

AUTHORISATION UNDER SECTION 53 OF THE PLANNING ACT 2008

APPLICANT	Medworth CHP Limited
PROPOSED DEVELOPMENT	Medworth Energy from Waste Combined Heat and Power Facility
LAND	The land shown edged red on the plan reference at Annex 1, forming part of Land Registry Title Number: CB331175 (parcel 1A) – Application 1 CB333820 (parcel 1B) – Application 1 CB335858 (parcel 1C) – Application 1 CB361810 (parcel 1D) – Application 1 CB341208 (parcel 1E) – Application 1 CB360004 (parcel 2) – Application 2 CB301535 (parcel 3) – Application 3 CB360006 (parcel 4) – Application 4
DATE OF APPLICATION FOR SECTION 53 AUTHORISATION	The £1,609 fee (per application) payable in respect of the Authorisation Request was received by the Planning Inspectorate (the Inspectorate) 9 February 2021)

1. **AUTHORISATION**

1. The terms used in this Authorisation and its Annexes are defined in Annex 2.
2. In exercise of the power conferred by section 53(1) of the Planning Act 2008, the Secretary of State authorises the Applicant and any Authorised Persons to enter the Land in order to carry out the Activities.
3. This Authorisation is **GRANTED:**
 - (1) solely for the Authorisation Period detailed (Annex 3).
 - (2) subject to compliance with the Conditions (which are necessary to protect the Landowner's and Occupier's legitimate interests) (Annex 3).
 - (3) Solely for the purpose of undertaking the Activities in connection with the proposed application for the Proposed Development (Annex 5).
4. This Authorisation to enter the Land does not obviate the need for the Applicant to obtain any other statutory licences or consents or to comply with any other statutory requirements in relation to the Activities.

The Planning Inspectorate

For and on behalf of the Secretary of State for Housing, Communities and Local Government

Wednesday 09 June 2021

AUTHORISATION UNDER SECTION 53 OF THE PLANNING ACT 2008

2. STATEMENT OF REASONS

This Authorisation has been given in response to a request to enter the land under section 53 (s53) of the Planning Act 2008 (PA2008) in respect of a proposed Nationally Significant Infrastructure Project (NSIP), Medworth Energy from Waste Combined Heat and Power Facility ('the Proposed Development').

Authorisation to enter the Land forming part of Land Registry Title number CB331175 (parcel 1A), CB333820 (parcel 1B), CB335858 (parcel 1C) , CB361810 (parcel 1D), CB341208 (parcel 1E) –, CB360004 (parcel 2), CB301535 (parcel 3) and CB360006 (parcel 4) (the Land) was requested in a letter from the Applicant dated 09 February 2021. The Land is owned by Fenland District Council of Fenland Hall, County Road, March, Cambridgeshire, PE15 8NQ (freehold) (the Landowner).

The Proposed Development is referred to within the s53 Authorisation Request dated 09 February 2021 as comprising an Energy from Waste ("EfW") combined heat and power ("CHP") facility, a CHP connection, grid connection, access improvements and temporary construction compound(s) (the "Proposed Development"). The proposed CHP connection would run up the disused railway line, known as the 'Bramley' Line as far as the Nestle factory. The proposed grid connection will be a 132kV connection, running east of Wisbech and continuing north to Walpole to the substation. It is proposed that the Proposed Development would be capable of handling approximately 523,500 tonnes of non-recyclable waste per annum.

The Applicant states that the Proposed Development is an NSIP because it meets the criteria set out in s15 of the PA2008 for energy generating stations:

- (1) The Proposed Development will be a generating station with a capacity of more than 50 megawatts and it therefore constitutes a nationally significant infrastructure project pursuant to section 15(2) of the Planning Act 2008.

The Applicant requested entry to carry out non-intrusive ecological and walkover surveys to determine what infrastructure may be placed in this location. The Applicant sought rights of entry for a period of 12 months in order to undertake surveys during seasonal survey windows.

In determining the Applicant's request for authorisation under s53 of the PA2008, the Inspectorate has had regard to the relevant legislation, guidance and advice, in addition to the Applicant's Authorisation Request and the exchange of correspondence between the Inspectorate and the relevant parties.

The Inspectorate has considered the non-intrusive surveys requested and considers that the surveys are consistent with the context and nature of the Proposed Development and that the Authorisation Request therefore relates to the surveying and taking levels or in order to facilitate compliance with the provisions mentioned in subsection s53(1A) of the PA2008.

The Inspectorate has considered the Applicant's description of the NSIP and considers that for the purposes of the s53 decision that s53(1)(b) applies in respect of the Authorisation Request in that it relates to "a proposed application for an order granting development consent".

In considering whether the project is a distinct project of real substance, genuinely requiring entry onto land, the Inspectorate has taken into account the Applicant's pre-application engagement, including its request for a scoping opinion and considers that this demonstrates that it is a distinct

project of real substance. As highlighted above the Inspectorate is satisfied that the surveys requested would genuinely require entry onto land and are consistent with the location and nature of the Proposed Development. The Inspectorate therefore considers that the Applicant has satisfied s53(2) of the PA2008 and subject to the considerations below, authorisation may be given in respect of the authorisation request.

In considering whether the Applicant has been unreasonably refused access to the land, the Inspectorate has considered the Applicant's correspondence log provided in the application [APL-001 dated 09 February 2021], response to request for further information [APL-004, 005, 006, 007, dated 27 April 2021] and correspondence with the Landowner [LD01-001 dated 06 April 2021] in relation to Land Parcels 1A, 1B, 1C, 1D, 1E, 2, 3 and 4. This provides evidence that Fenland District Council have refused to engage in voluntary negotiations with the Applicant due to their public opposition to the Medworth CHP scheme. The Inspectorate therefore considers that contact had been made between the Applicant and the Landowner but that the Landowner had not attempted to engage in voluntary access negotiations.

The Inspectorate considers that the Applicant has demonstrated reasonable efforts to obtain permission to enter the Land by agreement with the Landowner over a period of months and through repeated efforts to engage in a voluntary access agreement and that the evidence presented constitutes an unreasonable refusal.

The Authorisation Request is therefore granted in respect of non-intrusive surveys for the Authorisation Period, subject to the conditions attached to this authorisation notice, including specific Landowner requirements in respect of access. The Landowner requested a £1,000 fee in respect of access should authorisation be granted. S53 of the Planning Act 2008 does not require the payment of fees in respect of authorisation, so this condition has not been included.

The Authorisation Period requested by the Applicant is 12 months. The Inspectorate notes that the Applicant has requested that this continues beyond the point of submission of an application for development consent to enable the survey to capture the full seasonal survey period. The Inspectorate notes that s53 of the PA2008 does not set specific time limits on surveys and is satisfied based on the justification provided that a full 12-month period may be authorised.

