# MIDDLE LEVEL COMMISSIONERS

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15 November 2022

**Hundred of Wisbech Internal Drainage Board**

**Relevant Representations for Medworth Energy from Waste Combined Heat and Power Facility Development Consent Order at Algores Way, Wisbech - Medworth CHP Limited (MCL)**

Further to MVV's e-mail dated 30th June attaching a letter of the same date, the relevant documents have been reviewed and the Board comments as follows:

**A. General Comment**

**NB. The extent of the Boards district and points on the IDB system referred to within this response are shown on Figure 12D.1 on page 12D3 of the submitted documents.**

**1. Risk Management Authorities (RMA)**

a. The Middle Level Commissioners (the Commissioners) are a statutory authority responsible for navigation, environmental, water level and flood risk management in respect of major watercourses and water control structures within their catchment.

b. In addition to their statutory role, the Commissioners provide a consultancy service to the Internal Drainage Boards (the Boards) within and adjacent to their area. The Boards are autonomous water level and flood risk management authorities that supervise drainage at a more local level obtaining support from the Commissioners' staff when required.

c. The Commissioners and associated Boards are Risk Management Authorities (RMA), as identified by Defra and are guided by, amongst other documents, the Flood and Coastal Erosion Risk Management (FCERM) Strategy. The provision of FCERM was a requirement of the Flood & Water Management Act (F&WMA) 2010 with the latest version being issued in July 2020.

The Strategy describes what needs to be undertaken by all RMA involved in flood and coastal erosion management including IDB's "for the benefit of people and places" and provides a framework for guiding the operational activities and decision making of practitioners supporting the direction set by government policy which includes the FCERM policy statement.

d. Together with Cambridgeshire County Council. Peterborough City Council, the District Councils and other stakeholders, the Commissioners and associated Boards are members of the Cambridgeshire & Peterborough Flood and Water (FLoW) Partnership. As members of this partnership the Commissioners and associated Boards generally promote issues that improve water level management and reduce flood risk on our particular systems in accordance with the respective policy statement.

As members of the partnership, there has been some discussion with the County Council, in its role as the Lead Local Flood Authority (LLFA), concerning surface water disposal related issues associated with the proposal.

e. The Board is a member of the Association of Drainage Authorities (ADA) and through the Commissioners the Board is also represented on many groups, partnerships and other Forums including the Environment Agency's Future Fens for Flood Risk Management (FRM), Anglian Waters Future Fens: The Integrated Adaptation Project, the Fenland Developers Forum etc.

f. Members of the Commissioners staff and the Boards Works Committee have engaged in pre-application discussions with MVV and its agents to ensure that the final submission takes account of initial concerns around the information and methodologies required to be able to fully assess the proposals. It is pleasing to note that this advice has largely been followed. However, there are still some matters that need to be addressed to allow the Board to fully understand the impacts of the scheme and to determine whether any mitigation measures proposed are sufficient.

   The Board requests engagement in respect of these matters to ensure that these are resolved ahead of any consents or approvals being given to the proposal.

g. The Board reserves the right for it and its agents to undertake further engagement with the applicant and its agents in order to review the design, construction and completion of environmental, water level and flood risk management works, prior to certification that such works are acceptable and the provision of a reasonable maintenance period during which time the Board or its agents can require the applicant or its agents to resolve any defects in the completed works.

**2. Local Water level and flood risk management**

The Hundred of Wisbech IDB has an arrangement whereby surface water, some treated effluent from small private treatment plants and occasional groundwater discharges, during excavations, flow from a mixed urban and arable catchment, by gravity into the adjacent more arable Waldersey IDB, at Point 1 – Crooked Bank, where it is then pumped into the Environment Agency's higher level River Nene. Under normal circumstances this utilises Waldersey IDB's South Brink Pumping Station.

Please note that both the Hundred of Wisbech IDB and Waldersey IDB are outside of the Middle Level Commissioners hydraulic catchment.

**3. The Land Drainage Act and relevant RMA Byelaws**

The Boards primary powers are under the Land Drainage Act (LDA) 1991 and its Byelaws, policy statements and other relevant documentation, but sections of the Water Industry Act 1991, the Highways Act 1980 and the Flood & Water Management Act (F&WMA) 2010 are also relevant.

