



Thurrock Flexible Generation Plant

**Preliminary Environmental Information Report
Chapter 5: Scoping and Consultation**

Date: September 2018

Environmental Impact Assessment
Preliminary Environmental Information Report

Volume 2

Chapter 5

Report Number: OXF10872

Version: Final

Date: September 2018

This report is also downloadable from the Thurrock Flexible Generation Plant website at:
<http://www.thurrockpower.co.uk>

Thurrock Power Ltd
1st Floor
145 Kensington Church Street
London W8 7LP

Copyright © RPS

The material presented in this report is confidential. This report has been prepared for the exclusive use of Thurrock Power Ltd and shall not be distributed or made available to any other company or person without the knowledge and written consent of RPS.

Prepared by: Anna Gillespie

Contributors: Tom Dearing

Checked by: Tom Dearing

Table of Contents

1. Introduction.....	4
1.1 Purpose of this chapter	4
1.2 Stages of consultation.....	4
2. EIA Scoping.....	6
2.1 Scoping request	6
2.2 Scoping workshops.....	6
2.3 Scoping Opinion.....	6
3. Future Consultation	9
3.1 Introduction	9
3.2 Statutory consultation.....	9
3.3 Public consultation/exhibitions	9

List of Tables

Table 2.1: Cross-cutting issues in Scoping Opinion.....	7
Table 2.2: Environmental topics scoped out.....	8
Table 3.1: Details of public exhibitions held as part of public consultation.....	9

Summary

This document summarises outcomes of the EIA scoping process and consultation undertaken about the preliminary environmental information provided. It documents the key issues raised in scoping and consultation and refers to where those have been addressed in the EIA.

Qualifications

This document has been prepared by Anna Gillespie BSc (Hons), MSc, a Consultant who has three years' experience of planning consultancy and environmental impact assessment.

It has been checked by Tom Dearing, a Chartered Environmentalist and full Member of the Institute of Environmental Management and Assessment, who has eight years' experience of environmental impact assessment.

1. Introduction

1.1 Purpose of this chapter

- 1.1.1 This chapter of the Preliminary Environmental Information Report (PEIR) provides details of the consultation undertaken concerning potential impacts of Thurrock Flexible Generation Plant.
- 1.1.2 The PEIR is being published to inform pre-application consultation. Following consultation, comments on the PEIR will be reviewed and taken into account in preparation of the Environmental Statement (ES) that will accompany the application to the Planning Inspectorate (PINS) for development consent.
- 1.1.3 This chapter summarises the consultation undertaken to date, key issues raised, and next steps for consultation prior to submission of the application for development consent. It details the Scoping Opinion received from PINS and the resulting agreed scope of the PEIR (and subsequent ES).

1.2 Stages of consultation

- 1.2.1 Pre-application consultation is an important requirement for development consent applications. It provides an opportunity for interested parties to comment on the proposals while they are at formative stage, and for potential issues to be taken into account and, where necessary, addressed before the application is submitted for examination.
- 1.2.2 In the course of preparing the application and during the environmental assessment process undertaken to date, a wide range of stakeholders have been consulted to agree the scope of the assessments, methodologies and possible mitigation measures, and to gather environmental data relevant to the topic-specific assessments.
- 1.2.3 With publication of the PEIR, further pre-application consultation with the public and various bodies prescribed in section 42 of the Planning Act 2008, as amended, (the 'statutory consultees') will be undertaken. This chapter will be updated with the outcomes of that consultation for inclusion in the ES to be submitted with the application for development consent.
- 1.2.4 The stages of consultation are described below.

Pre-scoping consultation

- 1.2.5 Thurrock Power has undertaken informal consultation with a number of interested parties since late 2016 to discuss the potential development proposals. Parties consulted have included:
- Anglian Water;
 - Business, Energy and Industrial Strategy (BEIS);
 - Environment Agency;
 - Essex County Council;
 - Essex Wildlife Trust;
 - Highways England;
 - Health and Safety Executive (HSE);
 - Land owners;
 - National Grid;
 - Natural England;
 - Network Rail;
 - Open Space Society;
 - PINS;
 - Port of Tilbury London Ltd;
 - RWE; and
 - Thurrock Borough Council.

