

# Medworth Energy from Waste Combined Heat and Power Facility



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## Section 55 Checklist

Regulation reference: The Infrastructure  
Planning (Applications: Prescribed Forms  
and Procedure) Regulations 2009  
Regulation 5(2)(q)

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## Section 55(2) Acceptance of Applications

1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision

Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:

Planning Inspectorate comments

### Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent

2	<p>Is the development a Nationally Significant Infrastructure Project<sup>1</sup> (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order<sup>2</sup> (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>Yes.</p> <p>The Proposed Development as described in Schedule 1 of the Draft DCO is an NSIP under section 14(1)(a) and 15 of the Planning Act 2008 (the Act). The Proposed Development satisfies s15(1) and 15(2) of the Act as it is for the construction of a generating station in England, that is not an offshore generating station, and it has a capacity of more than 50 megawatts.</p> <p>The application states on the face of it that it is an application under section 37 of the Act for a DCO (see Cover Letter (<b>Volume 1.1</b>) and Application Form (<b>Volume 1.2</b>)).</p> <p>This is consistent with the summary provided in <b>Section 4</b> of the <b>Application Form (Volume 1.2)</b> and the Explanatory Memorandum (<b>Volume 3.2</b>), which states that the application is for an NSIP.</p>
3	<b>Summary: Section 55(3)(a) and s55(3)(c)</b>	

### Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)

<sup>1</sup> NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

<sup>2</sup> Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)



4	In accordance with the EIA Regulations <sup>3</sup> , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	<p>(a) No – the Applicant did not request a screening opinion in respect of the Proposed Development.</p> <p>(b) Yes</p> <p>The Applicant notified the Secretary of State in writing by letter dated 3 December 2019 under Regulation 8(1)(b) of the EIA Regulations that the Applicant intended to provide an Environmental Statement with its DCO Application. A copy of the notification under Regulation 8(1)(b) has been submitted as <b>Appendix 1C</b> of the <b>Environmental Statement (Volume 6.4)</b>.</p> <p>The notification was given prior to the consultation carried out by the Applicant under section 42.</p>
5	Have any Adequacy of Consultation Representations <sup>4</sup> been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?	The adequacy of consultation representations will be requested by the Planning Inspectorate upon submission of the Application.
<b>Section 42: Duty to consult</b>		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed?	<p>Yes.</p> <p>The Applicant consulted s42(1)(a) prescribed bodies as part of the Statutory Consultation on 28 June 2021. A list of the prescribed bodies consulted by the Applicant is provided in <b>Appendix R</b> of the <b>Consultation Report (Volume 5.1)</b>.</p> <p>A sample of the letter sent to s42(1)(a) prescribed bodies is provided in <b>Appendix H</b> of the <b>Consultation Report (Volume 5.1)</b>.</p>

<sup>3</sup> Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

<sup>4</sup> Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received



7	Section 42(1)(aa) the Marine Management Organisation <sup>5</sup> ?	<p>No.</p> <p>The Proposed Development does not affect any of the area specified in s42(2) and therefore it was not necessary to consult the Marine Management Organisation.</p>
8	Section 42(1)(b) each local authority within s43 <sup>6</sup> ?	<p>Yes.</p> <p>The Applicant consulted s42(1)(b) local authorities within s43 as part of the Statutory Consultation on 28 June 2021. A list of the local authorities consulted by the Applicant is provided in <b>Section 5.5, Table 5.1</b> of the <b>Consultation Report (Volume 5.1)</b> and includes:</p> <p>The host 'B' authorities:</p> <ul style="list-style-type: none"> <li>• Fenland District Council; and</li> <li>• Borough Council of Kings Lynn and West Norfolk.</li> </ul> <p>The host 'C' authorities:</p> <ul style="list-style-type: none"> <li>• Cambridgeshire County Council; and</li> <li>• Norfolk County Council.</li> </ul> <p>The neighbouring 'A' authorities:</p> <ul style="list-style-type: none"> <li>• Huntingdonshire District Council;</li> <li>• North Norfolk District Council;</li> <li>• East Cambridgeshire District Council;</li> <li>• South Holland District Council;</li> <li>• Breckland Council;</li> <li>• The Broads Authority; and</li> <li>• West Suffolk Council.</li> </ul>

