

Date: XXXX

INSERT ADDRESS

Dear XXXX,

**VPI IMMINGHAM OCGT PROJECT – PROPOSAL FOR A NEW GAS-FIRED POWER STATION AND ASSOCIATED DEVELOPMENT – LAND TO THE WEST OF ROSPER ROAD, SOUTH KILLINGHOLME, LINCOLNSHIRE, DN40 3DZ**

**CONSULTATION IN ACCORDANCE WITH SECTION 42 OF THE PLANNING ACT 2008 - 'DUTY TO CONSULT'**

We write on behalf of VPI Immingham B Limited ('VPIB') in connection with the VPI Immingham OCGT Project (the 'Project').

VPIB intends to submit an application (the 'Proposed Application') for a Development Consent Order (a 'DCO') under section 37 of The Planning Act 2008 (the '2008 Act'). The Proposed Application will be submitted to and administered by the Planning Inspectorate, before being determined by the Secretary of State ('SoS') for Business, Energy and Industrial Strategy. The DCO, if made, would authorise the construction, operation and maintenance of a new Open Cycle Gas Turbine ('OCGT') power station with a capacity of up to 299 megawatts ('MW') gross output and other associated works.

The site proposed for the Project (the 'Project Site') would be located on land adjacent to Rosper Road, immediately to the north of the existing VPI Immingham Combined Heat and Power ('CHP') Plant (the 'Existing Power Station'). 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.

Further information relating to the Project, including a Preliminary Environmental Information Report ('PEIR'), is set out in the remainder of this letter and on the enclosed USB drive.

**Section 42 'Duty to consult'**

Section 42 of the 2008 Act 'Duty to consult' requires prospective applicants for a DCO to consult on their proposed application with those persons specified in the 2008 Act and in regulations made pursuant to the 2008 Act. These persons include local authorities, prescribed consultation bodies and affected/potentially affected land owners and other interests in land. The consultation must be carried out prior to submitting an application for a DCO to the SoS.

VPIB have identified a number of persons and organisations, which it is to consult for the purposes of section 42 of the 2008 Act. It has been determined that you or your organisation

falls within the land owners and other interests in land category. VPIB therefore wishes to seek your views on the Project.

This consultation, pursuant to section 42 of the 2008 Act (VPIB's 'Stage 2 Consultation'), follows the non-statutory consultation ('Stage 1 Consultation') undertaken by VPIB in July/August 2018. The Stage 1 Consultation provided initial information on the Project, including the reasons for wanting to build a gas-fired power station, the location and possible layout of the power station, and the consenting process, amongst other things.

### **Section 48 'Duty to publicise'**

Section 48 of the 2008 Act 'Duty to publicise' and Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require prospective applicants for a DCO to publicise their proposed application by publishing a notice (a 'section 48 notice') once in a national newspaper, once in the London Gazette and (in the case that land in Scotland is affected) once in the Edinburgh Gazette, and for two successive weeks in a local newspaper circulating in the vicinity of the land to which the development relates. In accordance with this requirement, VPIB will be publishing a section 48 notice in the following newspapers and publications:

- The Guardian;
- The London Gazette;
- Grimsby Telegraph; and
- Scunthorpe Telegraph.

In addition, Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) (the 'EIA Regulations') requires that the prospective applicant, at the same time as publishing notice of the proposed application in accordance with section 48, sends a copy of that notice to the 'consultation bodies' and to any person notified to the applicant by the SoS under EIA Regulation 11(1)(c).

You have been identified as a consultation body for the purposes of EIA Regulation 13 and therefore a copy of the section 48 notice that is to be published (as set out above) is appended to this letter.

### **Project components**

The new gas-fired power station would have a capacity of up to 299 MW. It would be built on land to the west of Rosper Road and be sited immediately to the north of the Existing Power Station.

The fuel source for the new power station (natural gas) would be supplied by means of new and existing gas connection pipelines. The new gas connection pipeline would be relatively short and link into the existing pipeline located south of the Existing Power Station via a new Above Ground Installation ('AGI'). The existing pipeline is currently used for fuelling of the Existing Power Station. VPIB is not seeking consent for any works to the existing pipeline, but it is included within the Proposed Application as VPIB are seeking powers to use and maintain the pipeline.

The Project includes other associated works, including an electrical connection to the existing National Grid substation at the Existing Power Station Site, to allow the electricity generated by the new power station to be exported to the electricity network.