Entry to the Land under s53 of the PA2008 is authorised provided that any actions undertaken in connection with the Activities will not constitute an offence in themselves; and subject to all necessary consents (if any) in relation to carrying out the activities having first been obtained.

The Inspectorate notes that no Crown Land has been identified, therefore s54 does not apply.

The Planning Inspectorate

For and on behalf of the Secretary of State for Housing, Communities and Local Government

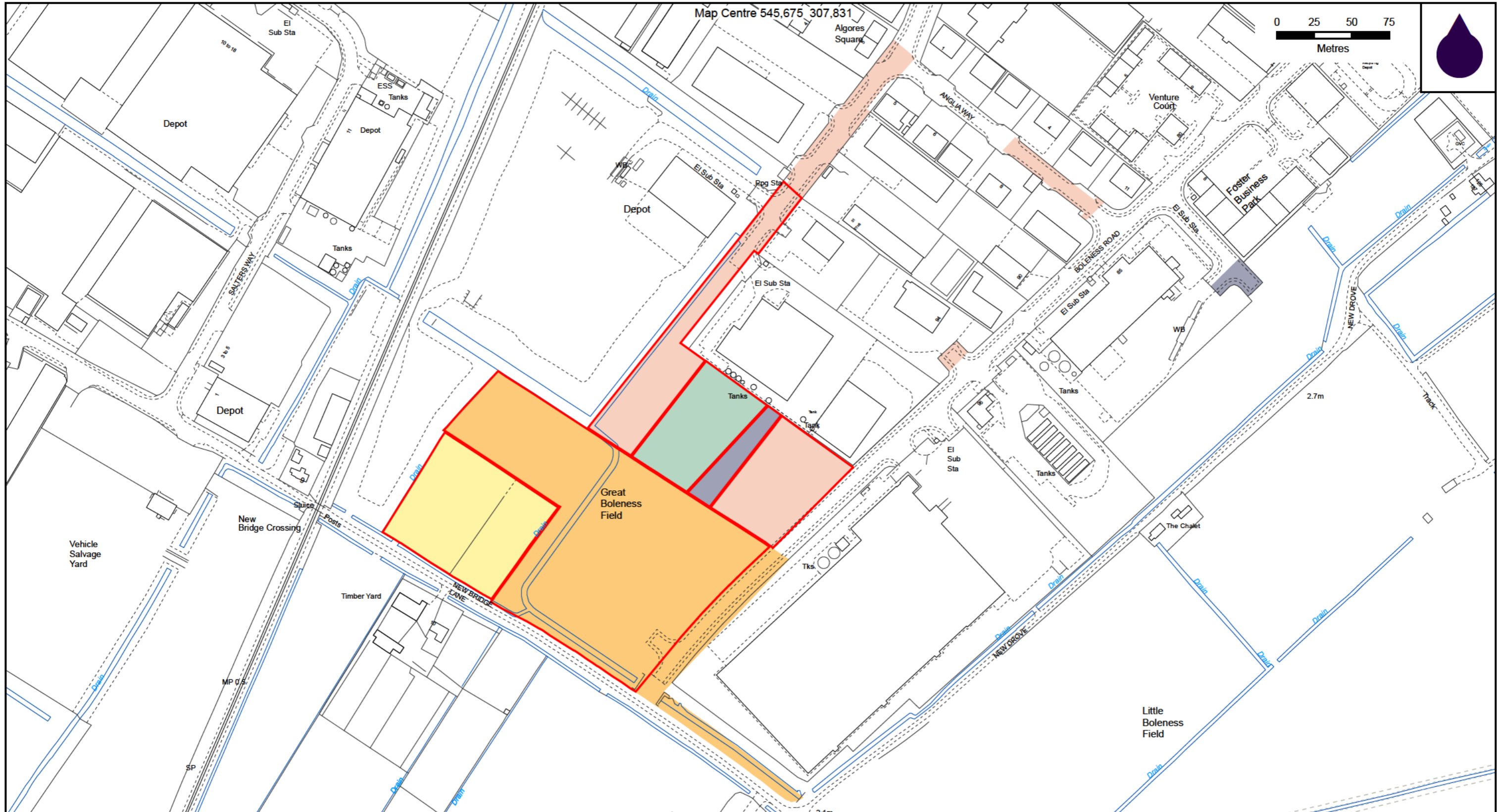
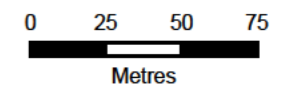
Wednesday 09 June 2021

AUTHORISATION UNDER SECTION 53 OF THE PLANNING ACT 2008

ANNEX 1 TO THE AUTHORISATION – THE LAND

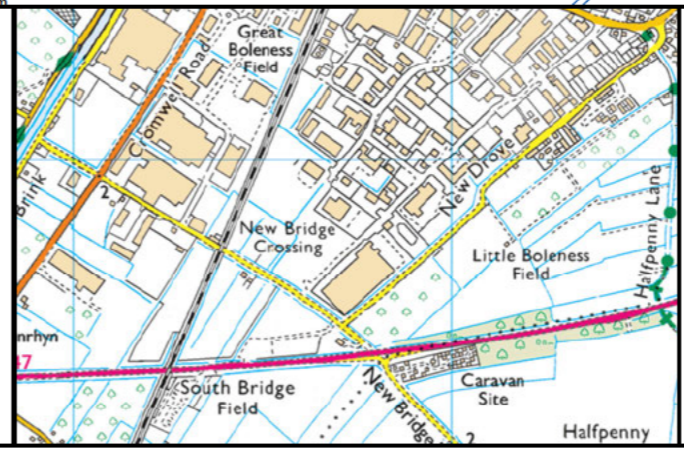
- Application 1 parcel 1A, 1B, 1C, 1D, 1E - Drawing J0038750-21-01, dated 15 January 2021
- Application 2 - Drawing J0038750-21-02, dated 15 January 2021
- Application 3 - Drawing J0038750-21-03, dated 15 January 2021
- Application 4 - Drawing J0038750-21-04, dated 15 January 2021

Map Centre 545,675 307,831



Legend
 Land to which Access is Sought

- Land Parcels & Title Numbers**
- Land Parcel 1 (1A) - CB331175
 - Land Parcel 1 (1B) - CB333820
 - Land Parcel 1 (1C) - CB335858
 - Land Parcel 1 (1D) - CB361810
 - Land Parcel 1 (1E) - CB341208