The Board also has nature conservation duties under the Land Drainage Act 1991, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Countryside and Rights of Way Act 2000, the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003, the Eels (England and Wales) Regulations 2009, the Conservation of Habitats and Species Regulations 2010, the Flood and Water Management Act 2010, the Natural Environment and Rural Communities Act 2006, and as a competent authority under the Conservation (Natural Habitats etc) Regulations 1994.

The Board also has duties under the Environment Act 2021 to conserve and enhance biodiversity.

4. **Potential influences on the existing drainage arrangements in the South Bridge Field and New Bridge Field area.**

   In addition to the Incinerator proposal there are several aspirational matters of a strategic nature which could influence the Boards network of watercourses in the area but these are subject to funding and other external pressures outside of the Board's control which may influence their implementation. Until these are known the Board is reluctant to act at the expense of the rate payer and/or government funding. These projects include the Wisbech Area Transport Study, the Wisbech Rail Project, and the District Councils South Wisbech Broad Concept Plans and if these aspirations are realised a link is formed to a new roundabout on the A47 in close proximity to the existing culvert under the A47 at Point 50.

**B. <u>The Submission Documents</u>**

**<u>Environmental Statement Chapter 6: Traffic and Transport</u>**

<u>Operational Design Case – New Bridge Lane</u> (Pages 6.54-6.57)

*Road Culvert at Point 31*

Currently New Bridge Lane to the south east of the junction with Salters Way is a rarely used single track which is unlikely to have been built to modern highway standards and is understood to simply be served by a gulley drainage system.

The Boards Cromwell Road Drain is culverted under the Lane to the north west of the crossing with the "mothballed" railway (Point 31). This watercourse forms an important part of the Boards network serving the urban area generally bound by the River Nene, Weasenham Lane, the railway and New Bridge Lane.
This culvert was installed several years ago and is approaching the end of its life. In view of this and the increased HGV Traffic loading it is considered that this culvert should be replaced with a new structure.

*New Bridge Lane Drain (Points 31 – 43 – 44 – 50)*

The watercourse on the southern side of the Lane to the south east of Point 31 is a Boards Drain which currently serves as a higher level interconnection with the system near the A47 (Point 50). This watercourse is currently of lesser importance but will become increasingly more important as the planned growth in the area occurs.

Currently access to it is largely unrestricted and the Board can undertake routine maintenance on this watercourse relatively easily from the field and roadside. Unfortunately, the increased volume of traffic using the Lane together with the proposed street lighting, chicane and acoustic fencing to a property on the southern side of the Lane, would make future maintenance operations more difficult increasing the risk of conflict and accidents; will reduce safety of the Boards employees/contractors and other road users; and require alternative methods of working with potential increased costs on the rate payer and possibly delaying vehicles entering and leaving the facility.

The vibration resulting from the increased traffic may lead to failure of the channel profiles which increases costs in undertaking remedial works and could, in the correct circumstances, lead to blockages restricting flows within the channel increasing flood risk.

The proposed development will significantly increase the traffic in the immediate area and the Board are concerned about the adverse impacts and loading imposed upon the local environment and water level and flood risk management systems, particularly given the nature of the weak soft soils, both at the site and along the traffic route. Assets such as road structures, highway drainage systems and culverts may need appropriate strengthening and upgrading to meet these impacts.

*Other Issues*

There is also a watercourse on the northern side of the highway which will require repositioning if the proposed widening of the Lane occurs.

No reference is made to the drainage system serving the widened road or any adverse impacts upon it given that the County Council do not currently adopt SuDS features and that the Boards system is considered to be close to capacity and will require all discharges to be attenuated to greenfield rates of run off.

The impacts of widening Newbridge Lane in relation to the adjacent watercourses and culverts and proximity to the highway in terms of construction, operation and safety will require greater clarity and detail in due course.

**Environmental Statement Chapter 10: Historic Environment**

The Board note the inclusion and contents of this document. Whilst the historic environment is outside of the Boards remit it would encourage the retention of suitable water level and flood risk management structures and features provided that they do not detrimentally affect the Boards statutory environmental, water level and flood risk management functions, for example, the penstock and headwall on the Boards former discharge channel, now filled in, adjacent to the Redmoor Lane roundabout.

**Environmental Statement Chapter 11: Biodiversity**

Species

If the qualifying species are "teal, curlew, redshank and hen harrier" they will also need to be considered in the FLL. Why has the consideration to NSE been confined to geese and swans?

