



Department for
Business, Energy
& Industrial Strategy

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Chrissie Matthews
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Your ref: STC/S36/BEIS/001

Our ref:

24 May 2021

Dear Ms Matthews,

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 2017 – REQUEST FOR A
SCREENING OPINION BY THE SECRETARY OF STATE UNDER
REGULATION 10**

**Proposed S36C Variation application under the Electricity Act 1989 to
Increase Generation Capacity at Staythorpe Power Station, Staythorpe,
Newark, Nottinghamshire, NG23 5PS**

1. I refer to your letter of 13 March 2021 requesting an environmental impact assessment (“EIA”) screening opinion from the Secretary of State under Regulation 10 of the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017 (“2017 Regulations) in respect of a proposed section 36C variation application to authorise the operation of Staythorpe Power Station at an increased electrical capacity of up to 1,850MW. Your letter confirmed that RWE had, prior to making this application to the Secretary of State, undertaken consultation with the relevant local planning authority, Nottinghamshire County Council and Newark and Sherwood District Council on the EIA Screening documents and whether this project requires an EIA to accompany the proposed S36C variation application. Nottinghamshire County Council and Newark and Sherwood District Council’s response to that consultation was provided by RWE to the Secretary of State with this screening request.



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2. The Secretary of State has considered Nottinghamshire County Council and Newark and Sherwood District Council's responses to RWE's consultation alongside the documents provided to the Secretary of State by RWE in support of its application for an EIA screening request. Regulation 13(3) of the 2017 Regulations states that paragraph 13(2)(a) (requirement to consult local planning authority) does not apply if the developer has already provided that local planning authority's views to the relevant authority (the Secretary of State). As such, the Secretary of State has not consulted further with the relevant local planning authority.

Secretary of State's EIA Screening Decision

3. The Secretary of State has considered the information within the supplied documentation and has taken the following factors into account in reaching his decision:
 - The proposed development does not fall within Schedule 1 (mandatory EIA);
 - The proposed development consists of an operational change to an existing and already consented generating station, meeting the description set out in Schedule 2, paragraph 3(a) of the 2017 Regulations (development requiring screening if no EIA report provided); and
 - Nottinghamshire County Council and Newark and Sherwood District Council's opinion is that the proposed development is not likely to have significant effects on the environment, either alone or cumulatively, and that the proposed S36C variation is not EIA development.
4. Taking account of the abovementioned factors and having regard where relevant to the criteria in Schedule 3 to the 2017 Regulations, the Secretary of State concludes that the proposed development does not require a statutory EIA as it is unlikely to have significant effects on the environment due to their nature, location, and size.
5. A copy of this letter has been sent to Nottinghamshire County Council and Newark and Sherwood District Council for information. The Secretary of State's EIA Screening decision will also be published on the Department's Energy Infrastructure Decision page of GOV.UK here:
<https://www.gov.uk/government/collections/energy-infrastructure-development-applications-decisions>

Yours sincerely,

Denise Libretto

Denise Libretto
Head of Planning