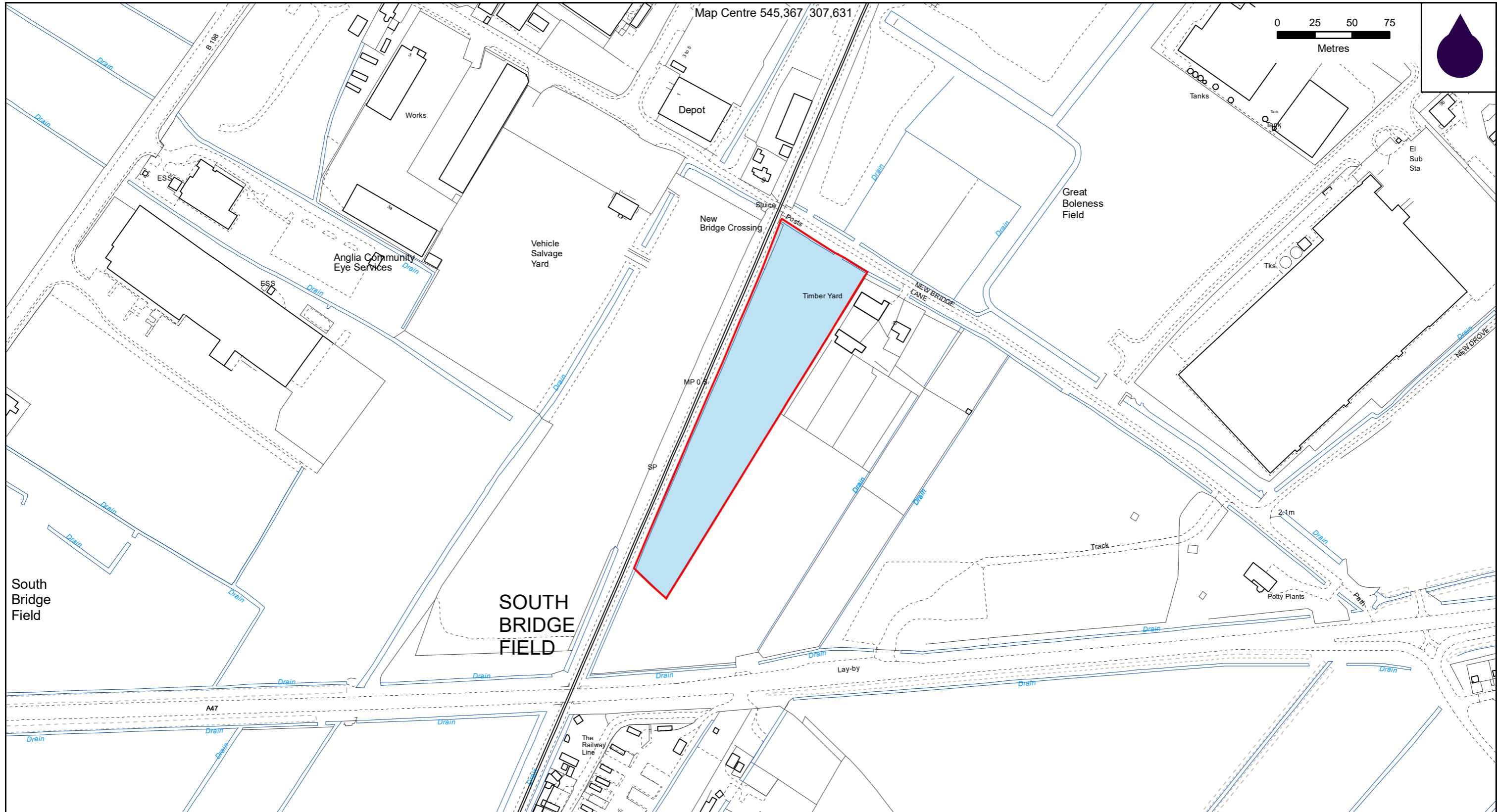
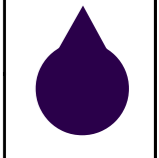
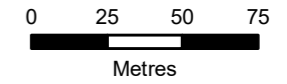


Carter Jonas Two Snow Hill, Birmingham, B4 6GA
 carterjonas.co.uk


Client: **MVV Environment Ltd**
 Project: **Medworth Energy from Waste CHP Facility**
 Title: **Fenland District Council - S.53 Plan**

Scale: 1:2500 @A3 Date: 15 January 2021
 Drawn by: JJF Dwg no: **J0038750-21-01**


Map Centre 545,367 307,631

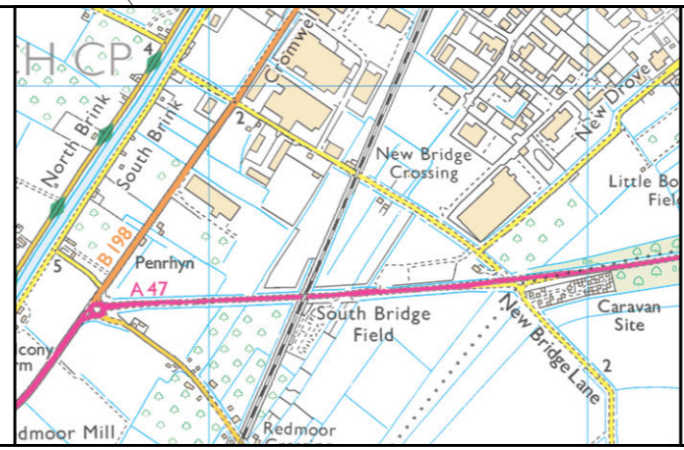


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 Land to which Access is Sought

