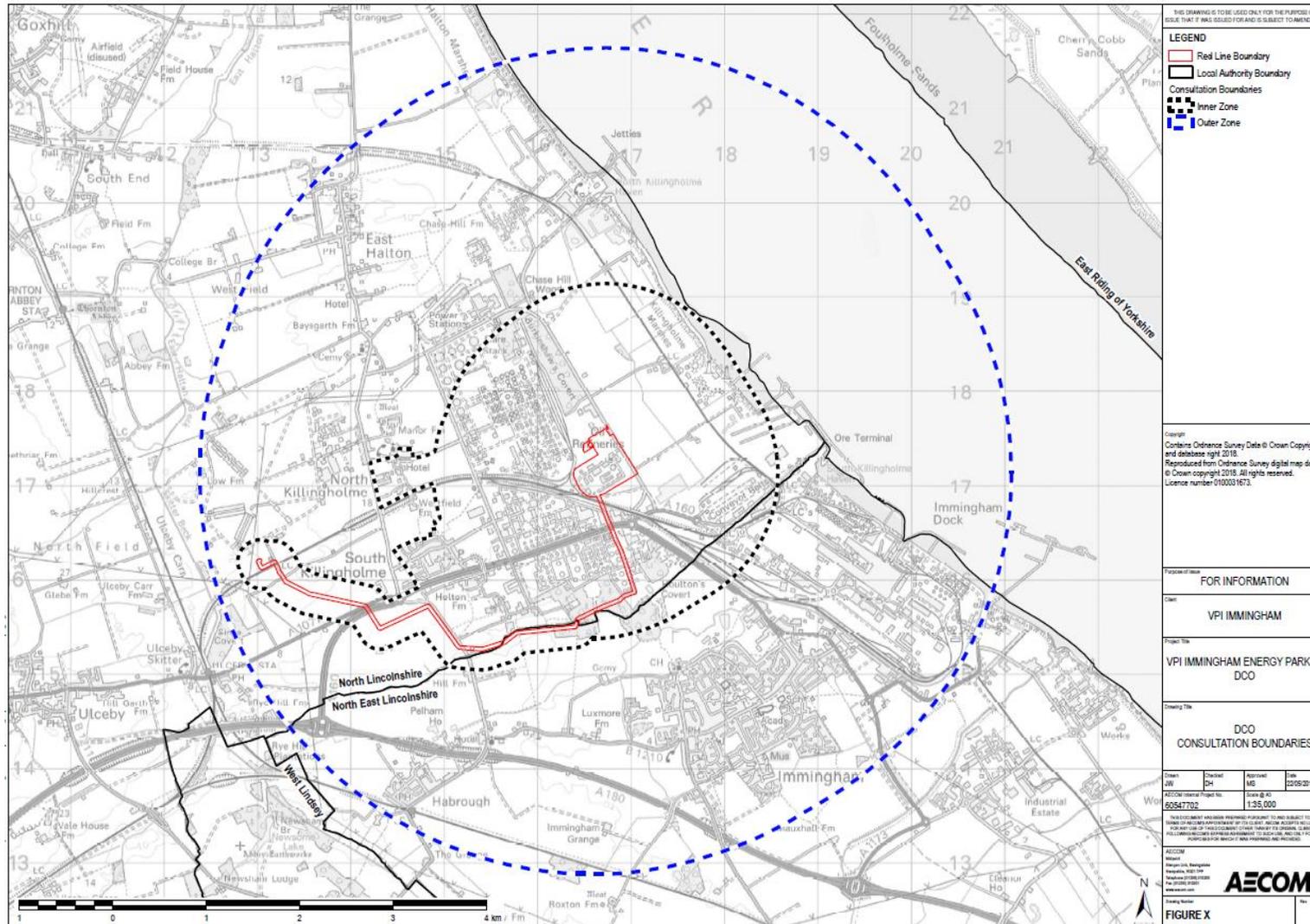
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<sup>2</sup> In accordance with Sections 42, 47 and 48 of the Planning Act 2008 (as amended), and associated Regulations.