Scoping

- 1.2.6 Scoping is the process of identifying the issues to be addressed during the environmental assessment process. Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, as amended, provides for an applicant to ask the Secretary of State to state in writing their opinion as to the information to be provided in an ES.
- 1.2.7 Whilst there is no formal requirement in the Regulations to seek a Scoping Opinion or produce a Scoping Report prior to the submission of an ES, it is recognised as best practice to do so. The scoping of an EIA by which the main or significant likely effects are identified is an important preliminary procedure, which sets the context for the EIA process.
- 1.2.8 A request for a scoping opinion with accompanying Scoping Report was accepted by PINS on 9 August 2018. The Scoping Opinion was provided by PINS on 20 September 2018. As part of the scoping process, PINS requested opinions from the statutory consultation bodies, which informed the scoping opinion issued by PINS.

PEIR consultation

- 1.2.9 Consultation regarding the proposed development remains ongoing. This PEIR forms the basis of the statutory consultation undertaken pursuant to sections 42 and 47 of the Planning Act 2008, which is a statutory stage of the pre-application consultation. The consultation commences on 16 October 2018 and concludes on 14 November 2018. At that point, comments received on the PEIR will be collated and considered when finalising the Environmental Statement (ES). The ES will be submitted with the application for a Development Consent Order (DCO) under Section 32(3) of the Planning Act 2008 and Regulation 17 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, as amended. The application for development consent is anticipated to be submitted in January 2019.

Examination

- 1.2.10 Submission of the application with accompanying ES is expected in January 2019. Once the application has been accepted by PINS for examination, there is a further opportunity for interested parties to make representations to PINS concerning the proposed development during the examination phase in 2019, prior to a decision being taken on granting consent.

2. EIA Scoping

2.1 Scoping request

2.1.1 As set out above, a request for a formal Scoping Opinion was made to PINS in August 2018. This was based on a Scoping Report, which set out the findings of the scoping process undertaken. The objectives of the Scoping Report were to:

- identify potential environmental issues associated with the proposed development;
- identify those environmental issues which should be considered further in the final reports to accompany the planning application;
- provide a basis for consultation, where appropriate, with statutory and non-statutory consultees on the relevant environmental issues for the purposes of environmental assessment;
- define the methods to be used to assess the environmental effects of the proposed development; and
- Where appropriate, agree these methods with statutory and non-statutory consultees.

2.2 Scoping workshops

2.2.1 In addition to the scoping request, workshops have been held with key consultees to discuss specific environmental topics prior to receipt of the Scoping Opinion.

2.2.2 Workshops were held with Thurrock Borough Council officers and representatives of the Environment Agency and Highways England on Wednesday 8 August and Thursday 30 August 2018 at the Thurrock Borough Council Civic Offices in Essex. The workshops each included a description of the proposed development and summary of baseline studies. The following topic areas were covered:

- air quality;
- noise;
- transport;
- drainage and flood risk;
- ground contamination;
- landscape and visual impacts; and
- ecology and biodiversity.

2.2.3 Three key points arising from these workshops have influenced the subsequent development design and PEIR studies.

2.2.4 A potential alternative construction access route between St Chad's Road and Gun Hill was discussed with Thurrock Borough Council highways department and Highways England. This suggested route now forms part of the proposed development design.

2.2.5 Thurrock Borough Council public health officers noted the potential for cumulative impacts with other major developments proposed locally, relatively high levels of socio-economic deprivation, high baseline rates of respiratory disease, and also the potential benefits of employment generation. A public health assessment was requested for the EIA scope, which is provided at Volume 3, Chapter 13: Human Health.