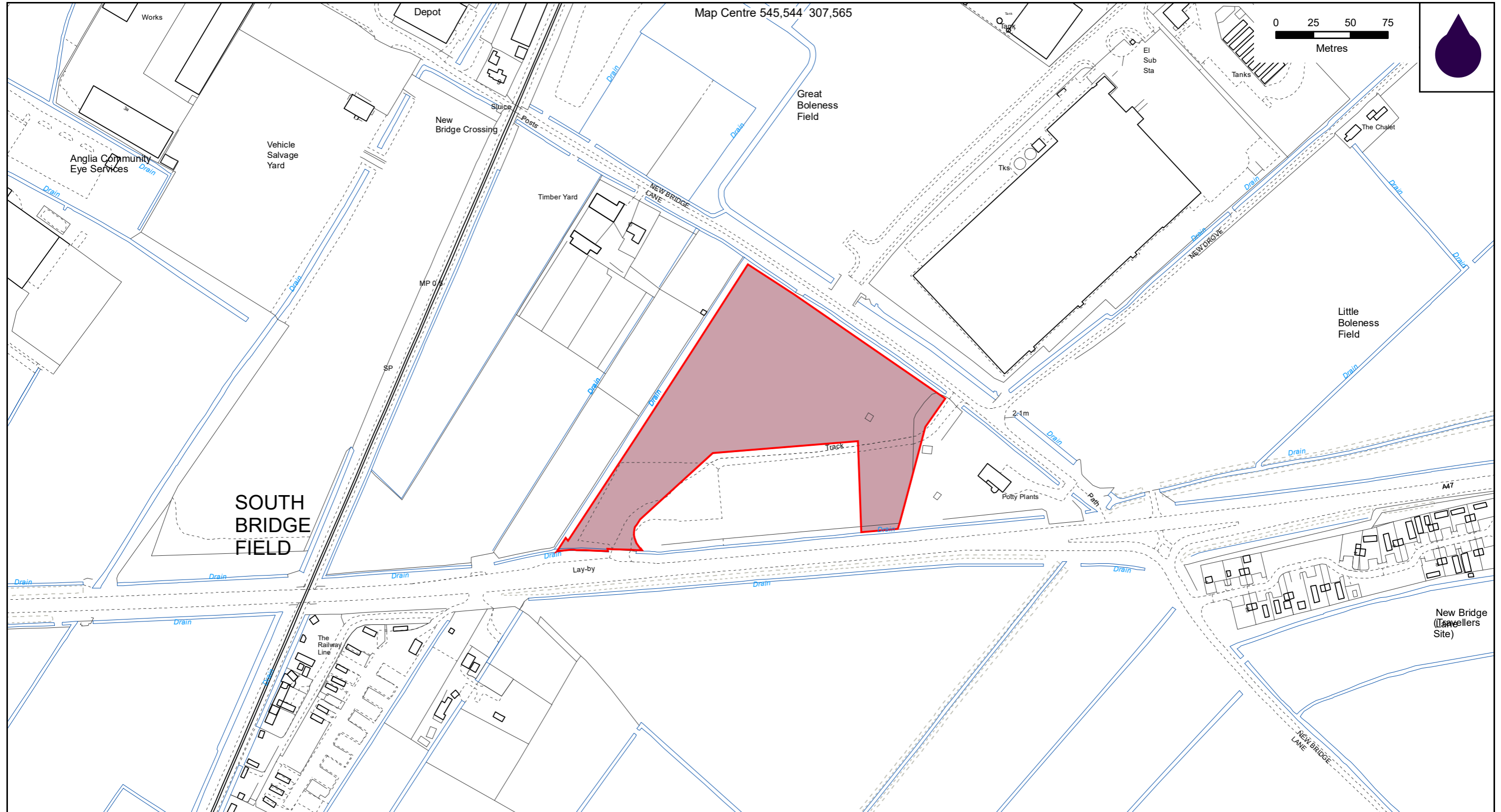
Land Parcels & Title Numbers

 Land Parcel 2 - CB360004

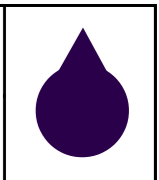
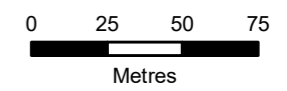


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Client: **MVV Environment Ltd**
 Project: **Medworth Energy from Waste CHP Facility**
 Title: **Fenland District Council - S.53 Plan**
 Scale: 1:2500 @A3 Date: 13 January 2021
 Drawn by: JJF Dwg no: **J0038750-21-02**



Map Centre 545,544 307,565

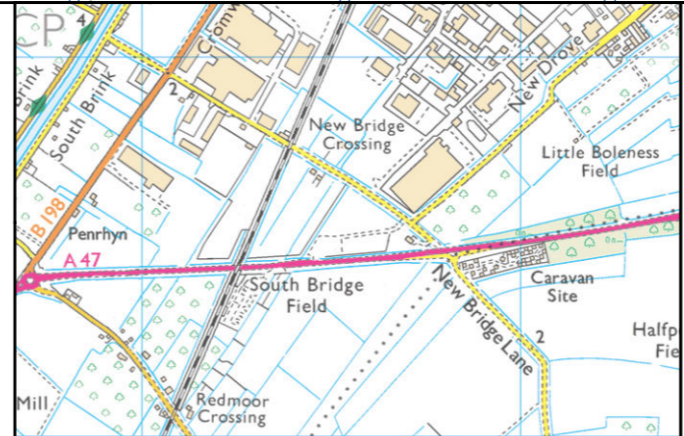


Legend

Land to which Access is Sought

Land Parcel 3 - CB301535

Land Parcels & Title Numbers



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Client: **MVV Environment Ltd**

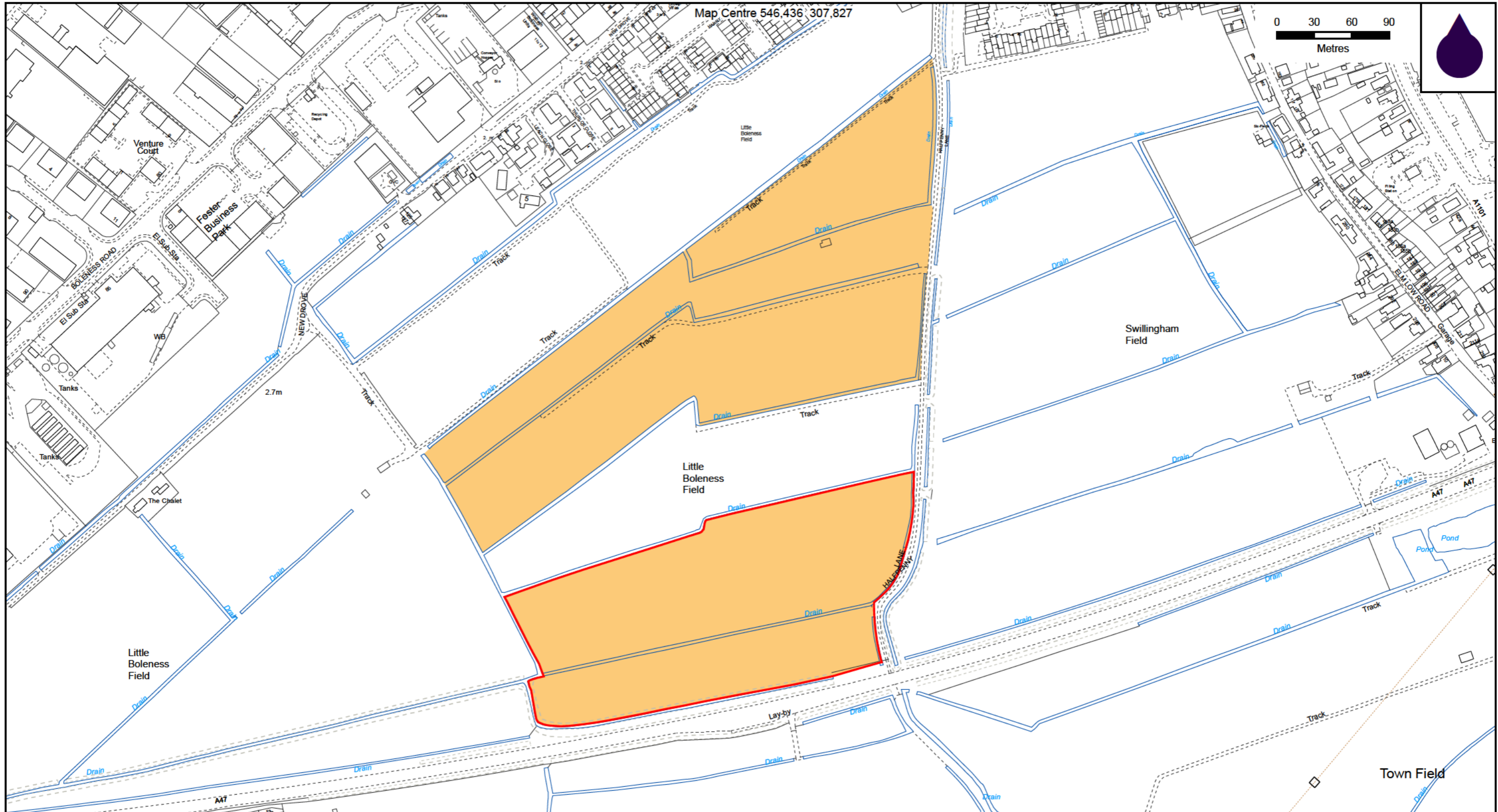
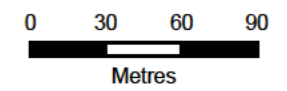
Project: **Medworth Energy from Waste CHP Facility**

