



Date: 12 August 2014
Our Ref: 2746D

21 Garlick Hill
 London EC4V 2AU
 Tel: 020 7489 0213
 Fax: 020 7248 4743
 Email: kd@dwdllp.com
 www.dwdllp.com
 twitter.com/dwdllp

Secretary of State for Energy and Climate Change
 c/o Keith Welford
 Department for Energy and Climate Change
 3 Whitehall Place
 London
 SW1A 2AW

Delivered by hand and sent via email: Keith.Welford@decc.gsi.gov.uk

Dear Mr Welford

THE ELECTRICITY ACT 1989
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
THE ELECTRICITY GENERATING STATIONS (VARIATION OF CONSENTS) (ENGLAND AND WALES)
REGULATIONS 2013
GATEWAY ENERGY CENTRE (GEC), THE MANORWAY, STANFORD-LE-HOPE, ESSEX SS17 9PD

Gateway Energy Centre Limited (GECL) is applying to the Secretary of State for Energy and Climate Change (the Secretary of State) to vary both the consent (Ref: 01.08.10.04/462C) granted on 4 August 2011 under Section 36 of the Electricity Act 1989 (the Section 36 Consent) and the direction under section 90(2) of the Town and Country Planning Act 1990 (Section 90 Direction) to construct and operate a 900MW combined cycle gas turbine generating station, known as the Gateway Energy Centre (GEC) at The Manorway, Stanford-le-Hope, Essex (shown outlined red on the Application Site Plan, FIGURE 63114-PBP-0025).

This application requests that the Secretary of State consents to a variation (Section 36 Variation) in the permitted generation capacity of GEC from “about 900 MW” to “up to 1250 MW” and that the Secretary of State issues a section 90 (2ZA) direction that the conditions to the deemed planning permission be varied.

The following documents are enclosed in support of the application:

1. Application Letter (this letter) (2 hard copies)
2. Application Site Plan (63114-PBP-0025) (2 hard copies)
3. Section 36 consent and the deemed planning permission granted 4 August 2011 (ref: 01.08.10.04/462C) (2 hard copies)
4. Section 36 Consent and Deemed Planning Permission Variation –Variation Tracked Change Document (2 hard copies)
5. Gateway Energy Centre Updated Environmental Statement Further Information Document (August 2014) (2 hard copies)
6. Gateway Energy Centre Non-technical Summary of the Updated Environmental Statement Further Information Document (August 2014) (2 hard copies)
7. Historic documents relating to the Gateway Energy Centre and associated development (included within the two CDs in electronic form):

Partners
 A M Davis FRICS IRRV
 N P Draper FRICS IRRV
 N M Fennell BSc MRICS
 R J Greeves BSc Hons MRICS
 A R Holden BSc Hons FRICS

G Bullock BA Hons BPI MRTPI
 M Power BSc MSc CHE MRICS MRTPI
 K Rushe BA TP Dip TP MRTPI

Senior Associates
 G Denning B Eng Hons MSc MRICS

Associates
 E Buckingham BA Hons MPlan MRTPI
 N Campbell BSc Hons MSc MRTPI
 N Carter BSc Hons MRICS
 S Isaacs BA Hons Pg Dip MRICS
 A Knight BSc Hons MSc MAAT MRICS
 T Lodeiro BA Hons MSc MRICS
 B Murphy BA Hons MRUP MRTPI

Consultants
 K Dalton FRICS
 N W Johnson FRICS
 P Speechley MRICS



Application	Document
Gateway Energy Centre	Environmental Statement (February 2010) a) Non-Technical Summary b) Volume I: Main Text c) Volume II: Appendices d) Volume III: Figures e) Combined Heat and Power Assessment f) Carbon Capture Readiness Feasibility Study
	Environmental Statement Further Information Document (December 2010) a) Non-Technical Summary b) Main Text c) Figures d) Supplementary Combined Heat and Power Assessment
Underground Gas Pipeline and Associated Above Ground Installation (Not subject to any variation request)	Environmental Statement (March 2011)
	Environmental Statement Further Information Document (July 2011)
	Planning Permission Ref:11/50286/TTGFUL granted 8 March 2012 by Thurrock Thames Gateway Development Corporation
High Voltage Electrical Connection (Not subject to any variation request)	Environmental Report (November 2012)
	Environmental Report Ecological Surveys Volume (November 2012)
	Planning Permission Ref:12/01085/FUL granted 27 February 2013 by Thurrock Borough Council

