



Application by Medworth CHP Limited for the Medworth Energy from Waste Combined Heat and Power Facility The Examining Authority's written questions and requests for information (ExQ1)

Issued on 2 March 2023.

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as **Annex C** to the Rule 6 letter of 24 January 2023. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with an alphabetical code and then has an issue number and a question number. For example, the first question on general matters is identified as GEN.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact Medworth@planninginspectorate.gov.uk and include 'Medworth EfW ExQ1 Response' in the subject line of your email.

Responses are due by Deadline 2: 24 March 2023.



Abbreviations used:

| | | | |
|-------------------|--|-------------------|---|
| AP(s) | Affected Person(s) | LIR | Local Impact Report |
| AQMAs | Air Quality Management Areas | LEMP | Landscape and Ecology Management Plan |
| Art | Article | NE | Natural England |
| ASI | Accompanied Site Inspection | NMP | Noise Management Plan |
| BCKLWN | Borough Council of King's Lynn and West Norfolk | Norfolk CC | Norfolk County Council |
| BoR | Book of Reference | NPS | National Policy Statement |
| CA | Compulsory Acquisition | NSIP | Nationally Significant Infrastructure Project |
| Cambs CC | Cambridgeshire County Council | OMP | Odour Management Plan |
| CEMP | Construction Environmental Management Plan | OP(s) | Other Person(s) |
| dB | Decibel | PA2008 | The Planning Act 2008 |
| DLUHC | Department for Levelling Up, Housing and Communities | PRoW | Public Right of Way |
| DCO | Development Consent Order | RR(s) | Relevant Representation(s) |
| EfW | Energy from Waste | SAC | Special Area of Conservation |
| EIA | Environmental Impact Assessment | SPA | Special Protection Area |
| EM | Explanatory Memorandum | SoC | Statement of Commonality |
| ES | Environmental Statement | SoCG | Statement of Common Ground |
| ExA | Examining Authority | SoR | Statement of Reasons |
| Fenland DC | Fenland District Council | SoS | Secretary of State |
| FS | Funding Statement | TP | Temporary Possession |
| HLAs | Host Local Authorities | WFAA | Waste Fuel Availability Assessment |
| HRA | Habitats Regulations Assessment | | |
| IP(s) | Interested Party (Parties) | | |



The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010110/EN010110-000900-Medworth%20Examination%20Library.pdf>

It will be updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Issue reference.question number, eg GEN.1.1 – refers to General and Cross-Topic question 1 in this table.



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ExQ1: 02 March 2023**Responses due by Deadline 2: 24 March 2023**

| ExQ1 | Question to: | Question: |
|--|---|--|
| GENERAL & CROSS TOPIC QUESTIONS | | |
| GCT.1.1 | Applicant | Tables included in Chapter 6 Traffic and Transport, for example, are not searchable. Can the Applicant please ensure that all tables from all documents are searchable and resubmit new versions of those documents? |
| GCT.1.2 | Applicant | Several Appendixes have been submitted in support of the DCO application with some of the appendixes being grouped together and submitted as individual documents. For those documents that hold more than one technical appendix, e.g. [APP-075], [APP-076], [APP-078], [APP-079], [APP-080], [APP-081], [APP-081], [APP-083], [APP-085], [APP-087], [App-088], [APP-089], [APP-090] the Applicant is asked to prepare and submit an Appendix Index for each one of the documents, with hyperlinks, in order to assist the ExA in the navigation of the document itself. |
| GCT.1.3 | Applicant Cambs CC Fenland DC BCKLWN Norfolk CC | Can the Applicant please set out what considerations it has given to the need to develop a S.106 agreement with the Host Local Authorities (HLAs)? And, if the Applicant feels there is a need for one, what are the topics and issues that the S.016 Agreement should cover? Can the HLAs (Cambs CC, Fenland DC, BCKLWN and Norfolk CC) confirm their position in relation to the need for a S.106 agreement and confirm if any discussions or consideration has been given to this? |
| GCT.1.4 | Applicant | The Applicant, in its Funding Statement (FS) [APP-016] defines itself as a Special Purpose Vehicle (SPV) created to deliver the Proposed Development and as a wholly owned subsidiary of MVV Environment Limited. MVV is a wholly owned subsidiary of MVV Umwelt GmbH whose ultimate parent company is MVV Energie AG. Para 3.1.1 of the FS states that the bank loan will be supported by a parent company guarantee provided by MVV Energie AG. Can the Applicant please confirm which organisation will be the undertaker and which organisation will be the guarantor? |
| GCT.1.5 | Applicant | In the Funding Statement please confirm details of the timing and availability of funding. |
| GCT.1.6 | Applicant | The approximate maximum heights of the main buildings are set out in Section 3.4 and are consistent with the parameters set out in draft DCO [APP-013]. The tallest structures would be the two chimney stacks each of which would be a maximum of 90m high. The maximum height of the chimneys is set out in the dDCO, however the minimum height is not specified, which could have implications for the adequate dispersal of pollutants. |