Title: **Fenland District Council - S.53 Plan**

Scale: 1:2500 @A3 Date: 13 January 2021

Drawn by: JJF Dwg no: **J0038750-21-03**

Map Centre 546,436 307,827

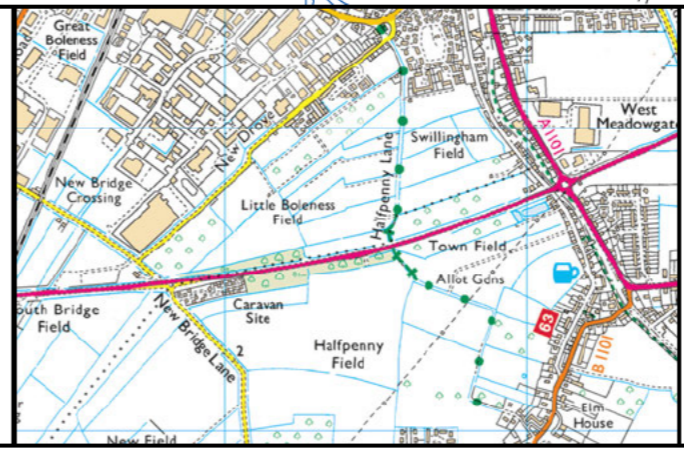


Legend

Land to which Access is Sought

Land Parcels & Title Numbers

Land Parcel 4 - CB360006



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Client: **MVV Environment Ltd**
 Project: **Medworth Energy from Waste CHP Facility**
 Title: **Fenland District Council - S.53 Plan**
 Scale: 1:3000 @A3 Date: 15 January 2021
 Drawn by: JJF Dwg no: **J0038750-21-04**

AUTHORISATION UNDER SECTION 53 OF THE PLANNING ACT 2008

ANNEX 2 TO THE AUTHORISATION – TERMS AND DEFINITIONS

A2.1 Interpretation

The following words and expressions shall, unless otherwise stated, have the following meanings

"Activities"	means the activities described in Annex 5 of this Authorisation but excluding intrusive surveys.
"Applicant"	means Medworth CHP Limited (Company registration 13130012), of Devonport EfW CHP Facility, Creek Road, Plymouth, PL5 1FL
"Application"	means the application pursuant to section 53 of the Planning Act 2008 made by the Applicant in respect of the Land in a letter dated 09 February 2021 to the Secretary of State;
"Authorisation"	means the authorisation granted by the Secretary of State pursuant to the Application;
"Authorisation Date"	the date of the Authorisation;
"Authorisation Period"	a period of 12 months from the Authorisation Date to the Expiry Date (both dates inclusive);
The "Authorisation Request"	The authorisation request comprises the documents supplied by the Applicant in its letter dated 09 February 2021, amended by the following further information: <ul style="list-style-type: none"> • Response dated 27 April 2021 to the Inspectorate's request for further information dated 12 April 2021.
"Authorised Persons"	means the Applicant and any persons authorised by the Applicant to carry out the Authorised Surveys;
"Authorised Non-Intrusive Surveys"	means Environmental or other EIA Surveys (As detailed in Annex 5).
"Conditions"	the schedule of conditions set out in Annex 3 as supplemented by the specific land access requirements identified by the Landowner as summarised in Annex 4 but excluding payment of access fees.
"Expiry Date"	09 June 2022 (Inclusive)
"Group Company"	means any company which is a member of the same group as the Licensee or a company formed as a joint venture company owned by the Licensee or a member of the same group. For the purposes of this definition the group means the Licensee, any company of which the Licensee is a subsidiary (its holding company), any other subsidiary of that holding company and any company which is a subsidiary of the Licensee and the terms "subsidiary" and

	"holding company" having the meanings set out in section 1159 Companies Act 2006
"the Land"	means the land and buildings identified in Applicant provided drawing J0038750-21-01, J0038750-21-02, J0038750-21-03 and J0038750-21-04 included in Annex 1 of the Authorisation comprising part of the freehold property (edged in red) registered at the Land Registry with title under title numbers CB331175 (parcel 1A), CB333820 (parcel 1B), CB335858 (parcel 1C), CB361810 (parcel 1D), CB341208 (parcel 1E), CB360004 (parcel 2), CB301535 (parcel 3) and CB360006 (parcel 4)
"Landowner"	means Fenland District Council of Fenland Hall, County Road, March, Cambridgeshire , PE15 8NQ or other registered proprietor at the Land Registry for the time being of the Land;
"Necessary Consents"	means all permits, consents, licences, permissions, certificates, authorisations and approvals whether of a public or private nature which are required to carry out the Survey Activities
"Notice"	Means not less than 14 days written notice of any intended entry to carry out an authorised survey or any lesser period that may from time to time be agreed in writing by the person on whom the notice is to be served
"PA2008"	the Planning Act 2008;
"Permitted Hours"	8am – 6pm Monday to Friday (save for nocturnal surveys, the timings of which to be agreed by both parties acting reasonably)
"Plan"	means the plan included in Annex 1 of this Licence labelled Plan A1
"Proposed Development"	means the proposed Nationally Significant Infrastructure Project, being the Medworth Energy from Waste Combined Heat and Power facility
"Working Day"	means a day other than a Saturday or Sunday or public holiday in England
"Working Hours"	means the period 8am to 6pm unless by specific prior notification to the landowner for the purposes of ecological surveys