Spined Loach (an EPS) has been considered in the context of air quality. Spined Loach is a freshwater fish so will impact on water quality will need to be considered rather than air quality.

Surveys undertaken by the IDB indicate that water vole have been recorded as present in the local area in 2022. More information can be made available on request.

Habitats

The management plan set out in 4.2.2 of the Outline Landscape and Ecological Management Plan suggests that after 2 years the wet woodland would be left to self-manage. If the habitat is to continue as a wet woodland, some management will be required to manage succession. Particularly if blackthorn is used which can be invasive.

If the attenuation pond is to be connected to the drainage channels, it will need to be managed regularly. A long-term management plan for the pond will be needed to ensure that its capacity is maintained in order for it to remain functional as an attenuation pond. If the pond is to be connected to the surface water drainage system i.e., to the IDB drainage channels, thorough and on-going assessment of the quality of water entering the pond and discharging into the channels will need to take place. The design of the ponds and the discharge point will depend on the contaminants and quality of the water entering it and the type of remediation proposed i.e., phytoremediation, bio filters etc.

While the drainage channels at the times of survey were found to be dry, this is likely to be due to the permeability of the surrounding land, and they do hold some water at certain times of the year. If the proposed site land were to be sealed by development and therefore permeability reduced, surface run-off would increase and the channels would be needed to convey away greater volumes of water to reduce flood risk. Access from at least one side of the channels will be needed, in line with IDB bylaws, to allow the IDB to undertake channel maintenance activities to maintain the capacity of the channel and to keep it free from obstruction.

In combination effects

It is stated that: ***"****Therefore, due to the precautionary approach taken to the screening process and identification of LSEs for the Proposed Development, in-combination effects will only need to be considered if it is found that the proposed development is likely to result in LSE on the European sites being considered and detailed within the HRA Report."* This is not the Board's understanding. In-combination effects must be considered regardless of whether LSE has been established for the proposed development.

There are proposed plans to build a large potable water supply reservoir (Fens Reservoir) approximately 18 km to the south west of the proposed site. The in-combination effects of this development with the proposed reservoir will need to be considered.

Biodiversity Net Gain

In terms of Biodiversity Net Gain (BNG), if the watercourses through the site are over 5m then it must be assessed for BNG with the rivers & stream metric not using the linear ditches function of the terrestrial BNG metric. The Board shall be pleased if this could be confirmed.

Environmental Assessments

The environmental assessments reviewed to date (HRA & ES) do not consider the potential impacts, as set out in Appendix A of the Habitats Regulations Assessment of the Energy National Policy Statements Review, particularly with concern to downstream hydrological impacts on EPS: Habitats Regulations Assessment of the Energy National Policy Statements Review (publishing.service.gov.uk)

**Environmental Statement Chapter 12: Hydrology**

Export Grid, Import Water and Export CHP Connections

Various sections of this document assert that the provision and location of the grid, water and CHP connections will not have an adverse impact on the either the environment, water level and flood risk management systems or increase flood risk.

Unfortunately, this is not the case as the poor location and installation of such utilities can have a significant effect on the maintenance and operation of the Boards system. Poorly backfilled trenches and burst water mains have previously resulted in the failure of channel slopes which increases work load, costs in undertaking remedial works and could, in the correct circumstances, lead to blockages within the channel restricting flows and increasing flood risk.

The presence of such utilities would make future maintenance operations more difficult increasing the risk of conflict with dangerous infrastructure, of accidents and will reduce the safety of the Boards employees and contractors. The delay in contacting the appropriate "provider" and meeting its requirements often needing alternative and costly solutions can all constrain and delay the undertaking of essential maintenance operations with potential increased costs on the rate payer and increasing flood risk.

Both the Hundred of Wisbech IDB and a neighbouring Board have had to pay significant sums of money in order to simply negotiate adopted water mains when undertaking channel and structure improvement schemes.

*Connections adjacent to Point 50*

Of prime concern to the Board is the culvert under the A47 at Point 50 which is of strategic importance as it is the main point of discharge for the large urban area of southern Wisbech. It is the confluence of several Boards Drains and is currently constrained by a combination of poor geometry of the watercourses and culverts and the gas main that dog legs across the Board systems in the area the presence of which necessitated that pipeline on the north eastern side of New Bridge Lane being installed at a less than ideal level.

The proposed electricity grid and water connections add to these existing constraints.