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| | | Please can the Applicant explain how the dDCO secures assumptions applied in the assessment of air quality that the minimum height of the chimneys would be 84m? |
| GCT.1.7 | Applicant | <p>Cambs CC and Fenland DC RR states, in para. 3.15 that "if the Department for Transport (DfT) do not recognise the applicant as a statutory undertaker and/or refuse to grant "state codes", the applicant will not be able to connect their EfW facility to the power grid at the Walsoken Substation".</p> <p>How does the Applicant propose to ensure that it can connect the Medworth EfW Station to the power grid? Has the Applicant engaged with DfT in order to secure this?</p> |
| GCT.1.8 | Cambs CC Fenland DC | Could Cambs CC and/or Fenland DC please confirm if the Cambian Education Foundation Learning Centre (CEFLC) referred to in its RR is the premises located along Anglia Way also known as Cambian Wisbech School? And if not, could the location of the CEFLC premises be confirmed? |
| GCT.1.9 | Cambs CC Fenland DC | Cambs CC and Fenland DC RR raises concerns regarding Cambian Education Foundation Learning Centre (CEFLC) and Riverside Meadows Academy (RMA). Nevertheless, no comments have been submitted in relation to two other facilities that appear to be linked to education and are located in close proximity to the Development Proposal, namely Cambian Wisbech School and Trinity School. Could Cambs CC and/or Fenland DC please provide further information regarding these premises, particularly if these are active and in educational use, approximate number of school places provided, age range of pupils and, if not Cambs CC, which organisation(s) is(are) responsible for their management? |
| GCT.1.10 | Applicant | Although no works are proposed to be carried out on some of the plots identified in the Land Plan [AS-004] these are included in the red line boundary of the Order limits. Can the Applicant explain the rationale for including these plots and why it believes these should be subject to the DCO? |
| GCT.1.10 | Applicant | <p>Paragraphs 4.5.1 to 4.5.6 of NPS EN-1 establish the criteria for good design. Paragraph 4.5.1 includes that good design of energy projects should be "matched by an appearance that demonstrates good aesthetic as far as possible." Please could the Applicant:</p> <ul style="list-style-type: none"> expand on how the concept of good design has been considered in the design process for the buildings and structures relation to both aesthetics and functionality; and |

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| | | ii. explain whether an independent design review of the Proposed Development has been undertaken and if not, why not? |
| GCT.1.11 | Applicant | Can the Applicant confirm how often it proposes that the Outline Construction Environmental Management Plan (Outline CEMP) is updated? |
| GCT.1.12 | Applicant | Can the Applicant confirm what specific measures it has taken in order to secure engagement with that residents, owners and or occupiers of the New Bridge Lane Traveller site and how these have been formally notified of the proposal? |
| GCT.1.13 | Applicant | Can the Applicant confirm how residents, owners and or occupiers of the New Bridge Lane Traveller site are included in the BoR? |
| PRINCIPLE AND NATURE OF DEVELOPMENT | | |
| PND.1.1 | | As confirmed at ISH1, the ExA notes that the Applicant is intending to submit an updated version of the WFAA at Deadline 2. |
| PND.1.2 | Applicant | <p>Chapter 3 of the ES [APP-030] states in para. 3.4.20 that, located within the main building, the APC storage area is adjacent to the boiler house building's (ID05) southern elevation. This storage area provides a drivethrough road to enable the delivery of consumables (hydrated lime and Activated Carbon (AC)) and removal of APC residue (APCr) used in, and generated by, the processes in the APC building (ID07). Since APCr is classified as a hazardous waste, it is stored in contained silos.</p> <ul style="list-style-type: none"> • Can the Applicant provide details regarding amounts of hazardous wastes by type which will be generated as a result of the Proposed Development? • Can the Applicant explain the proposals for storage of hazardous wastes, including heavy metals? |
| PND.1.3 | Applicant | <p>At ISH1 the Applicant has confirmed that the capacity created by other EfW Facilities in relation to the WFAA has been taken into consideration.</p> <ul style="list-style-type: none"> • Can the Applicant please provide details/confirmation of which other EfW facilities were included as part of the Applicant's WFAA? • Can the Applicant also confirm what was the estimated capacity of said facilities also how it has been taken into consideration as part of the WFAA's calculation for the Proposed Development? |