AUTHORISATION UNDER SECTION 53 OF THE PLANNING ACT 2008

ANNEX 3 TO THE AUTHORISATION – SCHEDULE OF CONDITIONS

A3.1 General – Non - Intrusive Surveys

1. Entry onto the Land is authorised only:
 - (a) for the Authorised Non-Intrusive Surveys;
 - (b) for the purposes of surveying the Land and to facilitate compliance with the Environmental Impact Assessment Directive, the Habitats Directive or any European Union instrument or UK legislation which replaces all or any part of these Directives;
 - (c) on Working Days;
 - (d) during Working Hours (unless for the purpose of carrying out Authorised Non-Intrusive Surveys for the presence of bats and common birds); and
 - (e) for a period of twelve months from and including the Authorisation Date
2. No Authorised Persons shall enter the Land otherwise than in accordance with the Authorisation and Conditions.
3. The Authorised Persons' right of entry onto the Land pursuant to the Authorisation shall immediately cease forthwith if any Authorised Persons are in breach of the Authorisation or any of these Conditions subject to which the Authorisation is given.
4. These Conditions subject to which the Authorisation is given are in addition to the provisions of s53 of the PA 2008 and for the avoidance of doubt if there is any conflict between the Conditions and the s53 provisions the latter shall prevail.
5. The Landowner retains control, possession and management of the Land and no Authorised Persons have the right to exclude the Landowner from the Land. However, when the Land is in use for the purposes of the Authorised Surveys access to the Land by the Landowners may be temporarily restricted for the health and safety reasons. This exclusion is to be agreed in advance with the landowner with at least 14 days' notice.
6. Entry onto the Land is authorised only:
 - (a) provided the activities undertaken in connection with the Authorised Non-Intrusive Survey(s) will not constitute an offence in themselves; and
 - (b) subject to all necessary consents (if any) in relation to carrying out the Authorised Non-Intrusive Survey(s) having first been obtained.

A3.2 Notice of entry – Non - Intrusive Surveys

7. Before entering onto the Land to carry out an Authorised Survey the Authorised Persons must give Notice to the Landowners, such Notice to include the following:
 - (a) details of:
 - i. the areas of the Authorised Non-Intrusive surveys
 - ii. type of the Authorised Non-Intrusive surveys

- iii. purpose of the Authorised Non-Intrusive surveys
 - iv. timing of the Authorised Non-Intrusive surveys including the date or dates when entry to the Land is required to carry out the Authorised Non-Intrusive Surveys and the period of time for which entry to the Land is required.
 - v. details of access routes to the Authorised Non-Intrusive Survey site
 - vi. a risk assessment & method statement in relation to the Authorised Non-Intrusive Survey Activities;
 - vii. details of the type and nature of any equipment and apparatus to be left on the Land (if applicable);
- (b) the name and contact details of any Authorised Person who is authorised by the Applicant to enter the Land to carry out the Authorised Non-Intrusive Survey
 - (c) contact details (including telephone number) of the Authorised Person who will have management responsibilities for undertaking the Authorised Non-Intrusive Surveys; and

A3.3 Carrying out the Activities – Non - Intrusive Surveys

8. In undertaking any Authorised Non-Intrusive Survey, the Authorised Person is to:
- (a) give the Landowner not less than 14 days prior written notice of its intention to access the Land and carry out the Authorised Surveys (unless the Landowner agrees to a shorter notice period acting reasonably or except in an emergency where no notice will be required);
 - (b) procure that the Authorised Non-Intrusive Surveys are carried out:
 - i. with the skill, care and diligence as is reasonably expected of skilled, competent and properly qualified persons undertaking surveys on projects of similar size, scope and complexity;
 - ii. with regard to the safety and well-being of any livestock on the Land;
 - iii. with regard to encountering and avoiding causing the spread of any invasive flora or fauna; and
 - iv. with regard to potential pollution to land or water.
 - (c) not impede in any way the Landowner or any occupier of the Land or their employees or agents in the exercise of the Landowner's rights of possession and control of the Land save as is reasonably necessary in order to carry out the Authorised Non-Intrusive Surveys or for the purpose of retaining any apparatus, equipment, machinery, temporary structures or materials
 - (d) not do any act, matter or thing which would or might constitute a breach of any law (including without limitation common law) statute, regulation, rule, order, byelaw or notice which would or might vitiate in whole or in part any insurance effected by or on behalf of the Landowner in respect of the land from time to time;
 - (e) at all times to take all measures as are reasonably necessary to maintain the same level of security in respect of the Land which would exist but for the undertaking of the Authorised Non-Intrusive Survey(s) including leaving all gates as found;
 - (f) not to cause any nuisance, disturbance, annoyance, inconvenience or unreasonable interference to the Landowner or to adjoining and/or neighbouring property and/or to the owners occupiers or users of such adjoining and/or neighbouring property other than to the extent reasonably necessary to carry out the Authorised Non-

Intrusive Survey(s);

- (g) not display any signs or notices at the Land other than those required pursuant to statute;
- (h) not interfere with the existing use of the Land other than to the extent reasonably necessary to carry out the Authorised Non-Intrusive Survey(s);
- (i) contact the Landowner when leaving the Land or otherwise as agreed in advance with the landowner(s) or occupier(s);
- (j) observe the Landowner's reasonable health and safety policies and site rules previously notified to the Authorised Persons in writing provided that such policies and rules shall not prevent the carrying out of the Authorised Non-Intrusive survey(s);
- (k) observe the Landowner's reasonable working methods and exclusion zones as notified to the Authorised Persons in writing by the Landowners and in accordance with the usual terms of the Landowner's leases/deeds of easement.
- (l) cause as little damage as is possible and shall upon completion of the final Authorised Survey(s), or if earlier on the expiry of the Authorisation, make good any damage caused to the reasonable satisfaction of the Landowner and remove any apparatus or equipment taken on to the Land by the Authorised person in connection with the Authorised Survey(s) on completion of the same.

