

**CONSTRUCTION AND OPERATION OF A BIOMASS AND ENERGY FROM  
WASTE FUELLED ELECTRICITY GENERATING STATION AT TILBURY DOCKS,  
TILBURY, ESSEX**

**EXPLANATORY MEMORANDUM RELATING TO THE VARIATION OF THE  
CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 AND  
SECTION 90 DIRECTION AS PREVIOUSLY VARIED BY THE SECRETARY OF  
STATE ON 19 JULY 2011, 20 AUGUST 2014 AND 26 MARCH 2020**

Note: This Explanatory Memorandum explains the proposed variations to the consent under Section 36C of the Electricity Act 1989 for the Tilbury Green Biomass and Energy from Waste fuelled Generating Station, Tilbury Docks, Port of Tilbury, Essex.

Variation of Section 36 Consent

Paragraph 1 is varied by deleting the reference to “Figure 1.2” and inserting “Figure 1.2A” in its place.

Reason: To amend the red-line boundary from the original section 36 consent.

Condition in Section 90 Direction

Material Inputs

Condition 56 is amended by deleting “No more than 450,000 tonnes of Biomass, Waste Wood, Solid Recovered Fuel, Commercial & Industrial Waste and/or Municipal Solid Waste shall be delivered by road to the Site per annum”, and is replaced with:

“Every five years starting from the Commissioning of Phase 2 of the Development and throughout the operational life of Phase 2 of the Development a report on the quantity of feedstocks delivered to Phase 2 of the Development using road, rail and the River Thames shall be submitted to and approved by the relevant planning authority, in consultation with the Port of London Authority. The report shall include an investigation as to whether rail and/or river transport can be used for the transportation of feedstocks into the site. In the event that the report concludes that it is viable and economic to use rail and/or river transport then these modes of transport shall be used within a timescale to be agreed in writing by the relevant planning authority.

In the event of any disagreement between the Company and the relevant planning authority in respect of any determinative part of the report which cannot be otherwise resolved, the matter must be referred to and settled by a single arbitrator to be agreed between the parties, or failing agreement, to be appointed on the application of either party (after notice in writing to the other) by the Secretary of State”.

Reason: To ensure that the sustainability of the transportation of feedstocks into the site is kept under review.