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| PND.1.4 | Applicant | The Proposed Development includes a diesel generator. Can you explain how the use of diesel, including emissions, has been taken into consideration as part of the wider environmental impact of the facility? |
| PND.1.5 | Applicant | Can the Applicant please expand on how it believes that the Proposed Development matches the management of waste hierarchy? |
| AIR QUALITY AND HUMAN HEALTH | | |
| AQHH.1.1 | Environment Agency (EA) | Para 8.4.3 of Chapter 8 of the ES [APP-035] states that the spatial extent of the Study Area has been informed by the guidance detailed in Section 8.3 of the same document. As the EfW CHP Facility incorporates a combustion activity with a thermal input exceeding 50MW, in accordance with the Environment Agency's Air Emissions Risk Assessment for an Environmental Permit (EP), the assessment is required to consider nature conservation sites up to 15km from the emission source. Consequently, the Study Area includes an area encompassing 15km from the location of the chimney emissions. Could the EA confirm that it is satisfied with this approach and why it believes that a 15km radius is appropriate for this project? |
| AQHH.1.2 | Applicant EA | Table 8B3.6 of Appendix 8A: Stakeholder engagement and consultation comment on Air Quality [APP-078] includes the air quality monitoring results for 2021 of identified sites in the vicinity of the Proposed Development. The percentage of data capture varies considerably from site to site. How can the Applicant be confident that the data captured is representative of all sites? Does the EA have any comments to make on the data included here? |
| AQHH.1.3 | EA | Table 8B3.10 of Appendix 8A: Stakeholder engagement and consultation comment on Air Quality [APP-078] refers to where baseline information from a number of pollutants and metals has been derived. Does the Environment Agency agree with the sources included? If not, why not? |
| AQHH.1.4 | Cambs CC Fenland DC BCKLWN Norfolk CC | Are the HLAs in agreement with the Applicant's list of identified AQMAs and its approach to AQMAs? If not, please explain why. |

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| AQHH.1.5 | Fenland DC | As stated in para. 8.5.4 of Chapter 8 of the ES [APP-035], Fenland District Council have been considering revoking the Wisbech AQMA 1 and 2. Can Fenland District Council explain whether the Proposed Development may affect a decision on whether AQMA 1 and AQMA 2 will be revoked and update the ExA if these are still in place? |
| AQHH.1.6 | Applicant | Para 8.8.17 of Chapter 8 of the ES [APP-035] states that, regarding internationally designated biodiversity sites, namely Nene Washes and Ouse Washes SPA, SAC and Ramsar for this assessment and in line with the EA guidance, effects may be screened out as insignificant and do not require further assessment if the long-term PC is less than 1%, or the short-term PC is less than 10% of the air quality assessment level (AQAL). Please can the Applicant clarify the EA advice they refer to in paragraph 8.8.17 of ES Chapter 8? |
| AQHH.1.7 | Applicant | Could the Applicant please provide further information on how the potential direct and indirect effects of traffic movement, including noise and air quality, are proposed to be mitigated against, particularly in relation to sensitive receptors, including but not limited to schools? |
| AQHH.1.8 | Applicant | Section 8.9 of Chapter 8 of the ES [APP-035] sets out the environmental assessment of air quality effects during construction. The assessment has identified a number of receptors within the buffer zones for dust soiling, and these are identified as high sensitivity receptors. However, with mitigation measures in place, no significant effects are anticipated. Can the Applicant confirm if the mitigation measures have been agreed with relevant stakeholders? |
| AQHH.1.9 | Applicant | Annex C Modelled Receptors of the ES Chapter 8 Air Quality Appendices [APP-078] provides a list of receptors and their addresses, however it does not show which are included within a AQMA. Can the Applicant provide a list of receptors which are located within an AQMA and a summary of how the Proposed Development is anticipated to affect these receptors, both during construction and operation? |
| AQHH.1.10 | Applicant | Chapter 8 of the ES [APP-035] and Appendix 8B: Air Quality Technical Report [APP-078] state that hydrogen chloride (HCl) is a pollutant which has been assessed, although it appears that specific data has not been included in the tables contained in the Appendix 8B: Air Quality Technical Report [APP-078] where as it has been for other pollutants. Can the Applicant explain why data has not been included for hydrogen chloride? |