A3.4 Equipment – Non - Intrusive Surveys

9. Authorised Persons may leave monitoring apparatus and equipment in place until completion of the Authorised Non-Intrusive Surveys or if earlier the expiry of the Authorisation Period and shall forthwith thereafter remove any such apparatus or equipment.

A3.5 Insurance – Non - Intrusive Surveys

10. The Applicant shall:
- (a) subject to provision of written evidence of such requirements, pay on demand the reasonable and proper cost of any additional insurance premiums payable by the Landowner which may have become payable as a result of the Authorisation; and
 - (b) ensure that those who work on its behalf hold suitable and adequate insurance in respect of public and third-party liability and, if requested by the Landowner, provide proof of said insurance to the Landowner prior to carrying out the Authorised Non-Intrusive Surveys.

AUTHORISATION UNDER SECTION 53 OF THE PLANNING ACT 2008

ANNEX 4 TO THE AUTHORISATION – LANDOWNER REQUIREMENTS

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Christian Wilson

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Your ref EN010110_s53

06/04/2021

By Email only Medworth@planninginspectorate.gov.uk

Dear Ms Wilkinson

Application under Section 53 of the Planning Act 2008 by Medworth CHP Ltd for an order Granting development consent for the Medworth Energy from Waste Combined Heat and Power facility development (known locally as Wisbech Incinerator scheme)

Thank you for your letter by email dated 19 March 2021.

I note that the Inspectorate will assume that this Council does not have any comments to make unless we reply by 6th April to your letter.

I can confirm the following:

- That the Council has not wanted to agree voluntarily with the applicant to provide Access to the land. The reason is that, having considered the proposed siting of a Combined Heat and Power facility here, a motion was passed at full Council to oppose the scheme. A copy of the motion is enclosed and can also be viewed online here <https://www.fenland.gov.uk/localgov/documents/s5684/Motion.pdf>
- That this Council is the freehold owner of all the land parcels identified as Application 01, Application 02, Application 03, Application 04.
- That the land described in the Applicant's authorisation request and as shown on the plans within Annex 2 are correct as to the extent of our legal title. (Actual boundaries may vary slightly on the ground). In respect of Application 04 (title number CB360006) the Council has granted a 999 year lease from 31/03/2010 to Wisbech Town Council for agricultural purposes of the 2 parcels in question. In addition, the Council is freeholder of the parcel of land shown hatched black on the attached annotated title plan which sits

between these 2 parcels and it has granted an Agricultural Holdings Act Tenancy to a local farmer with full succession rights of the land hatched black

- That the dates that the Applicant contacted the Council about obtaining access to survey the granted are correct.

If the Secretary of State was minded to grant authorisation, allowing the Applicant access to the land, the Council would like the make the following comments and requests:

In respect of Applications 01/02/03 generally

- This land is identified for future sale or for employment uses and the Council would wish to reserve the right for itself or its agents or other authorised persons to undertake intrusive and non-intrusive surveys during any period of access granted to the applicant.

In respect of Application 01/02/03/04 generally

- The Authorisation period for access to each parcel to be the earlier of 12 months or completion of the survey work with the Council to be advised when surveys are complete. The Council requests to be provided with a copy of each survey carried out. A fee for access for the Authorisation period to each parcel to be £1000 payable to the Council as landowner.

Application 01 land parcel 1C (part) access off Algores Way

- This forms part of the Council's privately owned road and bare land next to a watercourse. Access should not be blocked to authorised users of the road to their premises. Caution would need to be taken near the watercourse. Access may be made on foot off Algores Way.

Application 01 land parcels 1A 1B, 1C (part) , 1D

- Bare land in part crossed by a deep dyke. Caution to be taken near the dyke. Tethered horses may be on the land. These belong to gypsy travellers and the use is not authorised, but the presence of horses is acknowledged. Access may be made on foot via Newbridge Lane to the south. No vehicular access to be gained via Boleness Road to the east.

Application 01 land parcel 1E

- Overgrown land. There may be hidden hazards (remains of old outbuildings or other materials). Occasionally used by rough sleepers. Access may be made on foot via Newbridge Lane to the south. Parking would need to be made nearby in Newbridge Lane, but in a position so as not to obstruct other road users.

Application 02 land parcel 2

- Grass land. This may be licensed to a person who will mow the land. Harvest time to be avoided in May and September/October. Parking would need to be made nearby in Newbridge Lane, but in a position so as not to obstruct other road users.

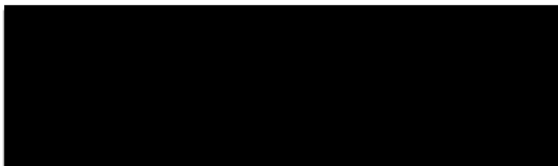
Application 03 land parcel 3

- Rough land part overgrown There may be hazards hidden by undergrowth. There may be tethered horses on the land .These belong to gypsy travellers and this use is not authorised but the presence of horses is acknowledged. Access may be made on foot via Newbridge Lane or off the A47 layby to the south. A vehicle may be parked in the layby. The gates/concrete barriers to the land off the A47 must not be interfered with as these have been placed to deter unauthorised encampments being made.

Application 04 land parcel 4

- Access to survey not to proceed until the tenant Wisbech Town Council is also provided Notice of intended entry by the Applicant.

Yours sincerely



Christian Wilson

Estate Manager

For and on behalf of Fenland District Council

Enclosures:

- Annotated plan of Land in Application 04 under title CB360006
- Copy of Motion to full Council

AUTHORISATION UNDER SECTION 53 OF THE PLANNING ACT 2008

ANNEX 5 TO THE AUTHORISATION – SCHEDULE OF ACTIVITIES

A5.1 Interpretation

1. The schedule of activities appended to this Authorisation is the full schedule of activities for all land parcels to which the Applicant has sought access. The schedule identifies the specific activities that apply to each land parcel. This Authorisation only relates to the activities identified for land parcels CB331175 (parcel 1A), CB333820 (parcel 1B), CB335858 (parcel 1C), CB361810 (parcel 1D), CB341208 (parcel 1E) –, CB360004 (parcel 2), CB301535 (parcel 3) and CB360006 (parcel 4) as identified in Annex 1.