8. Carbon Capture Readiness Documents (2 hard copies):

- a) Gateway Energy Centre Updated CCR Feasibility Study, Ramboll (August 2014)
- b) Assessment of the CCR Compliance of the Proposed Gateway Energy Centre Report, Imperial College London Consultants (July 2014)

9. Schedule of Proposed Consultees (2 hard copies).

In addition, the two CDs referred to in 7 above contain electronic versions of all of the above mentioned application documents.

In accordance with the July 2013 Guidance Note on varying consents granted under section 36 for generating stations in England and Wales, no fee is payable for an application to vary a section 36 consent.

Should the Secretary of State consider the variation application suitable for publication, we shall write to the consultees listed in the Schedule of Proposed Consultees and place one notice of the application in the London Gazette, and notices for two consecutive weeks in both the Thurrock Gazette and the Thurrock Enquirer. In addition, the application documents will be published and available in electronic form at the following website: www.intergeneurope.com/development-projects/gateway-energy-centre.

Please will you kindly confirm receipt of this application. Should you have any queries regarding the enclosed please contact Keith Dalton (kd@dwdllp.com) or Ben Hampson (bh@dwdllp.com) Tel: 020 7489 4830.

Yours sincerely

Dalton Warner Davis LLP

Appendix A - Compliance with Regulation 3 of the 2013 Variation Regulations

Reg.	Regulation Requirement	Application's Compliance with Regulation
(1)	A variation application must—	
(a)	be made in writing;	Two hard copies and two CDs containing the application have been submitted to the Secretary of State.
(b)	describe the location of the proposed development by reference to a map;	The Covering Letter describes the location as <i>"the Gateway Energy Centre (GEC) at The Manorway, Stanford-le-Hope, Essex (shown outlined red on FIGURE 63114-PBP-0025)."</i> FIGURE 63114-PBP-0025 accompanies the application.
(c)	state – (i) why it is proposed that the relevant section 36 consent should be varied; (ii) what account has been taken of views expressed by persons who have been consulted by the applicant about the proposed variation;	(i) Section 2 'Rationale for Development' of the Updated Environmental Statement Further Information Document (August 2014) states why it is proposed that the section 36 should be varied. (ii) Section 8 'Stakeholder Consultations and Additional Studies' of the Updated Environmental Statement Further Information Document (August 2014) details what account has been taken of views expressed by stakeholders.
(d)	include – (i) a draft of the variations which the applicant proposes should be made to the relevant section 36 consent; and (ii) copies of any maps or plans not referred to in the relevant section 36 consent but which the applicant proposes that the relevant section 36 consent should refer to after it is varied; and	(i) The draft of the proposed variation to the Section 36 Consent is contained within the GEC S36 Consent and S90 Direction - Variation Tracked Change Document which accompanies this application. (ii) Not relevant to this application.
(e)	if the application relates to an offshore generating station, identify which of the bodies referred to in paragraph (b) of the definition of "relevant planning authority" in regulation 2(1) are, in the applicant's opinion, likely to have an interest in the variation application.	Not relevant to this application.
(2)	A variation application must include particulars of—	
(a)	the relevant section 36 consent, and, if that consent was not granted to the applicant, how the applicant has the benefit of that consent;	The Covering Letter states: <i>"Gateway Energy Centre Limited (GECL) is applying to the Secretary of State for Energy and Climate Change (the Secretary of State) to vary both the consent (Ref: 01.08.10.04/462C) granted on 4 August 2011 under Section 36 of the Electricity Act 1989 (the Section 36 Consent) ..."</i> A copy of the relevant section 36 consent (Ref: 01.08.10.04/462C) accompanies this application. The relevant section 36 consent was granted to the applicant, GECL.
(b)	where the appropriate authority is the Secretary of State, any section 90 direction given on granting the relevant section 36 consent;	A copy of the relevant section 90 direction (Ref: 01.08.10.04/462C) accompanies this application.