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| AQHH.1.11 | Applicant | <p>A number of interactions between Chapter 8 of the ES [APP-035] and other relevant aspect chapters of the ES are included. These are listed as:</p> <p>Chapter 5: Legislation and Policy; Chapter 6: Traffic and Transport; Chapter 9: Landscape and Visual; Chapter 11: Biodiversity; Chapter 14: Climate Change; and Chapter 16: Health.</p> <p>No reference is made to the Habitat Regulations Assessment No Significant Effects Report (NSER) [APP-025], despite air quality being identified as a potential impact on the Ouse Washes SPA/SAC and Ramsar sites, and the Nene Washes SPA/SAC and Ramsar Sites within the HRA Report. Could the Applicant please clarify why?</p> |
| AQHH.1.12 | Environment Agency (EA) | <p>Cambs CC and Fenland DC RR states in para. 5.37 the Outline OMP should be submitted for approval by the relevant consultees, including but not necessarily limited to FDC, prior to the operation of the installation on the site granted permission. The Environment Agency is requested to comment on this issue in relation to the content of such a document and it's view on the current draft OMP.</p> |
| AQHH.1.13 | Applicant | <p>Para 8.6.51 of Chapter 8 of the ES [APP-035] explains the mechanisms which will be implemented to avoid adverse effects from the release of odour. Could the Applicant please provide further information on how effective it believes these mechanisms will be in controlling odour and confirm if it anticipates that any odour will escape? If yes, can the Applicant please confirm how that will be managed?</p> |
| AQHH.1.14 | Applicant | <p>Section 8.9 of Chapter 8 of the ES [APP-035] states that a Dust Management Plan will be prepared and included as part of the Construction Environmental Management Plan. At this stage, the CEMP does not include reference to a Dust Management Plan. Can the Applicant provide a draft of the Dust Management Plan which will be implemented to reduce adverse effects from the release of dust?</p> <p>Can the Applicant confirm if agreement has been reached with the Local Planning Authority regarding the Dust Management Plan?</p> |

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| AQHH.1.15 | Applicant EA | The Applicant has determined that there will be no likely significant air quality effects so no monitoring is required for significant effects. However the Applicant would be required to monitor emissions under its Environmental Permit. Can the Applicant confirm if the Environmental Permit will contain a requirement for monitoring levels of heavy metals and will it require the inclusion of actions if monitoring identifies levels which exceed permitted levels? Does the EA have any comments to make on such a requirement? |
| AQHH.1.16 | Applicant | Can the Applicant please provide details on how all emissions will be stringently regulated as to not exceed the required national standards and where possible seek to improve those standards? |
| AQHH.1.17 | Applicant Health Protection Agency (HPA) EA HLAs | Energy from waste facilities can release emissions such as particulate matter, nitrogen oxides, and sulfur dioxide. These emissions can contribute to air pollution and have negative impacts on human health and the environment. <ul style="list-style-type: none"> • What work has the Applicant carried out to try and minimise any emissions? • Are the HPA and the EA satisfied that the Applicant has complied with relevant National Policy Statements in relation to minimizing air pollution in energy infrastructure development through the use of best available techniques, monitoring and management of emissions, and compliance with relevant air quality standards and regulations? |
| AQHH.1.17 | Applicant | Table 8.25 of Chapter 8 of the ES [APP-035] provides more details regarding what the monitoring will include. Table 8.25 also states that dust deposition, dust flux, or real-time PM10 continuous monitoring locations will be agreed with the Local Authority. Can the Applicant provide details regarding discussions which have been undertaken with the LPA in order to agree monitoring? |
| AQHH.1.18 | Applicant | What dust monitoring is proposed at boundary locations to ensure that dust management controls and being effective and to provide quantifiable evidence in the event of complaints? What measures are proposed to address any concerns raised? |
| AQHH.1.18 | Applicant | Table 16.13 of Chapter 16 of the ES [APP-043] identifies that people living and working in the Study Area will be significantly affected by noise arising from construction of the EfW CHP Facility as well as operational noise, and that the significance of this effect is deemed minor (not significant) with residual mitigation at the local level. How does the Applicant |