### Who VPIB will consult

- 2.18 The extent of the 'Consultation Area' for Stage 1 Consultation of the local community is shown in **Figure 2.1** on the following page. It is proposed that the same area will be utilised for Stage 2 Consultation. The consultation area is formed of:
- an **'Inner Consultation Zone'** extending around 1.5km from the centre of the Main OCGT Power Station Site, representing the area within which VPIB anticipates any potential for occupiers and residents to be materially impacted by the Project. The area has been extended (i) to include the settlements of South Killingholme and North Killingholme; and (ii) to include the Existing Gas Pipeline Corridor, around which a 200m Inner Consultation Zone has been established. For Stage 1 Consultation, within the Inner Consultation Zone area VPIB wrote to each address to introduce VPIB and the Project, and invited them to attend a public information exhibition or referred to the website for the exhibition resources. Within or near to the zone VPIB held the aforementioned public information exhibitions and provided notices at relevant local locations; and
  - an **'Outer Consultation Zone'** extending around 4km from the centre of the Main OCGT Power Station Site, taking in key settlements (East Halton, Immingham and Habrough) and representing the area within which VPIB does not anticipate material impacts but acknowledges that there could be interest in the Project. Information was provided to these communities through notices in local newspapers, posters at relevant local locations (including libraries) and the Project website.
- 2.19 The extent of the Inner Consultation Zone around the Existing Gas Pipeline Corridor (200m as opposed to 1.5km for the Main OCGT Power Station Site) reflects that this is an existing asset which VPIB is seeking rights to use, operate and maintain as per the Existing Power Station, and in relation to which no construction works are proposed.

Figure 2.1 – Proposed Consultation Area



- 2.20 At Stage 2 Consultation, VPIB will be consulting in accordance with this SoCC on the detailed proposals for the Project and will publicise and make available the PEIR. The consultation will consult in accordance with the requirements of Sections 42, 47 and 48 of the PA 2008.
- 2.21 A full review of the list of consultees from Stage 1 and the Scoping process will take place prior to the commencement of Stage 2 Consultation, and a land referencing specialist has been appointed to ensure that VPIB complies with the requirement to use 'diligent inquiry' in seeking to identify all relevant landowners to be consulted, in accordance with Section 44 of the PA 2008.
- 2.22 Before the start of Stage 2 Consultation relevant prescribed statutory consultees will be consulted in accordance with the requirements of Section 42 of the PA 2008 and associated regulations<sup>3</sup>. These consultees will be contacted via post or email to be formally notified of the start of this stage of consultation, with details of where to inspect the PEIR; and how to comment on the proposals. A letter will also be sent to PINS under Section 46 of the PA 2008. In addition, VPIB will hold consultation meetings with key consultees to ensure ongoing and constructive dialogue on the scope of the Project and obtain feedback on the evolving proposal and its environmental effects.
- 2.23 In line with Section 48 of the PA 2008, VPIB will publicise details of VPIB's final proposals in a national newspaper, the London Gazette and the local newspapers. This will be undertaken in conjunction with the Stage 2 Consultation. In publicising the plans, VPIB will include at least a 30 day period from the date the last notice is published for the receipt of comments. Any comments received before the deadline will be taken into account before the DCO application is submitted. In accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended), VPIB will also send a copy of the Section 48 Notice to the relevant Section 48 consultation bodies.

### **Proposed consultation methods**

#### Media

- 2.24 A press statement setting out the key elements of the Project and the dates and times of the public consultation events was sent to local newspapers in advance of the public information events for Stage 1 Consultation. This will be repeated for Stage 2 Consultation. This is in addition to the formal notices issued pursuant to Section 48 (noted above).

#### Letters/newsletters

- 2.25 Letters were sent to properties in the Inner Consultation Zone to inform those local occupiers of the proposals and to invite them to initial public information events for Stage 1 Consultation. This will be repeated for Stage 2 Consultation.
- 2.26 The letters and newsletters will clearly advertise the forthcoming Stage 2 Consultation period, highlight the public information events and provide details of the Project email address and website, to enable people to contact the Project team.