<sup>5</sup> In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

<sup>6</sup> Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority



		<p>The neighbouring 'D' authorities:</p> <ul style="list-style-type: none"> <li>• Northamptonshire Council;</li> <li>• Peterborough City Council;</li> <li>• Suffolk County Council;</li> <li>• Bedford Borough Council;</li> <li>• Central Bedfordshire Council;</li> <li>• Essex County Council;</li> <li>• Hertfordshire County Council; and</li> <li>• Lincolnshire County Council.</li> </ul> <p>A sample of the letter sent to s42(1)(b) local authorities is provided in <b>Appendix H</b> of the <b>Consultation Report (Volume 5.1)</b>.</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<p>No.</p> <p>The Proposed Development does not affect the Greater London area and therefore it was not necessary to consult the Greater London Authority.</p>
10	Section 42(1)(d) each person in one or more of s44 categories <sup>7</sup> ?	<p>Yes.</p> <p><b>Section 5.5</b> of the <b>Consultation Report (Volume 5.1)</b> describes those s44 category persons required to be consulted under s42(1)(d).</p> <p><b>Section 5.5</b> summarises how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands. This section outlines the approach taken to identify relevant land interests.</p> <p>The persons consulted under s42(1)(d) as part of the Statutory Consultation on 28 June 2021 are listed in <b>Appendix H</b> of the <b>Consultation Report (Volume 5.1)</b>.</p> <p>A sample of the letter sent to s42(1)(d) persons is provided in <b>Appendix H</b> of the <b>Consultation Report (Volume 5.1)</b>.</p>

<sup>7</sup> Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry



Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes.</p> <p><b>Section 5.3</b> of the <b>Consultation Report (Volume 5.1)</b> confirms that the Statutory Consultation took place for a period of six and a half weeks between 28 June and 13 August 2021. This exceeds the statutory minimum of 28 days for consultation under the Act.</p> <p><b>Section 5.6</b> of the <b>Consultation Report (Volume 5.1)</b> explains that the letters sent to s42 consultees were originally sent on 23 June 2021, but due to an administrative error were reissued on 30 June 2021. Despite this administrative error, consultees still had 6 weeks to respond to the consultation, before the consultation end date of the 13 August 2021 (which exceeded the statutory minimum of 28 days).</p> <p>A sample of the letter sent to s42 consultees on the 30 June 2021 is provided in <b>Appendix H</b> of the <b>Consultation Report (Volume 5.1)</b>. This letter notified the consultees that the deadline for responses was the 13 August 2021.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes.</p> <p>The Applicant gave notice to the Planning Inspectorate under s46 of the Act on 14 June 2021, which was before the s42 consultation commenced on 28 June 2021.</p> <p>A copy of this s46 notification is provided in <b>Appendix G</b> of the <b>Consultation Report (Volume 5.1)</b>.</p> <p>In accordance with section 46, this notification comprised of the documents sent to consultees under section 42 of the Act.</p> <p>The Planning Inspectorate issued a s46 acknowledgement letter on 8 July 2021. A copy of this letter is provided in <b>Appendix CC</b> of the <b>Consultation Report (Volume 5.1)</b>.</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes.



		<p>A copy of the final SoCC prepared for the statutory consultation undertaken between 28 June and 13 August 2021 is provided at <b>Appendix M</b> of the <b>Consultation Report (Volume 5.1)</b>.</p> <p><b>Section 5.5</b> of the <b>Consultation Report (Volume 5.1)</b> provides an outline of the Applicant's approach to s47 consultation undertaken in 2021 and how they intended to consult people living in the vicinity of the land as per the SoCC.</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?	<p>Yes.</p> <p><b>Section 5.5</b> of the <b>Consultation Report (Volume 5.1)</b> explains that consultation on a draft SoCC was carried out with the relevant 'B' authorities (Fenland District Council and Borough Council of Kings Lynn and West Norfolk) and the relevant 'C' authorities (Cambridgeshire County Council and Norfolk County Council) between 26 February and 27 March 2021. This was a period of 28 days from the day after the draft SoCC was issued on 26 February 2021.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>Responses to the draft SoCC were received from all four host local authorities and were considered by the Applicant as part of finalising the approach to the consultation. A full schedule of the responses received on the draft SoCC, the Applicant's response and whether it resulted in a change to the draft SoCC is provided in <b>Appendix E</b> of the <b>Consultation Report (Volume 5.1)</b>.</p> <p>A summary of the feedback received and the changes that were made to the draft SoCC is provided in <b>Section 5.5</b> of the <b>Consultation Report (Volume 5.1)</b>. The final SoCC incorporating the changes is provided in <b>Appendix M</b> of the <b>Consultation Report (Volume 5.1)</b>.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes.</p> <p><b>Section 5.5</b> of the <b>Consultation Report (Volume 5.1)</b> confirms that the SoCC was made available for inspection at each of the agreed Document Inspection Locations which were reasonably convenient for people living in the vicinity of the land. These are listed in <b>Table 5.4</b> of the <b>Consultation Report (Volume 5.1)</b> and include:</p> <ul style="list-style-type: none"> <li>• Oasis Community Centre;</li> <li>• Wisbech St Mary Sports and Community Centre;</li> </ul>