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| ExQ1 | Question to: | Question: |
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| | | propose that these will be monitored and maintained throughout the lifetime of the Proposed Development and what mechanisms are there in place in order to secure this? |
| AQHH.1.19 | Applicant | Can the Applicant please confirm how regularly does it propose that the Outline Odour Management Plan (OMP) is updated? |
| AQHH.1.20 | Applicant | The Outline OMP include in Table 4.1. a series of monitoring procedures for measures and proposes actions to be taken if outside optimum process parameters. Can the Applicant please clarify the process through which it proposes a review of the "action taken if outside optimum process parameters" if a persist occurrence is identified and if it has defined any triggers for that. |
| BIODIVERSITY, ECOLOGY AND THE NATURAL ENVIRONMENT | | |
| BIO.1.1 | Applicant | The Applicant is asked to provide further information regarding Biodiversity Net Gain (BNG) and how it proposes this will be achieved? |
| BIO.1.2 | Applicant | <p>The Applicant proposes that a proportion of the BNG would be delivered in-situ, where a minimum of 30-years of appropriate management can be guaranteed during the operational phase as secured through the Outline Landscape and Ecology Strategy. In para 11.10.4 of Chapter 11 of the ES [APP-038] the Applicant states that "an area of landscaping in the southern part of the EfW CHP Facility Site, alongside New Bridge Lane, is reserved to accommodate a potential new bridge embankment. Consequently, in this area it is not possible to guarantee the minimum 30-year habitat management commitment that would be a prerequisite for delivering BNG on this land, so elements of the Outline Landscape and Ecology Strategy in this area is excluded any BNG for the Proposed Development".</p> <ol style="list-style-type: none"> 1) Can the Applicant please confirm if the text should read: "are excluded from any BNG for the Proposed Development"? 2) Can the Applicant please also confirm which elements of the Outline Landscape and Ecology Strategy are excluded from any BNG calculations? 3) Can the Applicant update Figure 3.14 Outline Landscape and Ecology Strategy [APP-030] in order to show the location and extension of the area of landscaping in the southern part of the EfW CHP Facility Site, alongside New Bridge Lane, that is reserved to accommodate a potential new bridge embankment? |

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| | | 4) Can the Applicant confirm that, even without the area referenced in point 3), the proposed development will still achieve a minimum 10% BNG? |
| BIO.1.3 | Natural England (NE) Environment Agency (EA) | Can the NE and the EA confirm they are satisfied with the conclusions and the methodology used in the No Significant Effects Report (NSER)? |
| BIO.1.4 | Applicant | The NPS for energy aim to minimise the impact of energy on the environment and promote sustainable development. Can the Applicant please expand on how it has aimed to minimise the impact of the proposal on the natural environment? |
| CLIMATE CHANGE | | |
| CE.1.1 | Applicant | With regard to Climate and Carbon Emissions, can the Applicant identify any aspects of the proposed development which are unlikely to comply with the under review relevant National Policy Statements (NPSs)? For those aspects which are unlikely to comply explain changes to the proposed development to ensure compliance. |
| CE.1.2 | Applicant | In para 2.3.24 of Chapter 2 of the ES, the Applicant states that it has taken into account the need to ensure that the Proposed Development can deliver future environmental requirements relating to carbon capture and storage. In light of the proposal not being carbon capture ready, can the applicant please explain further what it means by "ensure that the Proposed Development can deliver future environmental requirements relating to carbon capture and storage"? |
| CE.1.3 | Applicant | In para 2.3.25 of Chapter 2 of the ES, the Applicant states that there is no legal or policy requirements for the EfW CHP Facility to include carbon capture storage apparatus or to be carbon capture ready. Can the Applicant please confirm if there are any reasons other than it not being a policy requirement which justify why the Development Proposal does not include carbon capture and storage? |
| CE.1.4 | Applicant | Can the Applicant please confirm its approach towards Net Zero and also confirm that, as part of its approach and journey to Net Zero, the carbon footprint created by the HGV fleet necessary to transport residual waste to the facility is included? |
| CE.1.5 | Applicant | Can the Applicant please set out how the Proposed Development complies with the latest carbon targets? |