Concern about the water connection has been discussed and whilst it is not the ideal location the Board would prefer an open cut trench across the A47 rather than the HDD connection to the north east of Point 50 as this will further constrain an increasingly important location which may be subject to significant changes if the aspired roundabout is built nearby.

See also the Combined Heat and Power Assessment below.

Water Resources

Item 12.5.3 quite correctly advises that the site is within some of the driest areas in the country and the extreme hot weather events experienced during the summer and the on going drought situation have confirmed that the town is an area of serious water stress and this will increase as further impacts due to growth and climate change occurs.

Whilst it will no doubt be contended that the recent announcement for the Fens Reservoir reduces any local concern it will be several years before this is operational and it is still considered appropriate to alleviate this problem and in respect of responses to Strategic Policy documents the Commissioners and associated Boards have lobbied for several years that future growth must consider the whole water cycle process, giving serious consideration to reducing water usage and irreparable damage to the water sources including chalk streams and other watercourses enabling more water for other uses.

The impact of the volume of water detailed in the proposed abstraction application does not appear to have been assessed. The Nene catchment Abstraction Strategy suggests that there is a lack of consistency in the availability of water for abstraction from the catchment and restricted water available for any new abstraction therefore new abstraction applications may be restricted (CAMS-Nene-Catchment-Abstraction-Management-Strategy.pdf (publishing.service.gov.uk)).

Therefore, the Commissioners and associated Boards promote water neutrality by minimising the use of potable water and encouraging the use of recycling and rainwater harvesting to enable the better use of a limited and decreasing resource.

Water Quality

Water quality and pollution control is generally a matter for the Environment Agency and the local Environmental Health Department; however, the Board is facing the increasing challenge of having to dispose of polluted and contaminated soil from its network due to the poor water quality as the result of pollution incidents within the area.

Whilst the proposed development will be subject to Environmental Permitting Regulations, which are outside of the Boards control, and it is appreciated that both water resources and quality are mainly matters for the Environment Agency (EA), the Board are concerned about the consequences, both physical and financial, of a pollution incident that effects some of the most fertile agricultural land in the area, the urban development, and aquatic environment either directly or indirectly and the implications that this could have on these.

Also, the quality of water discharge from the site, during all phases does not appear to have been considered. Given the ecological sensitivity of the hydraulically-linked EPS particularly to water levels and quality, the Board would expect the development to be able (or be required) to demonstrate 'water and nutrient neutrality' if it is to avoid an adverse impact upon the integrity of the sites, under the Habitats Regulations.

The Board is concerned about items of airborne waste, primarily plastic, card and paper, entering its system and collecting on weedscreen grills or entrances to culverts and increasing flood risk as is the increasing microplastics entering the aquatic environment.

Increased pollution caused by chemical spills during normal operating procedures or the likely significant effect of an emergency response, such as large volumes of water applied during firefighting and where that water may go.

The interception and containment of fire-fighting run-off will need to be of a significant volume. Fire-fighting operations which have become necessary after fire suppression systems have been unable to extinguish the fire may operate for a number of days, delivering 1000's of litres of water per minute. If the surface water run-off interception ponds are to be used to store such run-off, they will have to be off-line from the wider surface water drainage network in the area.

The Boards system is not subject to water abstraction requiring a licence or permit but the neighbouring Waldersey IDB district does include several abstractions for crop irrigation purposes.

In order to reduce any detrimental impacts resulting in the deterioration in the water quality during the lifetime of the proposed development including the construction, operational and decommissioning phases, the Board requests that appropriate systems are installed and implemented to ensure that no building and constructional materials, foreign debris or polluting matter is discharged or becomes deposited into an open watercourse by any means. This may require the installation of a suitable pollution retention device or devices to contain any foreign debris or polluting matter that enter the adjacent open watercourses.

In addition, the Board expects that adequate provision is made to retain any harmful pollutants or contaminated water on the site for disposal to a suitably permitted location and not allowed to discharge into the local aquatic network.

An IDB has a statutory duty to, whilst considering applications for consent to undertake any activity on an IDB drain, have regard for the objectives of the RBMP (Water framework directive) of the connected River Nene. The Board is unlikely to grant consent for any activity which would be in conflict with the RBMP objectives.

See also Environmental Statement Chapter 17: Major Accidents and Disasters below.