		<ul style="list-style-type: none"> <li>• Marshland Hall;</li> <li>• Rosmini Centre: and</li> <li>• Walton Highway Village Club.</li> </ul> <p>A notice stating when and where the final SoCC could be inspected was published in five publications circulating in the vicinity of the land. These are listed in <b>Table 5.5</b> in the <b>Consultation Report (Volume 5.1)</b> and include:</p> <ul style="list-style-type: none"> <li>• Cambs Times;</li> <li>• Eastern Daily Press;</li> <li>• Fenland Citizen;</li> <li>• Lynn News; and</li> <li>• Your Local Paper.</li> </ul> <p>Clippings of the publishes notices are provided in <b>Appendix F</b> of the <b>Consultation Report (Volume 5.1)</b>.</p> <p>The SoCC was also made publicly available on its website <a href="https://www.mvv-medworthchp.co.uk/documents">https://www.mvv-medworthchp.co.uk/documents</a> from 24 June 2021. The Government has confirmed that placing materials on a website maintained by or on behalf of the Applicant meets the requirement to place information on public deposit in the Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020.</p>
17	Does the SoCC set out whether the development is EIA development <sup>8</sup> ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes.</p> <p>Section 3.2 of the final SoCC provided in <b>Appendix M</b> of the <b>Consultation Report (Volume 5.1)</b> confirms that the Proposed Development is EIA development and sets out how the Applicant intended to publicise and consult of the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p>

<sup>8</sup> Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations





		<b>Table 5.2</b> in the <b>Consultation Report (Volume 5.1)</b> includes a summary of the consultation methods set out in the SoCC and how the Applicant complied with them during the Statutory Consultation.	
<b>Section 48: Duty to publicise the proposed application</b>			
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p>Yes.</p> <p>Paragraphs 5.6.45 – 5.6.47 of the <b>Consultation Report (Volume 5.1)</b> describe how the s48 notices were published in accordance with Regulation 4(2) of the APFP Regulations.</p> <p>The publications and the dates of the s48 notices are listed in <b>Table 5.6</b> of the <b>Consultation Report (Volume 5.1)</b>.</p> <p>A copy of the published s48 notices is provided in <b>Appendix I</b> of the <b>Consultation Report (Volume 5.1)</b>.</p>	
		<b>Newspaper(s)</b>	<b>Date</b>
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	Cambs Times  Eastern Daily Press  Fenland Citizen  Lynn News  Your Local Paper	<i>18 June 2021</i> <i>25 June 2021</i> <i>14 June 2021</i> <i>21 June 2021</i> <i>16 June 2021</i> <i>23 June 2021</i> <i>18 June 2021</i> <i>25 June 2021</i> <i>18 June 2021</i> <i>25 June 2021</i>
b)	once in a national newspaper;	Daily Mail (England & Wales and Scotland editions)  Metro	<i>21 June 2021</i> <i>21 June 2021</i>



c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette. The Proposed Development does not involve land in Scotland and as such there was no requirement to publish a section notice in the Edinburgh Gazette.	21 June 2021
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A. The Proposed Development does not involve offshore development and as such there was no requirement to publish a section 48 notice in the Lloyds List or within an appropriate fishing journal.	N/A
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. The published s48 notice provided in <b>Appendix I</b> of the <b>Consultation Report (Volume 5.1)</b> contains the required information as set out below.	

Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	1
c)	a statement as to whether the application is EIA development	5	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	2 and 3
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	6 and 10	f)	the latest date on which those documents, plans and maps will be available for inspection	6
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	6	h)	details of how to respond to the publicity	8
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days	8			



	following the date when the notice is last published		
21	Are there any observations in respect of the s48 notice provided above?		
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations <sup>9</sup> ?	Yes. <b>Paragraph 5.6.47</b> of the <b>Consultation Report (Volume 5.1)</b> confirms that the s48 notice was sent to all 'consultation bodies' in accordance with the EIA Regulations. A sample of the s42 consultation letter provided in <b>Appendix H</b> of the <b>Consultation Report (Volume 5.1)</b> confirms a copy of the s48 notice was enclosed.	
<b>s49: Duty to take account of responses to consultation and publicity</b>			
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	Yes. <b>Sections 7-18</b> of the <b>Consultation Report (Volume 5.1)</b> set out how the Applicant has had regard to the consultation responses received; including whether or not responses led to changes to the application. Where a particular response did not led to a change to the Proposed Development, it is sufficiently clear that regard was had to it.	
<b>Guidance about pre-application procedure</b>			
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' <sup>10</sup> ?	<b>Paragraph 1.1.6</b> of the <b>Consultation Report (Volume 5.1)</b> states that the Applicant has had regard to the Department for Communities and Local Government (DCLG) guidance on the pre-application process. <b>Section 2.9, Table 2.2</b> of the <b>Consultation Report (Volume 5.1)</b> provides information on compliance with all relevant statutory and other guidance.	
25	<b>Summary: Section 55(3)(e)</b>		

<sup>9</sup> Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

<sup>10</sup> The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50



**s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)**

26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> <li>a brief statement which explains why it falls within the remit of the Planning Inspectorate; and</li> <li>a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	Yes. <b>Section 4</b> of the <b>Application Form (Volume 1.2)</b> explains why the Proposed Development falls within the remit of the Planning Inspectorate. Reference should also be made to the <b>Explanatory Memorandum (Volume 3.2)</b> which confirms the Proposed Development's qualifying status as an NSIP. <b>Section 6</b> of the <b>Application Form (Volume 1.2)</b> provides a brief non-technical description of the development and <b>Section 6</b> provides the location of the Proposed Development. A <b>Site Location Plan (Volume 2.1)</b> has been provided.									
27	Is it accompanied by a Consultation Report?	Yes. The application is accompanied by a <b>Consultation Report (Volume 5.1)</b> , which comprises a main report and appendices.									
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? <sup>11</sup>	Yes.									
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:									
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA Regulations<sup>12</sup> and any</td> <td><b>Environmental Statement Non-Technical Summary (Volume 6.1), Environmental Statement (Volume 6.2), Environmental Statement Figures (Volume 6.3) and</b></td> </tr> </tbody> </table>		Information	Document	a) Where applicable, the Environmental Statement required under the EIA Regulations <sup>12</sup> and any	<b>Environmental Statement Non-Technical Summary (Volume 6.1), Environmental Statement (Volume 6.2), Environmental Statement Figures (Volume 6.3) and</b>	<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>b) The draft Development Consent Order (DCO)</td> <td><b>Draft Development Consent Order (Volume 3.1).</b></td> </tr> </tbody> </table>		Information	Document	b) The draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Volume 3.1).</b>
Information	Document										
a) Where applicable, the Environmental Statement required under the EIA Regulations <sup>12</sup> and any	<b>Environmental Statement Non-Technical Summary (Volume 6.1), Environmental Statement (Volume 6.2), Environmental Statement Figures (Volume 6.3) and</b>										
Information	Document										
b) The draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Volume 3.1).</b>										

<sup>11</sup> Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>12</sup> The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations



	scoping or screening opinions or directions	<b>Environmental Statement Appendices (Volume 6.4).</b> A copy of the EIA Scoping Opinion is provided in <b>Appendix 1D</b> of the <b>Environmental Statement (Volume 6.4)</b> .		
	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.		The Applicant considers it is of a satisfactory standard.
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<b>Explanatory Memorandum (Volume 3.2).</b>	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)
	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.		The Applicant considers it is of a satisfactory standard.
e)	A copy of any Flood Risk Assessment	<b>Environmental Statement Chapter 12 Hydrology Appendix 12A: Flood Risk Assessment (Volume 6.4).</b>	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them
	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.		The Applicant considers it is of a satisfactory standard.
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	<b>Statement of Reasons (Volume 4.3) and Funding Statement (Volume 4.2).</b>	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development;
				<b>Land Plan (Volume 2.2).</b>