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| COMPULSORY ACQUISITION/TEMPORARY POSSESSION | | |
| CA.1.1 | Applicant | Please complete the CA Schedule (Annex A) providing updates where appropriate on the position of ongoing negotiations for acquisition by agreement and include the total number of plots for which agreement has not been reached. The Applicant is requested to provide regular updates throughout the Examination. |
| CA.1.2 | Applicant | Please advise whether the Book of Reference (BoR) [APP-015] is fully compliant with the Department for Communities and Local Government (DCLG) Guidance related to procedures for the compulsory acquisition of land (September 2013) ¹ . |
| CA.1.3 | Applicant | The same Guidance as referred to in CA.1.1 states that "Applicants should be able to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from a blight notice have been taken account of." The Funding Statement [APP-019] does not identify the CA costs separately from the project costs or explain how a figure for CA costs was arrived at. Please explain the anticipated cost of CA, how this figure was arrived at, and how these costs are going to be met. |
| CA.1.4 | APs IPs | The Book of Reference (BoR) [APP-015] identifies, on a plot by plot basis, all parties who own or occupy land and/or have an interest in or right over the land affected by the proposal, and/or who may be entitled to make a 'relevant claim' as defined in section 57 of the PA2008. Are any APs or IPs aware of any inaccuracies in the BoR [APP-015]? If so, please set out what these are and provide details. |
| CA.1.5 | APs IPs | Are any APs or IPs aware of any inaccuracies in the Statement of Reasons (SoR) [APP-017] or Land Plans [AS-004]? If so, please set out what these are and provide details. |
| CA.1.6 | Applicant | There are a number of persons identified as 'unknown' in the BoR [APP-015]. Can the Applicant confirm whether further steps have been taken, or will be taken during the Examination, to identify any persons having an interest in the land? |

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/236454/Planning_Act_2008_-_Guidance_related_to_procedures_for_the_compulsory_acquisition_of_land.pdf

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| CA.1.7 | Applicant | <p>The Book of Reference [APP-015] includes a number of Statutory Undertakers with interest in land.</p> <p>Please provide a progress report on negotiations with each of the Statutory Undertakers listed in the BoR, with an estimate of the timescale for securing agreement from them. Please also indicate whether there are any envisaged impediments to the securing of such agreements.</p> <p>State whether any additional Statutory Undertakers have been identified since the submission of the BoR as an application document.</p> |
| CA.1.8 | Applicant | <p>Section 122 of the PA2008 states that an order granting development consent may include provision authorising the Compulsory Acquisition (CA) of land only if the SoS is satisfied that the land:</p> <p>(a) is required for the development to which the development consent relates, (b) is required to facilitate or is incidental to that development, or (c) is replacement land which is to be given in exchange for the order land under section 131 or 132.</p> <p>And that there is a compelling case in the public interest for the land to be acquired compulsorily.</p> <p>Can the Applicant please confirm that all of the land included within the Order Limits, as set out in the Land Plans [AS-004] and identified as subject to CA, meets the requirements set out in Section 122?</p> |
| CA.1.9 | Applicant | <p>Certain special categories of land are subject to additional provisions in the Planning Act where it is proposed that they should be compulsorily acquired. Can the Applicant confirm that no Crown land forms part of the CA and update the ExA on special categories of land?</p> |
| CA.1.10 | Applicant | <p>The Applicant is asked to keep the unadopted section of Algores Way proposed to be CA under review and update the ExA of any changes at the following Deadline throughout the examination.</p> |
| CA.1.11 | APs IPs OPs | <p>At ISH1 IPs have raised concerns regarding the Applicant's consultation process in relation to the Proposed Development, particularly in relation to APs with an interest in land along Algores Way.</p> <ul style="list-style-type: none"> • APs, IPs and OPs are invited to comment on the consultation process. |

