

# Riverside Energy Park

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Position Statement in respect of land acquisition between the Applicant and London Borough of Bexley

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## Riverside Energy Park Belvedere

### Position Statement in respect of land acquisition between the Applicant and London Borough of Bexley

October 2019

Revision	Date	Description
Final	October 2019	Agreed Position Statement in respect of land acquisition

# 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);
- London Borough of Bexley (LBB)

## 1.2 Purpose of this Position Statement

1.2.1 This Position Statement 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 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 Rennie 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);

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;

## Position Statement

Position Statement between the Applicant and London Borough of Bexley

- 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 Connections within the red line boundary is shown in the Book of Reference (BoR) 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 powers in the DCO will be utilised to install the electrical connection.

### LBB Interests

- 1.5.10 LBB is the freehold owner of series of land parcels listed within the BoR for the scheme. LBB is also the highway authority in Bexley. 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 LBB can be found in the table below:

Table 1: Previous engagement

Date of Contact	Form of contact	Summary
27.04.18	Email	LBB attended the Exhibition and public consultation event for the Proposed Development.
30.04.18	Letter	RFI documentation issued to the LBB.
07.05.18	Letter	LBB responded to the RFI confirming their interests within the Proposed Development.
17.05.18	Phone call	LBB asking for a pre-application meeting and clarity on the pre-application process.
17.05.18	Email	LBB emailed the Applicant commenting on land ownership within IAB.

## Position Statement

### Position Statement between the Applicant and London Borough of Bexley

Date of Contact	Form of contact	Summary
06.06.18	Meeting	Site visit of the Riverside Resource Recovery Facility with the parties discussing the application process.
12.06.18	Letter	The Applicant posted S42 notice documentation to LBB.
18.06.18	Email	The Applicant sent an email confirmation to LBB that the s42 notice documentation has been issued.
19.07.18	Email	The Applicant and LBB exchanged emails regarding the project boundary and extent of impact.
25.07.18	Letter	LBB responded to RFI containing plans for Thames Road Depot and West Street Plan.
26.07.18	Phone call	The Applicant received s42 response from LBB, including comments on a range of potential issues.
28.08.18	Meeting	Meeting held with LBB, to discuss issues raised in the s42 response including changes to the Indicative Area boundary.
14.09.18	Phone call	s42 response to minor refinements
02.01.19	Letter	s56 notice documentation issued.
09.01.19	Email/Letter	The Applicant issued meeting request letter to LBB.
08.02.19	Meeting	The Applicant held a meeting with LBB.
20.05.19	Email	LBB emailed the Applicant informing LBB have sent their Written Representations and Local Impact Report to PINS. Attached to email a track changed version of the DCO that contains the changes that the Council consider as being necessary to enable it to support the development in planning terms.
06.06.19	Letter/Email	The Applicant issued LBB an option agreement.
06.06.19	Meeting	LBB attended CA hearing. The parties discussed the removal of the parcels.
24.07.19	Meeting	The Applicant and LBB held a meeting to discuss the option agreement and Serco's interest.
15.08.19	Email/Letter	The Applicant emailed LBB with letter attached documenting the meeting on the 24.07.19.
16.08.19	Meeting	The Applicant, LBB on site meeting.

## Current engagement

1.6.2 Cory and LBB remain in regular communication.

## 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 LBB made a written representation on 20<sup>th</sup> May 2019 raising compulsory acquisition issues in respect of parcels 06/05, 12/02, 12/05, 12/08 and 12/16. Of these, Parcels 06/05 and 12/02 were removed from the BoR in May 2019. The remaining parcel, 12/16 was reduced in size to become 12/16 and 12/16a.

2.2.2 At the same time Parcels 12/05 and 12/08 below were reduced in in the BoR in May 2019.

2.2.3 With the exception of the parcels mentioned 2.2.1 above all of the remaining LBB parcels in the BoR comprise public highway at surface level for which LBB is the highway authority.

