

# Riverside Energy Park

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## Statement of Common Ground in respect of land acquisition between the Applicant and Kent County Council

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## Riverside Energy Park Belvedere

### Statement of Common Ground in respect of land acquisition between the Applicant and Kent County Council

October 2019

Revision	Date	Description
Final	October 2019	Agreed Statement of Common Ground

# 1 Introduction

## 1.1 Parties

1.1.1 The “Parties” to this agreement are as follows:

- Cory Environmental Holdings Limited (trading as Cory Riverside Energy) (The Applicant);
- Kent County Council (KCC)

## 1.2 Purpose of this SoCG

1.2.1 This Statement of SoCG has been prepared by Cory as the Applicant to inform the Examining Authority in respect of matters agreed and yet to be agreed, between the Parties in respect of powers of temporary possession and compulsory acquisition for Riverside Energy Park (REP).

## 1.3 Background

1.3.1 The Applicant has applied to the Secretary of State under the Planning Act 2008 for powers to construct and operate an integrated Energy Park, to be known as REP. The principal elements of REP comprise complementary energy generating development and an associated Electrical Connection (together referred to as the ‘Proposed Development’).

1.3.2 The Application submitted to the Planning Inspectorate on the 16th November 2018, and the Secretary of State accepted the Application on the 14th December 2018.

1.3.3 The two principal elements of the proposed development of REP are: the energy park which would be located adjacent to an existing Energy Recovery Facility (ERF) operated by Cory (referred to as Riverside Resource Recovery Facility (RRRF)) situated at Norman Road in Belvedere within the London Borough of Bexley (LBB). The underground Electrical Connection would run from the REP site and terminate at the substation known as Littlebrook Substation having been part of the land for Littlebrook Power Station, north east of Renne Drive in Dartford.

## 1.4 The Examination

1.4.1 An examination (the Examination) of the Application is being held pursuant to Chapter 4 of Part 6 of the Planning Act 2008 (the Act) and the Infrastructure Planning (Examination Procedures) Rules 2010 (the EP Rules).

## 1.5 Description of the Proposed Development

### REP

1.5.1 REP would be constructed on land immediately adjacent to Cory’s existing RRRF, within the LBB and would complement the operation of the existing facility. It would comprise an integrated range of technologies including: waste energy recovery, anaerobic digestion, solar panels and battery storage. The main elements of REP would be as follows:

1.5.2 **Energy Recovery Facility (ERF):** to provide thermal treatment of Commercial and Industrial (C&I) residual (non-recyclable) waste with the potential for treatment of (non-recyclable) Municipal Solid Waste (MSW);

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- 1.5.3 **Anaerobic Digestion facility:** to process food and green waste. Outputs from the Anaerobic Digestion facility would be transferred off-site for use in the agricultural sector as fertiliser or as an alternative, where appropriate, used as a fuel in the ERF to generate electricity;
- 1.5.4 **Solar Photovoltaic Installation:** to generate electricity. Installed across a wide extent of the roof of the Main REP building;
- 1.5.5 **Battery Storage:** to store and supply additional power to the local distribution network at times of peak electrical demand. This facility would be integrated into the Main REP building; and
- 1.5.6 **On Site Combined Heat and Power (CHP) Infrastructure:** to provide an opportunity for local district heating for nearby residential developments and businesses. REP would be CHP Enabled with necessary on site infrastructure included within the REP site.

### Electrical Connection

- 1.5.7 REP would be connected to the electricity distribution network via a new 132 kilovolt (kV) underground electricity cable connection. The route for the Electrical Connection is within the red line boundary is shown in the Book of Reference submitted.
- 1.5.8 The Applicant has worked with UK Power Networks (Operations) Limited (UKPN) to determine the most feasible connection route. UKPN is the Distribution Network Operator (DNO) covering South East England, the East of England and London. The Applicant anticipates that UKPN will design, install and manage the cable connection route, however some elements of the works may be undertaken by an authorised Independent Connection Provider. Ultimately, the cable once installed will be owned by UKPN as the District Network Operator.
- 1.5.9 For the public highway elements of REP it is proposed that the street works powers in the DCO will be utilised to install the electrical connection.

### KCC Interests

- 1.5.10 KCC is the freehold owner of series of land parcels listed within the Book of Reference for the scheme. KCC is also the highway authority for Bob Dunn Way in Dartford. Many of the parcels, comprise public highway.

## 1.6 Engagement

### Overview of previous engagement

- 1.6.1 A summary of key meetings and key correspondence between the Applicant and KCC can be found in the table below:

Table 1: Previous engagement

Date of Contact	Form of Contact	Summary
30.04.18	Letter	RFI Documentation issued.
09.05.18	Email	Confirmed to the Applicant that they had received RFI.
21.05.18	Letter	RFI Documentation returned confirming interests within the Proposed Development area.