2.2.6 Potential ecological impacts of once-through cooling using the River Thames were discussed, in combination with the same approach proposed for Tilbury Energy Centre development. Further study of once-through cooling has shown that it is not feasible for the proposed development on technical and cost-benefit grounds, and it does not form part of the proposed design. Further details of the alternatives considered are set out in Volume 2, Chapter 3: Consideration of Alternatives.

2.3 Scoping Opinion

2.3.1 The Scoping Opinion was received from PINS on 20 September 2018. The following bodies were formally consulted by PINS as part of this process:

- The Health and Safety Executive;
- NHS England;
- Thurrock Clinical Commissioning Group;
- Natural England;
- Historic England;
- Essex County Fire and Rescue Service;
- Essex Police and Crime Commissioner;
- The Environment Agency;
- The Maritime and Coastguard Agency;
- Marine Management Organisation;
- The Civil Aviation Authority;
- Thurrock Council;
- Highways England;
- Transport for London;

- Trinity House;
- Public Health England;
- The Crown Estate;
- Forestry Commission;
- Ministry of Defence;
- Royal National Lifeboat Institution;
- relevant statutory undertakers; and
- Local authorities.

2.3.2 The following organisations provided a response to PINS within the statutory timeframe:

- Castle Point Borough Council;
- Civil Aviation Authority;
- Environment Agency;
- ESP Utilities Group;
- Essex County Council;
- Essex Fire and Rescue;
- Forestry Commission;
- Gravesham Borough Council;
- Health and Safety Executive;
- Highways England;
- Historic England;
- Marine Management Organisation;
- Maritime and Coastguard Agency;
- NATS En-Route Safeguarding;
- Natural England;
- National Grid Electricity Transmission;
- Port of London Authority;
- Port of Tilbury;
- Public Health England;
- Royal Mail;
- Thurrock Council; and
- Trinity House.

2.3.3 Table 2.1 summarises the overarching and cross-cutting points raised by PINS and in consultee responses through the Scoping Opinion, setting out how and where these are addressed in the PEIR or through the development design.

2.3.4 Details of how points raised with regard to specific environmental assessments have been addressed in the PEIR are given in Section 3.4 of each topic chapter in Volume 3.

Table 2.1: Cross-cutting issues in Scoping Opinion.

Consultee and issue raised	How and where addressed in PEIR
<p>PINS – The description of the proposed development and the assessment of significant effects should include all design characteristics and parameters applicable to the entire development. The ES should also explain the anticipated routes for consenting for any elements of the proposed development that do not form part of the DCO Application. (paragraph 2.2.3)</p>	<p>Details of the proposed development are included within Volume 2, Chapter 2: Project Description of the PEIR. All elements of the development required are expected to form part of the DCO application, with other consenting routes not anticipated to be required.</p>
<p>PINS – The description of the proposed development should be developed in the ES to include details of how the construction would be phased, including the likely commencement data, duration and location of the required activities (paragraph 2.2.4). The ES should provide details of the anticipated construction working hours (including any night time working required) and activities on which the assessments of likely significant effect have been based (paragraph 2.2.5).</p>	<p>Details of the required construction activities, construction working hours and potential phasing are included in Volume 2, Chapter 2: Project Description and Volume 5, Appendix 2.2: Code of Construction Practice of this PEIR.</p>
<p>PINS – The ES should describe the lighting requirements for all elements and phases of the proposed development. It should be explained what measures are proposed to minimise light spill into the surrounding area (paragraph 2.2.9).</p>	<p>Details for the operational lighting requirement for the proposed development are included in Volume 2 Chapter 2: Project Description. Construction phase lighting measures are included in Volume 5 Appendix 2.2: Code of Construction Practice of this PEIR.</p>
<p>PINS – A detailed description of the alternative sites considered in the sequential site search exercise should be included in the ES, as well as a description of the reasonable alternative technologies considered (paragraph 2.2.18).</p>	<p>Details of the alternatives considered for the proposed development are included in Volume 2, Chapter 3: Consideration of Alternatives of this PEIR.</p>
<p>PINS – Where uncertainty exists and flexibility is sought, the ES should clearly set out the design characteristics and parameters that would apply, and how these inform the assessment in the ES. Where the details of the Proposed Development cannot be defined precisely, the Applicant should apply a worst case scenario relative to each aspect chapter (paragraph 2.2.19)</p>	<p>The overall design parameters and limits of deviation are set out in Volume 2, Chapter 2: Project Description. Within each topic chapter in Volume 3, Table 2.2 details the specific 'worst-case' design parameters relevant to that assessment.</p>