<u>Development within the floodplain</u>

During 1978 areas of the town suffered directly or dealt with the consequences following the overtopping of the River Nene defences following a tidal surge. The defences were subsequently raised in the early eighties and again circa 2010-2015 to allow for the impacts of climate change. However, these defences were severely tested by a tidal surge in January 2013.

The comments about the Lincolnshire and Northamptonshire Tidal Breaching Hazard Mapping are noted but this is understood to date from 2011 and it is questioned whether this meets current design standards particularly in respect of subsequent changes to climate change allowances.

The final paragraph on page 43 of the FCERM strategy states that one of the broader range of actions for achieving climate change resilience includes "avoiding inappropriate development in the floodplain" and the Board questions if the incinerator is built within the floodplain where will the flood water that would have occupied this area be transferred to and would it increase flood risk elsewhere?

Flood Resilience

Page 36 of the FCERM Strategy document advises that the Environment Agency's long-term investment scenarios team commissioned experts at the University of Oxford to examine the impacts of flooding from rivers and the sea on transport and utilities infrastructure including: road, rail, electricity, gas and water. This research found over two-thirds of properties in England are served by infrastructure sites and networks located in, or dependent on others located in, areas at risk of flooding. Many infrastructure owners have invested to improve infrastructure resilience, as outlined in the National Flood Resilience Review (Cabinet Office, 2016). As a result, some infrastructure on the floodplain is resilient to a very high level of protection.

In this respect the Board requests that the proposal design provides a high degree of resilience.

Construction Phase, Operational Phase and Decommissioning Phase

The Board has previously given initial advice concerning surface water disposal during normal operating conditions, as follows:

The provision of suitable filter strips beside any open watercourse will be required together with the following:

(i) During the Construction and Decommissioning Phases:

- Any excavated, imported or exported soils and materials are regularly tested to ensure it meets the appropriate standards.
- No soils or materials, particularly those which are potentially contaminated, are placed within 20m of an open watercourse.
- Any water, including groundwater, discharging into an open watercourse must meet regularly tested to ensure it meets the appropriate standards.

(ii) During operation:

- Any water discharging into an open watercourse must be regularly tested to ensure it meets the appropriate standards.
- No waste materials, particularly those which are potentially contaminated, are placed within 20m of or allowed to enter an open watercourse.

Groundwater Table/Infiltration

Whilst the Commissioners and associated Boards generally promote the use of the drainage hierarchy, there is substantial evidence that during periods of wet weather or high rainfall events, particularly during the winter months, the local ground water table can rise close to the ground surface thus precluding the use of infiltration based systems. It is suggested that the water table may be higher than the figures shown on the Groundwater Contours plans. The poor infiltration is inferred in the Site Walkover photographs which suggests a saturated site.

Hydraulic Calculations

The Board accepts that there are agreed standard methods of designing surface water systems and, in this respect the Board would normally request that the respective surface water systems should be designed for the worst case 1% AEP (Annual Exceedance Probability), a 1 in 100 year storm, and must consider a range of durations to determine the maximum volume required with an allowance for the impact of climate change, normally 40% but could be greater, and siltation should be included within the calculations.

It is suggested that a 100% impermeability factor is used for the design of the water level and flood risk management systems. This will allow for future development, extensions to buildings etc to be accommodated and/or depreciation in efficiency of the systems, lack of maintenance etc.

It is understood that the surface water disposal system is reliant on pumping systems. It is considered that with some careful design and re-evaluation there may be an alternative and more sustainable solution which reduces a significant residual risk which is prone to failure during extreme events, is easier to maintain and a more appropriate solution.

The widespread flooding impacts seen on and after 23rd December 2020, particularly within north Cambridgeshire were as a consequence of heavy rainfall on December 23rd, in excess of the Long term Average (LTA), falling on an already saturated catchment which was especially sensitive to intense rainfall. Whilst no instances of flooding were reported to the LLFA, the Boards system was under extreme pressure for several days.

Current design standards do not allow for such circumstances or the special drainage arrangements within the Fens where it may take several days for the flows to be dealt with. Because of this the normal requirements concerning half drain times within a twenty four hour period are unlikely to be achieved particularly given the size of the proposed facility.

Such situations are not normally accommodated within accepted design and the Commissioners are currently reviewing its position concerning this aspect.