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Date of Contact	Form of Contact	Summary
18.06.18	Letter	s42 notice documentation issued to Kent County Council
30.07.18	Phone call	KCC responded to initial issued s42 notice documentation.
02.01.19	Letter	s56 notice documentation issued.
09.01.19	Letter	The Applicant issued meeting request letter.
22.03.19	Meeting	The Applicant attended a meeting with Joel Morris, of Gen2 (KCC) to discuss scheme.
06.06.19	Email	The Applicant email to Kent County Council with option agreement.

### Current engagement

1.6.2 Cory and KCC remain in regular communication to resolve any matters not yet agreed.

## 2 Matters agreed between the Parties

### 2.1 Introduction

2.1.1 The Parties are agreed on the points set out in this section (**Section 2**).

### 2.2

2.2.1 The KCC parcels listed in the Book of Reference are given 12/19, 13/01, 13/02, 13/04, 13/05, 13/06, 13/07, 13/08, 13/09, 13/11, 13/12, 13/13, 13/14, 13/15, 13/18, 14/01, 14/02, 14/04, 14/04a, 14/04b, 14/08, 15/01, 15/02, 15/05, 16/01 and 16/02

2.2.2 With the exception of Parcels 13/07, 13/15, 14/04 and 14/04b all of the remaining KCC parcels comprise entirely public highway at surface level for which KCC is the highway authority.

2.2.3 For the public highway elements of the route it is proposed that the street works provisions in the DCO will be utilised to install the electrical connection.

2.2.4 Parcels 13/07, 13/15, 14/04 and 14/04b are shown on the attached plans in Appendix 1.

2.2.5 Parcel 13/07 is described as land being trees, shrubbery public footpath (DB1), north of University Way and Bob Dunn Way and east of the River Darent, Dartford

2.2.6 Parcel 13/15 – is described as land being public footpath (DB1), trees and shrubbery, south of University Way and Bob Dunn Way, east of the River Darent, Dartford.

2.2.7 Parcel 14/04 – is described as land being public highway (University Way), and overhead line at University Way and Joyce Green Lane (North), Dartford.

2.2.8 Parcel 14/04b - is described as land being public highway (University Way), Joyce Green Lane and Bob Dunn Way and overhead line at University Way, Joyce Green Lane (North), and Bob Dunn Way, Dartford.

2.2.9 Parcels 13/07, 13/15, 14/04 and 14/04b all predominately contain sections of dedicated and adopted public highway.

2.2.10 A plan is attached as Appendix 2 showing an overlay of the public highway over these parcels. The public highway is shown light blue for Bob Dunn Way. For parcels 13/07, 13/15, 14/04 and 14/04b the public highway elements are shown green. The non-public highway elements of parcels 13/07, 13/15, 14/04 and 14/04b are shown dark blue.

2.2.11 In the locations of KCC parcels in the BoR containing public highway and referencing subsoil it is possible that the depth of works for the route may extend below 1.2m from the surface level of the highway. Where this occurs in these locations the Applicant expects KCC to treat on the basis that the extent of works is wholly within the public highway.

2.2.12 On the basis that large parts of the Parcels 13/07, 13/15, 14/04 and 14/04b are public highway and are dedicated and adopted as public highway, the Applicant agrees to rely on street works provisions in the DCO in order to install the Electrical Connection in respect of the dedicated and adopted areas of those parcels.

2.2.13 Given that the small parts of Parcels 13/07, 13/15, 14/04 and 14/04b have parts which are not adopted, the Applicant has sought to agree an Option Agreement and KCC and the Applicant agree each agree it would be their intention to enter into an Option Agreement.

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- 2.2.14 In the event that part of Parcels 13/07, 13/15, 14/04 and 14/04b are entirely dedicated and adopted as public highway, the Applicant agrees to rely on the street works provisions in the DCO in order to install the Electrical Connection.
- 2.2.15 Where small areas of Parcels 13/07, 13/15, 14/04 or 14/04b remain unadopted and the Applicant has sought to agree an Option Agreement, KCC and the Applicant each agree it would be their intention to enter into an Option Agreement.
- 2.2.16 In the unlikely event that and to the extent that the Parcels 13/07, 13/15, 14/04 or 14/04b remain unadopted, and the Applicant and KCC are unable to finalise an Option Agreement, the Applicant would exercise its powers under the DCO; if made by the Secretary of State.

### **3 Matters yet to be agreed between the Parties**

- 3.1.1 The following matters remain under discussion between the Parties and are expected to be concluded before the end of the Examination:
- 3.1.2 KCC to agree on treatment and approach of unadopted sections of Parcels 13/07, 13/15, 14/04 and 14/04b given the proximity of the public highway.
- 3.1.3 KCC to confirm the extent of the public highway in relation to 2.2.11.



## 4 Confirmation of Agreement

This SOCG is prepared jointly and agreed by the Parties:

Signed for and on behalf of the Applicant

Role

Date:

DIRECTOR

04/10/19

I agree with this SOCG in my capacity as  
Principal Estates Surveyor acting on  
behalf of Kent County Council.

Role

Date:

Principal Estates Surveyor

4<sup>th</sup> October 2019

Appendix 1



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Appendix 2

