

OPERATION OF A GAS-FIRED GENERATING STATION (INCORPORATING A BATTER ENERGY STORAGE SYSTEM) AT SPALDING, LINCOLNSHIRE

DRAFT EXPLANATORY MEMORANDUM RELATING TO

THE VARIATION OF THE CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989

Note: This Explanatory Memorandum explains the proposed variations to the consent granted on 31st January 2018 ('the 2017 Variation Application') under Section 36 of the Electricity Act 1989 and the direction under section 90(2) of the Town and Country Planning Act 1990 for the continued operation of the Open Cycle Gas Turbine unit at Spalding Power Station, West Marsh Road, Spalding, operated by Spalding Energy Expansion Limited ('SEEL').

Paragraph / Condition	Proposed 2025 Variation	Justification / Explanation
Consent under Section 36 of the Electricity Act 1989		
-	Amendment of "Department for Business, Energy and Industrial Strategy" to "Department for Energy Security and Net Zero".	To reflect the current name of the Department.
-	Removal of "(INCORPORATING A BATTERY ENERGY STORAGE SYSTEM)".	Reference to BESS removed as no longer requires consent nor may be consented under the national infrastructure planning regime.
-	Amendment of description of development to "EITHER: (I) ONE COMBINED CYCLE GAS TURBINE UNIT AND/OR (II) ONE OPEN CYCLE GAS TURBINE UNIT OF LESS THAN 300 MW".	To reflect the proposed development.
1	Amendment of "Department for Business, Energy and Industrial Strategy" to "Department for Energy Security and Net Zero".	To reflect the current name of the Department.
1.	Amendment of plan reference 1620002349-00-01A to 16181- WDN- XX- XX- DR- A- 5000 P02	To reflect updated plan reference.
1	Amendment of description of development to "either (i) a combined cycle gas turbine (CCGT) generating station and/or (ii) an open cycle gas turbine (OCGT) generating station".	To reflect the proposed development.

1.	Addition of “and Spalding Energy Park Limited, and any of their” and “together”.	To reflect the introduction of a second beneficiary.
2(a)	Reintroduction of “either”.	To reflect the proposed development.
2(a)(i)	Removal of “(2) a BESS (including: batteries; associated enclosures; control and protection systems; temperature control systems; and, power conversion systems) having a total rated electrical output of up to 175 MW”.	To reflect the proposed development.
2(a)(ii)	Addition of paragraph.	To reflect the proposed development.
2(a)(ii)	Removal of “and (3)”	To reflect the proposed development.
2(e)	Addition of “and”.	To amend grammatical error.
4(3)	Removal of paragraph.	To reflect the proposed development and commencement of OCGT.
4(4)-4(12)	Amendment to “4(3)-4(11)”	Grammatical change.
4(9)	Amendment of “Condition 4(9)” to “Condition 4(8)”.	Grammatical change.
4(4)(d)	Amendment of plan reference 1620002349-00-01A to 16181- WDN- XX- XX- DR- A- 5000 P02.	To reflect updated plan reference.

Paragraph / Condition	Proposed 2023 Variation	Justification / Explanation
Direction under Section 90(2ZA) of the TCPA 1990		
-	Removal of “(INCORPORATING A BATTERY ENERGY STORAGE SYSTEM)”.	To reflect the proposed development.
-	Amendment of description of development to “EITHER: (I) ONE COMBINED CYCLE GAS TURBINE UNIT AND/OR (II) ONE OPEN CYCLE GAS TURBINE UNIT OF LESS THAN 300 MW”.	To reflect the proposed development.

1.	Amendment of “the Development” to “either (i) one CCGT unit and/or one OCGT unit of less than 300 MW”.	To reflect the proposed development.
1.	Amendment of “Environmental Statement” to remove “any”.	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 under ref: H16-0847-21.
1.	Amendment of “Preliminary Works” (ii) to include “and/or the reprofiling”.	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 under ref: H16-0847-21.
1.	Addition of “‘sewerage undertaker’ means the water company responsible for providing a sewerage service within the area of the Development”.	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 under ref: H16-0847-21.
1.	Amendment of plan reference 1620002349-00-01A to 16181- WDN- XX- XX- DR- A- 5000 P02.	To reflect updated plan reference.
3.	Deletion of Condition 3: Time Limits.	To reflect that the development has commenced as the OCGT has been constructed and operation commenced.
Conditions 4 to 53	Renumbering of Conditions 4 to 53, to Conditions 3 to 52	To reflect the deletion of Condition 3.
5.	Addition of “‘Spalding Energy Expansion Environmental Statement’ prepared by Spalding Energy Expansion Limited March 2009”.	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 under ref: H16-0847-21.
22.	Addition of “and/or reprofiling”.	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 approved under ref: H16-0847-21.
23.	Addition of “and/or reprofiling”.	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 under ref: H16-0847-21.
24.	Amendment of “BS 4142 1997” to “BS 4124 2014”.	To reflect the current British Standard.

44.	Addition of "Except for the Permitted Preliminary Works".	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 under ref: H16-0847-21.
46.	Addition of "Except for the Permitted Preliminary Works".	To reflect wording as per the NMA application approved by SHDC 3 rd September 2021 under ref: H16-0847-21.