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| ExQ1 | Question to: | Question: |
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| | Applicant | <ul style="list-style-type: none"> Can the Applicant please provide confirmation of how those with an interest in land along Algores Way, particularly owners and/or occupiers of businesses and land which can be accessed via the unadopted highway section of Algores Way (plots 13/4c, 13/4d and 14/a of the Land Plan [AS-004]), have been consulted and how these appear in the BoR? |
| CA.1.12 | Applicant Cambs CC Fenland DC Host Authorities | <p>At ISH1 the Applicant has confirmed that, depending on clarification from Cambs CC and Fenland DC regarding their intention for the unadopted highway section of Algores Way (plots 13/4c, 13/4d and 14/a Land Plan [AS-004]) might lead to a revision of the Land Plans and the rights sought over the land.</p> <ul style="list-style-type: none"> Does the Applicant believe that this would trigger the need for further consultation on this change? Would Cambs CC and Fenland DC and the Host Authorities like to comment on this point? |
| DRAFT DEVELOPMENT CONSENT ORDER | | |
| DCO.1.1 | Applicant | Please supply subsequent versions of the draft Development Consent Order (dDCO) in both .pdf and Word formats and in two versions, with the first forming the latest consolidated draft and the second showing changes from the previous version in tracked changes, along with comments/explanations outlining the reason for the change. The consolidated draft version in Word is to be supported by a report validating that version of the dDCO as being in the Statutory Instrument (SI) template and with updated revision numbers. |
| DCO.1.2 | Applicant | Art 9(4) of the draft DCO [APP-013] states that nothing in this article requires a guarantee or alternative form of security to be in place for more than 15 years after the date on which the relevant power is exercised. Can the applicant explain why it considers 15 years to be sufficient? |
| DCO.1.3 | Applicant | Where an Applicant is seeking powers in the Development Consent Order (DCO) to acquire land compulsorily, the drafting of the Art. containing the powers should make it clear whether or not the Applicant is also seeking a power to clear the title of the land of all private rights. The Applicant should consider whether the Art. should be subject to a power under a separate Art. which would allow the Applicant to exclude a particular |

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| ExQ1 | Question to: | Question: |
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| | | private right from the blanket extinguishment power. The Applicant is asked to set out how this has been achieved. |
| DCO.1.4 | Applicant | Art. 2 – definition of “commence” and Sch 2 (Requirements) - Various enabling activities (as defined) are specifically excluded from the definition of “commence”. Whilst para 1.6 of the Explanatory Memorandum (EM) claims that these enabling activities will be subject to the Requirements to secure the mitigation required under the ES, this does not actually appear to be provided for in the draft DCO. Can the Applicant please confirm how it proposes to address this issue? |
| DCO.1.5 | Applicant | Art. 6 – Disapplication of legislative provisions of the draft DCO [APP-013] includes a series of provisions that would not apply. Nevertheless, no explanation or reasoning behind the disapplication seems to be provided in the EM. Can the Applicant please provide information on the rationale for the disapplication of the statutory provisions included in Art. 6 of the draft DCO? |
| DCO.1.6 | Applicant Cambs CC | Art. 12(2) of the draft DCO [APP-013] states “those parts of each means of access specified in Part 2 of Schedule 6 (access) to be constructed or altered under this Order and which are not intended to be a public highway must be completed to the reasonable satisfaction of the street authority and must be maintained by and at the expense of the undertaker for a period of 12 months from completion and from the expiry of that period by and at the expense of the street authority.” What discussions has the Applicant had with Cambs CC on this matter? Does Cambs CC agree with the requirements set out in this Art.? |
| DCO.1.7 | Applicant | Art. 14(1) of the draft DCO [APP-013] states that “the undertaker may use any private road within the Order limits for the passage of persons or vehicles (with or without materials, plant and machinery) for the purposes of, or in connection with, the construction or maintenance of the authorised development.” <ul style="list-style-type: none">• Can the Applicant please explain the reasoning behind this article and why it believes that the power to take temporary passage over private roads both during the construction and maintenance periods is reasonable and proportionate?• Can the Applicant please provide further information regarding the alternatives considered to the article, namely why Temporary Possession was not a viable/preferred alternative? |