(c)	any permit, licence, consent or other authorisation (other than the relevant section 36 consent) given in connection with the construction or operation of the proposed development (a “relevant authorisation”), including any variation or replacement of a relevant authorisation; and	This application is accompanied by: - the planning permission for the underground gas pipeline to the Gateway Energy Centre and associated above ground installation granted 8 March 2012 by Thurrock Borough Council (ref:11/50286/TTGFUL); and - the planning permission for the high voltage electrical connection to the Gateway Energy Centre granted 27 February 2013 (ref:12/01085/FUL) by Thurrock Borough Council.
(d)	any application that has been made for a relevant authorisation or variation of a relevant authorisation.	An application (June 2014) for an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 has been made to the Environment Agency. This application is currently being processed.
(3)	Where the appropriate authority is the Secretary of State and the applicant requests the Secretary of State to make a section 90 direction on varying the relevant section 36 consent, the application must—	
(a)	identify the section 90 development in respect of which that request is made and describe its location by reference to a map;	The Covering Letter states: “Gateway Energy Centre Limited (GECL) is applying to the Secretary of State for Energy and Climate Change (the Secretary of State) to vary both the consent (Ref: 01.08.10.04/462C) granted on 4 August 2011 under Section 36 of the Electricity Act 1989 (the Section 36 Consent) and the direction under section 90(2) of the Town and Country Planning Act 1990 (Section 90 Direction) to construct and operate a 900MW combined cycle gas turbine generating station, known as the Gateway Energy Centre (GEC) at The Manorway, Stanford-le-Hope, Essex (shown outlined red on FIGURE 63114-PBP-0025).” FIGURE 63114-PBP-0025 is included with this application.
(b)	state – (i) why it is proposed that the direction should be made; and (ii) what account has been taken of views expressed by persons who have been consulted by the applicant about the proposed direction; and	(i) Section 2 ‘Rationale for Development’ of the Updated Environmental Statement Further Information Document (August 2014) states why it is proposed that the direction should be varied. (ii) Section 8 ‘Stakeholder Consultations and Additional Studies’ of the Updated Environmental Statement Further Information Document (August 2014) details what account has been taken of views expressed by stakeholders.
(c)	include –	(i) the draft of the proposed variation to the

	<p>(i) a draft of the proposed direction; and</p> <p>(ii) copies of any maps or plans to which it is proposed that the section 90 direction should refer which are not—</p> <p>(aa) referred to in the relevant section 36 consent or any section 90 direction given on granting the relevant section 36 consent; or</p> <p>(bb) included in the application in accordance with paragraph (1)(d)(ii).</p>	<p>Section 90 Direction is contained within the GEC S36 Consent and S90 Direction - Variation Tracked Change Document which is contained with this application</p> <p>(ii) Not applicable to this application.</p>
(4)	<p>If, under the EIA Regulations as modified by regulation 7, an environmental statement has been prepared, or is required to be prepared, in relation to the proposed development, the environmental statement must accompany the application.</p>	<p>The Gateway Energy Centre Environmental Statement accompanies this application, comprising the following documents:</p> <ul style="list-style-type: none"> • Updated Environmental Statement Further Information Document (August 2014) • Non-Technical Summary of the Updated Environmental Statement Further Information Document (August 2014) • Environmental Statement (February 2010) <ul style="list-style-type: none"> ○ Non-Technical Summary ○ Volume I: Main Text ○ Volume II: Appendices ○ Volume III: Figures • Environmental Statement Further Information Document (December 2010) <ul style="list-style-type: none"> ○ Non-Technical Summary ○ Main Text ○ Figures