



**BY EMAIL ONLY to:** [wsummerlin@stateraenergy.co.uk](mailto:wsummerlin@stateraenergy.co.uk)

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16 July 2024

Dear Mr Summerlin,

**THE THURROCK FLEXIBLE GENERATION PLANT DEVELOPMENT CONSENT ORDER 2022 – S.I. 2022/157 (“the 2022 Order”) – Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 - Written consent from the Secretary of State for not consulting a person or authority**

1. Thank you for your application statement (“the Statement”) of 9 February 2024 on behalf of Thurrock Flexible Generation Limited (“the Applicant”), which sets out proposals for changes to the 2022 Order which are said to be non-material (“the NMC Application”).
2. Paragraph 1.1.6 of the Statement states that the NMC Application comprises of the following change:  
*“The submission of this NMC is to increase the number of gas reciprocating engines that can be installed at the site from 48 to 100 while not affecting the overall gross rated electrical output of the gas element of the project (being 620MW).”*
3. On 22 December 2023 the Applicant requested the Secretary of State’s approval for a reduced consultation list for the NMC Application, and proposed to consult the following parties in the process: Gravesham Borough Council, Condozers Scout Activity Centre, Essex County Fire and Rescue Service, Essex Police and Crime Commissioner, Historic England, Kent Downs AONB, National Grid Electricity Transmission Plc, Natural England, Network Rail Infrastructure Ltd, the Environment Agency, the Health and Safety Executive, the Health and Security Agency, Thurrock Borough Council and UK Power Networks. A response to this consultees list was requested, and the Secretary of State’s agreement was confirmed by email on 11 January 2024.
4. On 14 February 2024, the agreed consultees were invited to comment on the non-material change application, with a deadline for receipt of any representations by 22 March 2024.

5. Regulation 7(4) of the 2011 Regulations states that if the Secretary of State exercises its discretion under paragraph (3) [to accept a reduced consultee list] it must publish its reasons for doing so on its website. This letter confirms that the Secretary of State is satisfied that the consultees proposed by the Applicant in its consultation were appropriate, noting the nature of the proposed changes, as set out at paragraph 2 above, and sets out the Secretary of State's reasons in this regard.
6. In its email to the Secretary of State on 22 December 2023, the Applicant attached a spreadsheet containing those interested parties it wished to consult (appendix 1), and those it did not wish to consult in respect of the proposed non-material change (appendix 2). The Secretary of State considered these documents and concluded that those parties identified in appendix 2 did not need to be consulted for the reasons provided by the Applicant, as they were either not directly affected by the proposed changes, or because their interests related only to other elements of the scheme.
7. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State is satisfied with the reduced list of consultees.
8. In publishing this letter, the Secretary of State acknowledges the public consultation that went live on 14 February 2024 in line with the requirements in regulation 6 of the 2011 Regulations, and which closed on 22 March 2024.
9. Finally, the Secretary of State's reasoning in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2022 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



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John Wheadon  
Head of Energy Infrastructure Planning Delivery  
On behalf of the Secretary of State for Energy Security and Net Zero