			<ul style="list-style-type: none"> <li>(ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land;</li> <li>(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and</li> <li>(iv) any special category land and replacement land</li> </ul>		
	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.	
j)	<p>A Works Plan showing, in relation to existing features:-</p> <ul style="list-style-type: none"> <li>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</li> <li>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</li> </ul>	<b>Works Plan (Volume 2.3).</b>	k)	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p>	<b>Access and Rights of Way Plan (Volume 2.4).</b>



	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.		Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.
l)	Where applicable, a plan with accompanying information identifying:-  (i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;  (ii) habitats of protected species, important habitats or other diversity features; and  (iii) water bodies in a river basin management plan,  together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development	<b>Features of Nature Conservation (Volume 2.5); and</b> <b>ES Chapter 11 Biodiversity Figure 11.2 (Volume 6.3).</b>  The assessment of effects is presented in <b>ES Chapter 11: Biodiversity</b> and <b>Chapter 12: Hydrology (Volume 6.2).</b>	m)	Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development	<b>Statutory and Non-Statutory Sites and Features of Historic Environment Plan (Volume 2.6).</b>  The assessment of effects is presented in <b>ES Chapter 10: Historic Environment (Volume 6.2).</b>
	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.		Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.
n)	Where applicable, a plan with any accompanying information identifying any Crown land	N/A	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the	<ul style="list-style-type: none"> <li>• <b>Site Location Plan (Volume 2.1)</b></li> <li>• <b>EfW CHP Facility Elevations (Volume 2.7)</b></li> <li>• <b>Administration Building Elevations (Volume 2.8)</b></li> </ul>
	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.		Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.



			preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	
	Is this of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.	Are they of a satisfactory standard?	The Applicant considers they are of a satisfactory standard.
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Electricity Grid Connection Statement (Volume 7.2).</b>	q) Any other documents considered necessary to support the application	<ul style="list-style-type: none"> <li>• <b>Electronic Application Index (Volume 1.3);</b></li> <li>• <b>Guide to the Application (Volume 1.5);</b></li> <li>• <b>List of Other Consents and Licenses (Volume 5.4);</b></li> <li>• <b>Planning Statement (Volume 7.1);</b></li> <li>• <b>Waste Fuel Availability Assessment (Volume 7.3);</b></li> <li>• <b>The Project Benefits Report (Volume 7.4);</b></li> <li>• <b>Design and Access Statement (Volume 7.5);</b></li> <li>• <b>Combined Heat and Power Assessment (Volume 7.6);</b></li> <li>• <b>Outline Landscape and Ecology Management Plan (Volume 7.7);</b></li> <li>• <b>Outline Employment and Skill Strategy (Volume 7.8);</b></li> <li>• <b>Outline Flood Emergency Management Plan (Volume 7.9);</b></li> </ul>





				<ul style="list-style-type: none"> <li>• <b>Outline Fire Prevention Plan (Volume 7.10);</b></li> <li>• <b>Outline Odour Management Plan (Volume 7.11);</b></li> <li>• <b>Outline Construction Environmental Management Plan (Volume 7.12);</b></li> <li>• <b>Tree Survey (Volume 7.13);</b></li> <li>• <b>Outline Community Benefits Strategy (Volume 7.14); and</b></li> <li>• <b>Outline Operational Traffic Management Plan (Volume 7.15).</b></li> </ul>	
	Are they of a satisfactory standard?	The Applicant considers it is of a satisfactory standard.		Are they of a satisfactory standard?	The Applicant considers they are of a satisfactory standard.
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? <sup>13</sup>	Yes. <b>A Habitat Regulations Assessment No Significant Effects Report (Volume 5.3)</b> accompanies the application.			

<sup>13</sup> Regulation 5(2)(g) of the APFP Regulations



32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans <sup>14</sup>	No hard copies requested.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	Yes. The <b>Application Form (Volume 1.2)</b> has been prepared with regard to the 'Planning Act 2008: Application form guidance'. The Applicant considers the DCO Application to be of a satisfactory standard.
34	<b>Summary - s55(3)(f) and s55(5A)</b>	
<b>The Infrastructure Planning (Fees) Regulations 2010 (as amended)</b>		
<b>Fees to accompany an application</b>		
35	Was the fee paid at the same time that the application was made <sup>15</sup> ?	The fee of £7,488 was paid by BACs on 22 June 2022 in advance of the submission of the DCO Application.

<sup>14</sup> Regulation 5(2)(r) of the APFP Regulations

<sup>15</sup> The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

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