Long term ownership, funding and maintenance of environmental water management systems

In order to alleviate any adverse impact upon the respective systems; the Boards; the Councils' ratepayers and the natural, built and aquatic environment; it is considered appropriate that the Board ensures that adequate arrangements are made for the long-term ownership, funding, management and maintenance arrangements for the upkeep of any environmental, water level and flood risk management systems, whether on or off site, in perpetuity. These requirements may be in addition to those imposed by planning conditions or required by the LLFA and that details of the works to be carried out by the occupier/land owner, adopting authority, the "Management Company" or other responsible person/authority, together with the costs attached, are included in the "Operators Manual" and any Deed of Sale.

**Environmental Statement Chapter 14: Climate**

The Board acknowledges the increased risk that climate change creates on its remit including water level and flood risk management, habitats and species and other environmental and biodiversity concerns, water neutrality and a managing a decreasing resource, water quality specifically pollution control and nutrient neutrality.

As a competent authority the Board recognises its role and generally encourages the societal change and principles contained within international, national and local climate change policy with the challenge of achieving net zero. It is working with the Association of Drainage Authorities (ADA) and other relevant partners to achieve the most economic and environmentally acceptable standard.

Whilst the Board recognises that EfW operations have the potential to reduce the overall GHG emissions by redirecting waste from landfill, a significant source of methane release into the atmosphere ([redacted] the Board request further information on how this has been assessed. The assessment must include the location of the waste materials source, how they will be transported etc. and the associated modelling. The Board would like to see how the proposed facility will help to contribute towards the Governments' legal obligation, though the Climate Change Act 2008 to cut greenhouse gas emissions by at least 68% by 2030.

In this respect the Board encourages the use of appropriate Carbon Capture and Storage (CCS) facilities and appropriate sustainable after uses and carbon reduction measures associated with the proposal as a whole.

**Environmental Statement Chapter 17: Major Accidents and Disasters**

The contents of the points previously raised, identified in error as the Middle Level Commissioners, are noted but remain a significant concern.

As discussed elsewhere access to a suitable water supply, the impacts of that supply on the environment and the discharge of polluted materials into the aquatic environment are of particular concern to the Board.

**Combined Heat and Power Assessment**

Whilst the Board were consulted by Carter Jonas concerning land around the existing Nestle Purina Facility off Coalwharf Road no other engagement has been made concerning the route of the CHP Steam export pipeline.

It was previously understood that this export pipeline would be buried but the submission documents show the pipeline to be elevated above the ground surface within the boundaries of the currently "mothballed" railway line.

Having received a copy of the Boards GIS shapefiles identifying the location of the Boards network and associated assets, MVV will be aware that the northern section of its system that serves the Cromwell Road area is aligned parallel with the railway between Points 32 – 47- 103 - 36. For this reason, the Board would prefer the CHP to be located on the south eastern side of the railway. However, the adverse impacts of piled foundations to support the CHP are a concern.

In addition, the Boards System is culverted under the railway lines at Points 33 and in the vicinity of Points 61 - 62 - 63 adjacent to the current scrapyard and the building occupied by Crown Holdings Inc./ Eviosys Packaging (ex- Metal Box) and possibly Point 34 but the latter needs to be confirmed.

The above systems all serve an extensive area of the urban area of Wisbech and for the reasons discussed above the failure to adequately maintain these watercourses would lead to significant areas of flooding in the catchments served.

None of the documents submitted appear to advise on the adverse implications of working in close proximity to the export pipeline where pressures up to 20 bar (290 psi) and 213 degrees centigrade may be experienced. A brief review of readily available health and safety documents does not identify a guidance/safe working practice document specific to CHP pipelines.

Could the Board please be advised who will be responsible for the long term ownership, funding and maintenance of this steam export pipeline? Whether there is a specific Health & Safety document covering steam pipelines? Is this infrastructure covered by other similar documents such as National Grids "Specification for safe working in the vicinity of National Grid high pressure gas pipeline and associate installations"? What are the implications on the Board and its rate payers?

Volume 3.1 Draft Development Consent Order

Development Consent Order – Protective Provision

It has been agreed following discussions with MVV that a protective provision for the Board is appropriate. The Board consider that such a provision may act to alleviate potential conflict between the planning process and the Boards regulatory powers and consenting process providing reassurance that its interests and the ability to undertake its statutory functions are protected and subject to due consideration.

Yours sincerely

[redacted]

Graham Moore
Planning Engineer