**Medworth Energy from Waste Combined Heat and Power Facility: Application pursuant to s53 of the Planning Act 2008-
Schedule of Authorised Activities**

A5.2 Detailed Non-Intrusive Survey Requirements– Parcels 1A, 1B, 1C, 1D, 1E, 2, 3, 4

Parcel Number	Survey Type	Duration Days	Provisional Dates	Activities	Survey Methodology Description	Surveyors
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Extended Phase 1 survey	Single visit lasting approximately 0.5 day. Per parcel number	April and May	Survey to record habitats present on site and signs/evidence of target species for the purpose of the ecological impact assessment	Walkover survey using observation only. Results recorded in field note books/maps or using a tablet device.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Reptile survey	9 visits. Breakdown - 1 mobilisation visit (i.e. placement of artificial refugia), 1 demobilisation visit (i.e. collection of artificial refugia) and up to 7 survey visits. Maximum duration of a single visit to be 1 day. Per parcel number	April to September inclusive	Survey to record presence/absence of reptiles for the purpose of the ecological impact assessment	Distribution of artificial refugia and direct observation within all habitats suitable for reptiles (as identified during the Extended Phase 1 survey). Regular visits made to monitor the artificial refugia. Reptile records kept within a field note book/map or on a tablet device.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.

Parcel Number	Survey Type	Duration Days	Provisional Dates	Activities	Survey Methodology Description	Surveyors
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Otter / Water Vole survey	Four survey visits of 0.5 day per visit across a maximum of a 12 month period. Per parcel number	April onwards	Survey to record presence/absence of otter and water vole for the purpose of the ecological impact assessment and to determine the requirement for a European Protected Species (otter) or CL31 (water vole) licence.	Walkover survey using observation only (requirement determined by Extended Phase 1 survey).	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Great Crested Newt eDNA survey	One visit of 0.5 day. Per parcel number	April to June (inclusive)	Survey to establish the presence/absence of Great Crested Newt for the purpose of the ecological impact assessment and to determine the requirement for a European Protected Species licence.	Water sample (less than 0.5 litres) taken and processed from suitable ponds and ditches (requirement determined by Extended Phase 1 survey).	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Great Crested Newt survey	Four surveys of 0.5 day per visit (one survey will include visits at dusk and following dawn). Further two visits of 0.5 per visit if GCN are present. Per parcel number	April to June (inclusive)	If GCN presence confirmed by eDNA survey, follow up survey to estimate population size of Great Crested Newt for the purpose of the ecological impact assessment and to determine the requirement for a European Protected Species licence.	Deployment of bottle traps within waterbodies, visual search for evidence of breeding GCN including eggs and a search for individuals using torchlight and under natural refugia. Survey to take place after sunset. Collection of bottle traps on the following morning.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.

Parcel Number	Survey Type	Duration Days	Provisional Dates	Activities	Survey Methodology Description	Surveyors
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Badger survey	One to four visits each lasting up to 0.5 days with up to four weeks of survey should a sett be identified and have the potential to be disturbed by proposed construction works Per parcel number	Year round	Initial survey to identify presence/absence of badger. If present and if there is potential for a sett to be disturbed by proposed construction works, subsequent survey to include bait marking and camera trapping may be required to establish population size.	Walkover site visit using observation only. If presence indicated regular visits to set down marked bait and recover and to set up camera traps.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Bat Activity surveys (hand held detectors)	Monthly visits. Each visit lasting approximately 0.5 a day. Per parcel number	March to October (inclusive)	Survey to record level of bat activity for the purpose of the ecological impact assessment and to determine the requirement for a European Protected Species licence.	Walkover survey using hand-held bat detection equipment (requirement determined by Extended Phase 1 survey). Results recorded in field note books/maps and as digital sound files (recording echo location frequencies). Surveys to take place around dawn and dusk.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Bat Activity surveys (static detectors)	Fortnightly visits to change batteries. Approximately 0.5 day per visit. Per parcel number	March to October (inclusive)	Survey to record level of bat activity for the purpose of the ecological impact assessment and to determine the requirement for a European Protected Species licence.	Placement of static bat detectors (size of a small lunch box, attached to trees/fences etc. using cable ties) in strategic locations (requirement determined by Extended Phase 1). These detectors automatically record bat echo location calls.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.

Parcel Number	Survey Type	Duration Days	Provisional Dates	Activities	Survey Methodology Description	Surveyors
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Bat tree and building roost surveys	Up to two visits to each suitable tree for ground or climbing inspections. One visit per building (external inspection only if required). Approximately 0.5 day per visit. Per parcel number	March to October (inclusive)	Survey to record presence/absence of bat roost(s) for the purpose of the ecological impact assessment and to determine the requirement for a European Protected Species licence.	Observation of trees and buildings from ground level or for trees, via climbing using binoculars and/or an endoscope (requirement determined by Extended Phase 1 survey). Follow up surveys, as required, with hand-held bat detectors and infra-red cameras to determine emergence or re-entry of bats.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Construction access survey	Up to three visits to identify potential routes for construction and operational access from the highway to and along the grid connection corridor. Each visit of up to 0.5 day. Per parcel number	March onwards	Survey to identify and confirm construction and operational access from the highway to and along the grid connection corridor.	Walkover survey to identify the most appropriate route to access the grid corridor from the highway. Visits to consider the adequacy of existing tracks and requirement for any access improvements, ditch crossings and any new openings within field boundaries to facilitate access. Visual inspection survey only. Results to be recorded as field notes and photographs.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Hydrological survey	One visit lasting up to 0.5 day. Per parcel number	March onwards	Survey of ditches and other watercourses to inform the hydrological, flood risk and Water Framework Directive assessments	Walkover survey using visual inspection to observe and record the baseline hydrological environment. Results to be recorded as field notes and photographs.	2 surveyors accessing the land on foot but with access off the highway for the parking of one motor car.

Parcel Number	Survey Type	Duration Days	Provisional Dates	Activities	Survey Methodology Description	Surveyors
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Historic environment/ archaeological survey	One visit lasting up to 0.5 day. Per parcel number	March onwards	Survey of land to identify and record any potential historical features.	Walkover survey using visual inspection to observe and record the baseline historic environment. Results to be recorded as field notes and photographs.	1 surveyor accessing the land on foot but with access off the highway for the parking of one motor car.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Topographic survey to facilitate design of overhead line to required design standards.	Up to three visits. Each visit lasting up to 0.5 day. Per parcel number	March onwards	Topographic corridor survey of grid connection corridor using theodolite and GPS for design purposes and to inform the Environmental Impact Assessment.	Foot survey using theodolite and GPS to take measurements and acquire topographic survey detail along grid connection corridor.	Up to 4 survey personnel accessing the land on foot with access off the highway for the parking of up to two road going vehicles.
1A, 1B, 1C, 1D, 1E, 2, 3, 4	Walkover to assess suitability of land and construction methodology for grid connection	Up to three visits. Each visit lasting up to 0.5 day. Per parcel number	March onwards	Walkover survey of grid connection corridor for construction methodology purposes and to inform the Environmental Impact Assessment.	Walkover and photographic survey.	Up to 4 survey personnel accessing the land on foot with access off the highway for the parking of up to two road going vehicles.