2.2.4 Parcels 12/05, 12/08, 12/16 and 12/16a are shown on Sheet 3 of the attached plans in Appendix 1.

2.2.5 Parcels 12/05 and 12/08 are directly south of the public highway Thames Road. Parcel 12/05 is referred to as public byway (BY105), grassland, trees and shrubbery, south of Thames Road and south-west of Crayside Industrial Estate, Crayford. Parcel 12/08 is referred to as land being trees and shrubbery, south of Thames Road and southeast of Crayside Industrial Estate, Crayford.

2.2.6 Parcels 12/16 and 12/16a are directly north of the public highway Thames Road. Parcels 12/16 and 12/16a are referred to as land being grass verge at Thames Road, east of Crayside Industrial Estate, Crayford.

2.2.7 The edge of parcel 12/16a is adjacent to a LBB owned depot used by LBB's contractor Serco by way of licence. The licence includes the edge of Parcel 12/16a. LBB agrees that the licence arrangement will be amended to ensure the licence to Serco excludes Parcel 12/16a.

2.2.8 Parcel 06/02 is shown on Sheet 1 of the attached plans in Appendix 1. Parcel 06/02 is referred to as land being hardstanding, north of Erith Railway Station and west of Bronze Age Way, Erith.

2.2.9 LBB believes it acquired the land within Parcels 06/02, 12/05, 12/08, for highway purposes. Parcels 12/16 and 12/16a form part of the title of the LBB depot.

2.2.10 LBB believes Parcels 12/05 and 12/08 to be adopted and dedicated public highway and is in the process of updating its highway plans for reissue to the Applicant.

2.2.11 LBB is considering whether to dedicate and adopt Parcel 12/16 and 12/16a into the public highway.

2.2.12 LBB intends to dedicate and adopt most of Parcel 06/02 into the public highway.

2.2.13 In a number of locations throughout the route some of the LBB parcels containing adopted highway it is possible that the depth of works for the route may extend below 1.2m from the surface level of the highway. The Parcels required are documented in the BoR and include 03/11, 03/13, 12/03, 12/04, 12/06, 12/06a, 12/06b, 12/15, 12/17, 12/17a and 12/17b. In these locations LBB agrees to treat with the Applicant on the basis that the extent of works is wholly within the public highway.

## Position Statement

### Position Statement between the Applicant and London Borough of Bexley

- 2.2.14 On the basis that Parcels 12/05 and 12/08, are formally confirmed by LBB as dedicated and adopted as public highway with revised highway plans being provided, the Applicant agrees to rely on the street works provisions in the DCO in order to install the Electrical Connection.
- 2.2.15 On the basis that Parcel, 12/16 is 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 for that parcel. On the basis that Parcel 12/16a is 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 for that parcel. On the basis that part of Parcel 06/02 is 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 in respect of that part only.
- 2.2.16 In respect of Parcel 06/02 LBB confirms its preference for the Electrical Connection works to be in the soft landscaped parts of that parcel irrespective whether that part is adopted or not.
- 2.2.17 In the unlikely event that and to the extent that the Parcels 12/05, 12/08, 12/16, 12/16a or 06/02 remain unadopted, the Applicant has sought to agree an Option Agreement and LBB and Cory each agree it would be their intention to enter into an Option Agreement.
- 2.2.18 In the unlikely event that and to the extent that the Parcels 12/05, 12/08, 12/16, 12/16a or 06/02 remain unadopted, and Cory and LBB are unable to finalise an Option Agreement, Cory would exercise its powers under the DCO; if made by the Secretary of State.