Consultee and issue raised	How and where addressed in PEIR
<p>PINS – Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/minimise adverse effects is secured through DCO requirements (or suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed (paragraph 3.1.4).</p>	<p>The outcomes of consultation to date and details of proposed mitigation have been considered with Section 3.4 and Section 4.9 of each of the individual topic chapters (Volume 3, Chapters 6 to 16) of this PEIR, respectively. These sections will be further developed following PEIR consultation.</p> <p>A summary of proposed mitigation will be provided in Volume 5, Appendix 2.1: Enhancement, Mitigation and Monitoring Commitments.</p>
<p>PINS – The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters (paragraph 3.3.10).</p>	<p>The overarching methodology is set out in Section 2 of Volume 2, Chapter 4: EIA Methodology.</p> <p>Any departures from that methodology are described in Section 2.5 of the respective topic chapter in Volume 3.</p>
<p>PINS – Where the ES relies upon mitigation measures which would be secured through a management plan/strategy, it should be demonstrated (with clear cross-referencing) where each measure is set out in the document (paragraph 3.3.14).</p>	<p>This will be provided for the final ES when mitigation measures such as management plans are finalised following PEIR consultation.</p>
<p>PINS – Any proposals for mitigating and/or monitoring the impacts from the cooling water system should be described within the ES (section 4.7.8).</p>	<p>The intake cooling pipe/cooling water system no longer forms part of the proposed development so this issue has not been considered further.</p>
<p>PINS - The Inspectorate considered that additional justification should be provided to support that the use of the existing/consented new jetty, in terms of the anticipated number and frequency of deliveries and the cumulative impact with other developments (section 4.7.4).</p>	<p>The use of the jetty for delivery is no longer proposed.</p>
<p>PINS – An assessment of likely significant effects arising from the vulnerability of the Proposed Development to major accidents or disasters from fire and explosion risks should be provided in the ES where significant effects are likely.</p> <p>The ES should contain clear cross referencing to where the assessment of major accidents or disasters is located (section 4.12).</p>	<p>Regulation and management of fire and explosion risk is set out in Volume 5, Appendix 2.3: Accident and Emergency Management. As discussed in Section 2.8 of the Project Description in Volume 2, Chapter 2, accidents or disasters (with significant effects) are not considered likely.</p> <p>Volume 3, Chapter 15: Hydrology and Flood Risk assesses potential for significant effects due to flooding, including tidal and storm surge vulnerability.</p>

2.3.5 Table 2.2 summarises the environmental topic areas scoped out of the PEIR on the basis that no likely significant environmental effects are expected. Within each topic chapter in Volume 3 (Chapters 6 to 16), Section 4.8 details any further specific effects within that topic area that have been scoped out.

Table 2.2: Environmental topics scoped out.