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<sup>3</sup> 'The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (as amended)' and 'The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended)'.

### Elected member briefings

- 2.27 For Stage 1 Consultation, VPIB informed relevant local elected members about the Project and invited them to briefings prior to each public exhibition. This will be repeated for Stage 2 Consultation.

### Advertisement of Consultation

- 2.28 Additional boards, adverts and signs were displayed in local shops and community areas during the Stage 1 Consultation, to provide further advertisement of the consultation. This will be repeated for Stage 2 Consultation.

### Public information exhibitions

- 2.29 Two public information exhibitions were held for Stage 1 Consultation, which were accessible to the main communities in the vicinity of the Project Site (within the Inner Consultation Zone). This will be repeated for Stage 2 Consultation. The timing of the events for Stage 2 Consultation will include both daytimes and evenings, and will include one weekend day – as was the case for Stage 1 Consultation.
- 2.30 The Stage 2 Consultation public information exhibitions will be attended by members of the Project team to answer questions on the proposals, assist with interpreting the Project information available at the events and to encourage people to give their views. A series of information boards will be displayed at each public information event to set out details of the Project. Supporting technical information (such as the EIA Scoping Report and PEIR) will be made available at the public information events. These will also be available on the Project website.
- 2.31 Feedback forms will be made available at each event and visitors will be encouraged to use these to provide feedback and comment on the proposals.

### Project website, email address and contact details

- 2.32 A Project website ([www.vpi-ocqt.com](http://www.vpi-ocqt.com)) has been established to provide background information on the Project and the dates, times and locations of the public information events. Downloadable versions of Project documents are made available on the website.
- 2.33 A Project email address and contact details have been set up to provide additional ways in which people can contact the Project team and access information on the proposal.
- 2.34 PINS has also established a Project website containing information provided to or by them in relation to the Project:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/vpi-immingham-ocqt/?ipcsection=overview>

### Responding to information requests

- 2.35 Where VPIB receives requests for Project documents, this will be provided in the appropriate way, by directing people to the Project website, providing the PEIR on CD, or providing hard copies. The Section 48 notices and other documents will provide information on any charges to provide hard copies.
- 2.36 VPIB will aim to provide a substantive response to relevant questions or requests for further information received via the Project website, email address, helpline or letter/feedback form.

This will either be a direct response to stakeholders and/or will be covered in the Consultation Report submitted as part of the DCO application (see Section 3 of this SoCC for more detail on the Consultation Report).

2.37 VPIB will consider, and aim to respond to, any verbal requests (particularly at the public information events), but will generally ask for comments to be made in writing through any method identified above. VPIB can only guarantee consideration of responses made via the Project website, email address or letter/feedback form.

#### **How feedback can be provided**

2.38 All consultees will have the opportunity to respond to VPIB's proposals via:

- Letter or via feedback forms available at the public information exhibitions; and
- Emailing the Project email address.

2.39 Where respondents have confirmed interest (or otherwise indicated interest) in receiving periodic updates from the Project, they will be added to the Project mailing list. VPI may enter into individual correspondence, for example to obtain clarifications or to obtain further information, but this is not guaranteed.

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## 3.0 CAPTURE, ANALYSIS AND REPORTING CONSULTEE'S COMMENTS

### Introduction

- 3.1 VPIB is committed to recording, acknowledging, analysing, considering and providing feedback on all the comments received during the two stages of pre-application consultation and following publicity. Under Section 49 of the PA 2008 there is a duty on VPIB to have regard to the responses received pursuant to consultation carried out under Sections 42 and 47 and the publicity under Section 48. In line with Section 37 (3)(c) of the PA 2008 the results of this process will be set out in a 'Consultation Report' which will accompany the DCO application.