### 3 Confirmation of Agreement

This Position Statement is prepared jointly and agreed by the Parties:

Signed for and on behalf of the Applicant

Role

Date:

*DIRECTOR*

*04/10/19*

Signed for and on behalf of London  
Borough of Bexley

Role

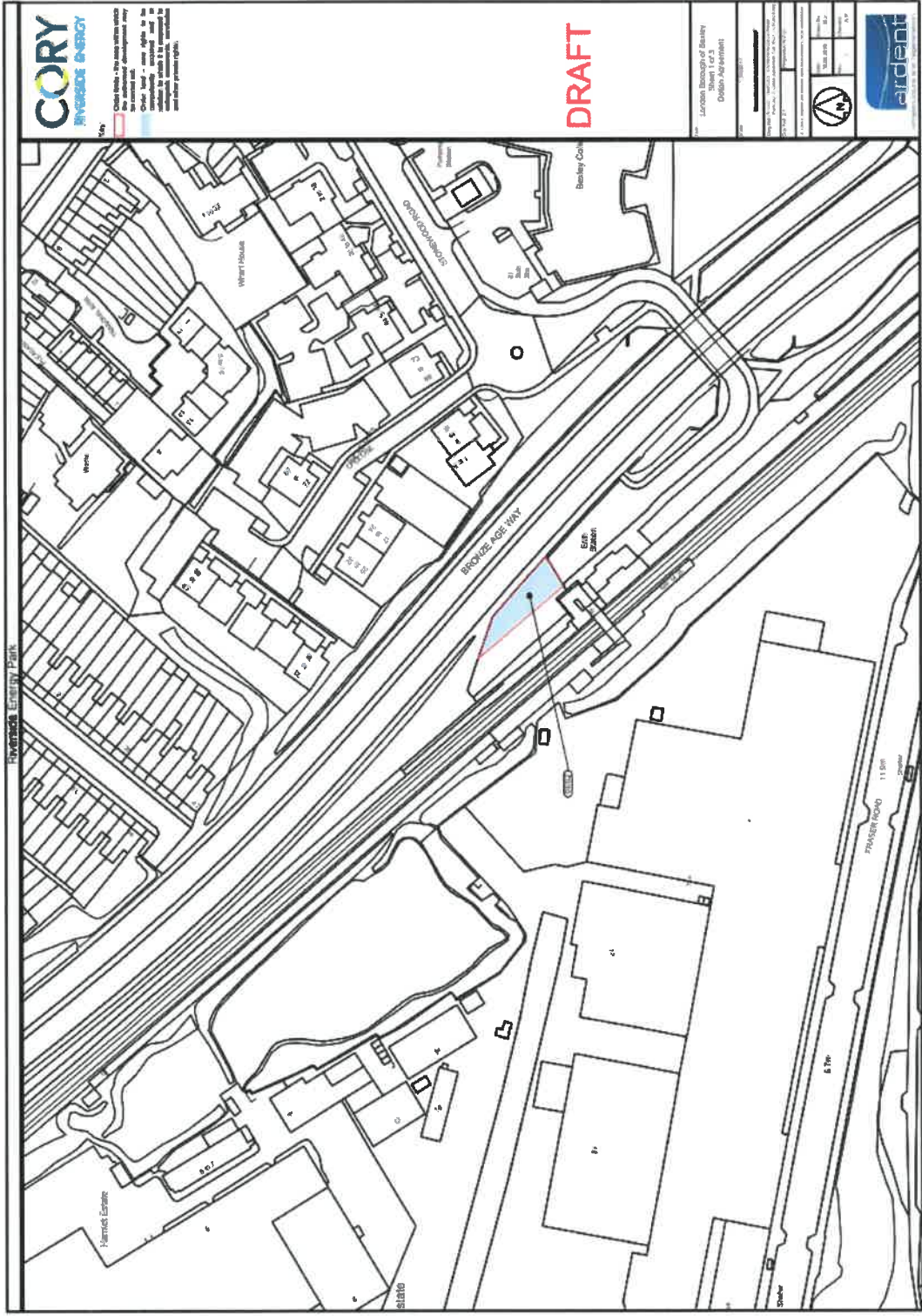
Date:

*Principal Valuer*

*04/10/2019*



Appendix 1





Position Statement  
Position Statement between the Applicant and London Borough of Bexley