Topic area	Reason Topic Scoped Out
Material assets and natural resources	No existing infrastructure or assets apart from Common Land and agricultural land would be significantly affected. Agricultural and Common Land impacts are assessed in the Land Use chapter. The principal resource consumed in operation would be natural gas, with impacts of its consumption on climate change assessed in the Climate Change chapter. No separate chapter required.
Aviation	No potential for likely significant effects given distance to airports and presence of other taller structures nearby.
Heat	There is no potential for likely significant environmental effects due to heat (cooling water discharge no longer proposed).
Combined heat and power	The proposed development is inherently unsuited to CHP due to its intermittent, peaking operation, so no development of CHP is proposed or considered feasible and no assessment of environmental impacts of the development of CHP infrastructure is required.
Carbon capture and storage (CCS)	Land-take required for carbon capture readiness (CCR) will be assessed. Details of specific CCS development within the CCR land cannot be established with sufficient certainty for assessment purposes, and such a development, if sought in the future, would be subject to development control and EIA if required at the time. Assessment of CCS is therefore not proposed.

3. Future Consultation

3.1 Introduction

3.1.1 Under the Planning Act 2008, as amended, the applicant has a duty to consult on and publicise the proposed development. The key statutory requirements in respect of pre-application consultation and publicity are as follows:

- *Section 42 Duty to consult* – consultation with prescribed bodies (e.g. Natural England, Environment Agency, Historic England), local authorities, landowners and others with interests in the land;
- *Section 47 Duty to consult local community* – consultation with the local community in accordance with the Statement of Community Consultation (SoCC); and
- *Section 48 Duty to publicise* – publicity of the proposed development.

3.1.2 The consultation described in this section is ongoing. The section 42 and section 47 consultation responses will be reviewed and this section will be updated for production of the ES submitted with the application.

3.2 Statutory consultation

3.2.1 In accordance with Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, the following statutory consultees are being consulted:

- Basildon Borough Council;
- Brentwood Borough Council;
- Castle Point Borough Council;
- Dartford Borough Council;
- Essex County Council;
- Essex County Fire and Rescue Service;
- Essex Police and Crime Commissioner;
- Forestry Commission England;
- Gravesham Borough Council;
- Highways England;
- Historic England;
- Homes England;
- Kent County Council;

- Kent Downs AONB;
- London Borough of Bexley;
- London Borough of Havering;
- Medway Council;
- Natural England;
- NHS England;
- NHS Thurrock Clinical Commissioning Group;
- Parish councils;
- Public Health England;
- relevant statutory undertakers;
- the Civil Aviation Authority;
- The Crown Estate;
- the Environment Agency;
- the Greater London Authority;
- the Health and Safety Executive;
- the Lead Local Flood Authority (Essex County Council);
- the Marine Management Organisation;
- the Maritime and Coastguard Agency;
- the Ministry of Defence;
- Thurrock Council;
- Transport for London; and
- Trinity House.

3.3 Public consultation/exhibitions

3.3.1 This period of consultation is scheduled to take place between 16 October and 14 November 2018.

3.3.2 Thurrock Power has published a Statement of Community Consultation (SoCC), agreed with Thurrock Borough Council, that sets out how local communities will be consulted concerning the proposed development. The SoCC is available to view from the Thurrock Power website: <http://www.thurrockpower.co.uk>

3.3.3 A number of public exhibitions are scheduled, as set out in Table 3.1.

Table 3.1: Details of public exhibitions held as part of public consultation.

Date	Location	Venue address	Time of session
Tuesday 16 October 2018	Gravesend	The Court Room, Gravesend Old Town Hall, High Street, Gravesend, DA11 0AZ	11:00 – 20:00

Date	Location	Venue address	Time of session
Tuesday 23 October 2018	West Tilbury	West Tilbury Village Hall, Rectory Road, West Tilbury, RM18 8UD	11:00 – 20:00
Friday 2 November 2018	Tilbury Hub	Tilbury Hub, 16 Civic Square, Tilbury, RM18 8ZZ	11:00 – 20:00
Wednesday 7 November 2018	Linford	Linford Village Hall, Lower Crescent, Linford, SS17 0QP	11:00 – 17:30

3.3.4 Full details of the public consultation process and the comments made by both statutory and public consultees will be provided in a Consultation Report that will accompany the application for development consent.