The main components of the Project include:

- a single OCGT unit comprising a gas turbine, electrical generator, a stack and main transformer;
- a switchyard, associated switch gear and ancillary equipment;
- a gas receiving area, gas control facilities, gas reception building and a new gas pipeline to a new AGI, at a point on the existing gas pipeline which runs from the NTS (No. 9 Feeder pipeline) to the Existing Power Station;
- an electrical connection with a potential upgrade of switchgear or other existing equipment;
- towns water supplies and pipelines;
- auxiliary generator and liquid fuel tank for emergency electrical supplies;
- lubricating oil, hydraulic oil and chemical storage tanks and equipment;
- workshops and stores;
- electrical, control, administration and welfare buildings;
- auxiliary cooling equipment/ system and cooling water supply;
- above ground raw water and fire water storage tanks;
- storm water attenuation system;
- internal access roads and car parking;
- landscaping and fencing; and
- other infrastructure and auxiliaries/services.

As the output capacity of the Project is less than 300MW, the power station does not fall under the provisions of the Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013 ('CCR Regulations').

The Proposed Application will seek the authorisation of the proposed works through a DCO in addition to other powers, including, if required, the compulsory acquisition of permanent land and rights in land required for the Project, and the temporary occupation of land required for the Project. Other powers that the DCO will seek, if found to be required, include the extinguishment and/or overriding of easements and other rights over or affecting land required for the Project, the application and/or disapplication of legislation relevant to the project, and tree and hedgerow removal, amongst other matters.

These powers will be set out in the draft DCO and explained in an Explanatory Memorandum, both of which will form part of the Proposed Application.

## Environmental Impact Assessment

VPIB has notified the SoS under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the 'EIA Regulations') that it proposes to provide an Environmental Statement ('ES') and thus the Project is EIA development. The ES will provide a detailed description of the Project and its environmental effects, as well as the other matters required by the EIA Regulations.

Information so far compiled about the Project's environmental effects is contained within the PEIR and its non-technical summary. The PEIR is provided on the USB drive that is enclosed with this letter.

## Consultation documents

The USB drive that is enclosed with this letter contains the following consultation documents in order to assist you in considering and commenting on the Project:

- a plan showing the location of the Project Site;
- a plan showing the extent of the Project Site outlined in red;
- a plan showing the different parts of the Project Site;
- plans showing the indicative layout of the gas-fired power station;
- indicative 3D visualisations of how the gas-fired power station may look;
- the PEIR and its non-technical summary, setting out the findings of the environmental assessments of the Project that have been carried out to date; and
- a copy of the notice that will be published pursuant to section 48 'Duty to publicise' of the 2008 Act, once in The Guardian and the London Gazette, and for two successive weeks in the Grimsby Telegraph and Scunthorpe Telegraph.

A hard copy of the section 48 notice is enclosed with this letter.

A hard copy of all the consultation documents is available on request for a maximum copying charge of £150.00. Hard copies of individual documents are available on request. The consultation documents can be obtained by:

**Writing to:** VPI Immingham OCGT Consultation, c/o DWD LLP, 6 New Bridge Street, London, EC4V 6AB

**Emailing:** [consultation@vpi-ocgt.com](mailto:consultation@vpi-ocgt.com)

All of the consultation documents contained on the enclosed USB drive and the other consultation materials (e.g. exhibition boards) that are being made available to the local community pursuant to section 47 'Duty to consult local community' of the 2008 Act can be accessed free of charge via the Project website: <https://www.vpi-ocgt.com/>

## Public Exhibitions

Two public exhibitions will be held within the vicinity of the Project Site and surrounding area. Details of the exhibitions are provided below.

DATE	VENUE	TIME
Saturday 3 <sup>rd</sup> November 2018	County Hotel, Pelham Rd, Immingham DN40 1AD	10:00am – 2:00pm
Monday 5 <sup>th</sup> November 2018	South Killingholme Community Centre, Moat Ln, South Killingholme, Immingham DN40 3EU	1:00pm – 7:00pm

### Responding to the Consultation

Comments in response to the consultation can be submitted by the following means:

**Post:** VPI OCGT Consultation, c/o DWD LLP, 6 New Bridge Street, EC4V 6AB

**E-mail:** [consultation@vpi-ocgt.com](mailto:consultation@vpi-ocgt.com)

**Website:** <http://www.vpi-ocgt.com>

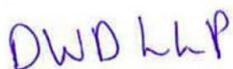
All comments on the proposals should be submitted **no later than 11:59pm on 3 December 2018.**

### Next steps

Following the close of the consultation on 3 December 2018, VPIB will review the comments received and have regard to these in finalising the proposals in advance of submitting the Proposed Application to the SoS.

VPIB intends to submit the Proposed Application in the second quarter of 2019. The examination of the Proposed Application would take place during the autumn/winter 2019/20, with a decision expected to be made by the SoS in autumn 2020.

Yours faithfully



**DWD LLP on behalf of VPIB**

Enc.

Section 48 notice

USB drive of consultation documents