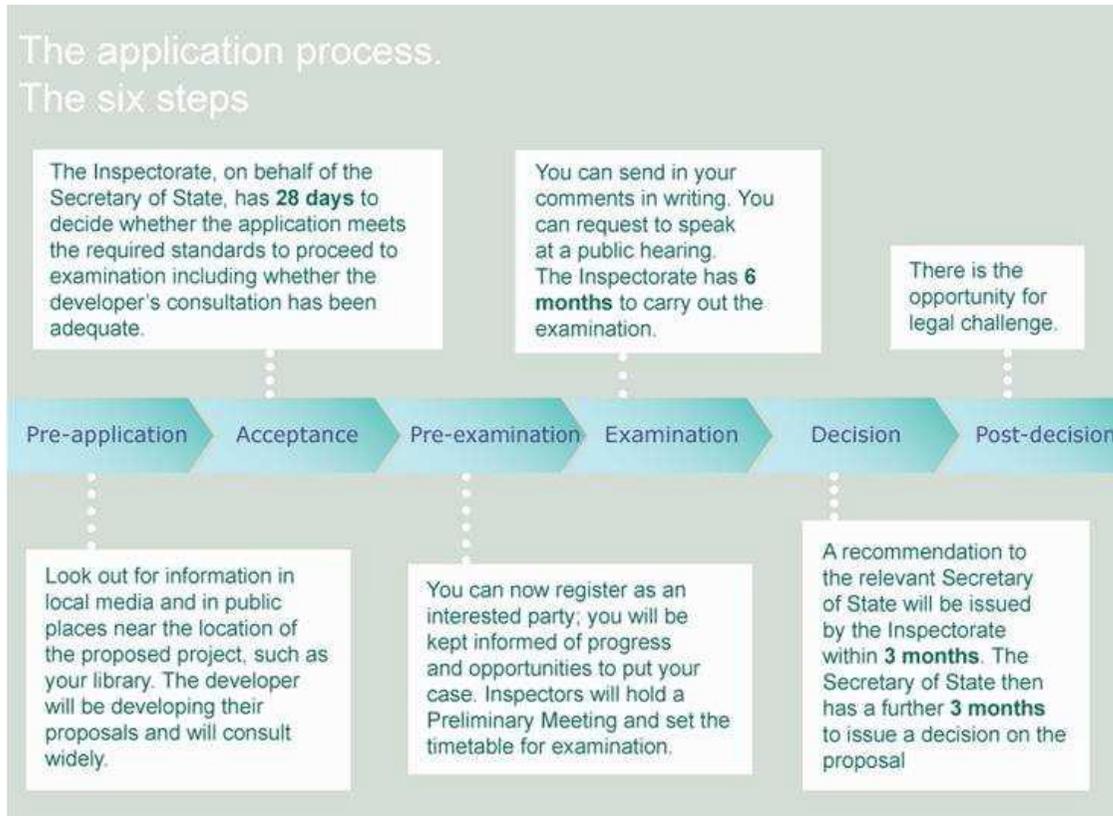
### Analysis

- 3.2 VPIB will analyse all comments received and take them into account as proposals for the Project develop. VPIB will identify common themes arising out of the feedback received based on common key words, phrases or topics. For responses received under Section 47 (local community consultees), the objective will be to collate substantive points into a series of themes which can be considered for the Project, and against which VPIB will identify how it has given them regard. For Section 42 responses (prescribed consultees), VPIB expects to provide more detailed responses where specific environmental and technical issues are raised alongside continuing direct dialogue with the prescribed consultee where appropriate.

### Reporting

- 3.3 As previously stated, VPIB will produce a Consultation Report following analysis and consideration of all the comments received from both stages of consultation and in response to the final stage of publicity for VPIB's proposals. The Consultation Report will accompany the DCO application.
- 3.4 In preparing and submitting the aforementioned Consultation Report, VPIB will avoid publicising individual names and addresses of members of the public, unless explicitly asked to do so by the individual/group concerned.
- 3.5 All consultation responses (including names and addresses) will be made available for inspection by PINS (where requested).

## APPENDIX 1: THE DCO APPLICATION PROCESS <sup>4</sup>



<sup>4</sup> The Planning Inspectorate, <http://infrastructure.planningportal.gov.uk/application-process/the-process/>