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| ExQ1 | Question to: | Question: |
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| | | <ul style="list-style-type: none"> Has the Applicant engaged with the relevant land owners and what were the outcomes of such engagement? |
| DCO.1.8 | Applicant | The Applicant states in the EM [APP-014] that Art. 19 of the draft DCO [APP-013] is based on a model provision. Could the Applicant please provide further information regarding the model provision on which this Art. was based? |
| DCO.1.9 | Applicant | Art. 19(1) of the draft DCO [APP-013] allows for the undertaker to enter any land shown within the Order Limits or enter any land which may be affected by the authorised development for the purpose of survey or investigate the land. Can the Applicant please explain the reasoning behind this article and why it believes that the powers sought are reasonable and proportionate? |
| DCO.1.10 | Applicant | Art. 19(2) of the draft DCO [APP-013] requires for a 14 day notice to be served on every owner and occupier of land before any land is entered into or equipment placed or left on or removed from the land. Can the Applicant please explain why it believe that a 14 day notice is an appropriate timescale? |
| DCO.1.11 | Applicant | Art. 19(4) stat that "such consent must not be unreasonably withheld or delayed". Can the Applicant please provide further information regarding how it anticipates to enforce this provision? |
| DCO.1.12 | Applicant | Can the Applicant please provide a justification for the apparent overlap between Art. 19 and "enabling activities" in Art. 2 of the draft DCO [APP-013]? |
| DCO.1.13 | Applicant | Art. 20(1) of the draft DCO [APP-013] allows for the undertaker to carry out such protective works to any building or structure lying within the Order land as the undertaker considers necessary and expedient. Can the Applicant please explain the reasoning behind this article and why it believes that the powers sought are reasonable and proportionate? |
| DCO.1.14 | Applicant | Art. 20(5) of the draft DCO [APP-013] requires for a 14 day notice to be served on the owner and occupier of the building, structure or land of its intention to exercise that power. Can the Applicant please explain why it believe that a 14 day notice is an appropriate timescale? |
| DCO.1.15 | Applicant | Art. 22 and Art. 24 of the draft DCO [APP-013] are broadly drafted as to allow for the CA of land and rights overall all of the Order Land. Although the ExA recognises that Sch. 8 limits the CA power in defined plots to the defined rights listed in that schedule, the CA |

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| ExQ1 | Question to: | Question: |
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| | | right are not limited to the plots listed in Sch 8. Can the Applicant please explain the reasoning behind this article and why it believes that the powers sought are reasonable and proportionate? |
| DCO.1.16 | Applicant | Considering the powers sought in Art. 22 and Art. 24 of the draft DCO [APP-013], does the Applicant believe that these are clearly justified in the EM or SoR? |
| DCO.1.17 | Applicant | Following from EXQ1 DCO.1.14, the Applicant is asked to provide further evidence to demonstrate that persons with an interest in the Order land (and not just those with plots listed in Sch 8) were aware that undefined new rights were being sought over all of the Order land and that they were consulted on that basis. |
| DCO.1.18 | Applicant | Does the Applicant believe that the Draft DCO [APP-013], as it stands, accurately represents the Applicant's intentions in relation to CA, particularly in light of EXQ1 DCO.1.16? |
| DCO.1.19 | Applicant | Can the Applicant please provide further clarification in regard to the objectives of both Art. 26 and Art. 27, the main points that distinguish one from the other and update the EM accordingly? |
| DCO.1.20 | Applicant | The Applicant refers to S.158 of PA2008 in relation to Art. 27. This specific section of PA2008 does not appear to readily apply to Art.27. Can the Applicant please clarify? |
| DCO.1.21 | Applicant | Whilst the majority of the land over which TP may be taken during construction of the Proposed Development is listed in Sch 10, Art. 31(1)(a)(ii) extends this power more broadly as well as Art. 32. Can the Applicant please explain the reasoning behind these articles and why it believes that the powers sought are reasonable and proportionate? |
| DCO.1.22 | Applicant | Following from EXQ1 DCO.1.20 the Applicant is asked to provide further evidence to demonstrate that persons with an interest in the Order land (and not just those with plots listed in Sch 10) were aware that TP rights, as set out in Art. 31 and Art. 32, were being sought over all of the Order land and that they were consulted on that basis. |
| DCO.1.23 | Applicant | Can the Applicant please provide further clarification in regard to the objectives of both Art. 31(9)(a)(b) and update the EM accordingly? |

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| ExQ1 | Question to: | Question: |
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| DCO.1.24 | Applicant | Can the Applicant please provide confirmation of engagement with the discharging authorities in relation to Sch 2 (Requirements) of the Draft DCO [APP-013] as per Advice Note 15: Drafting Development Consent Orders ² ? |
| DCO.1.25 | Applicant | Sch 14 (Maximum Design Parameters) provides for maximum parameters for certain elements of the authorised development. Nevertheless, minimum parameters or limits of deviation from the maximum parameters included in Sch 14 are not part of the draft DCO. Can the Applicant justify this approach or explain why it believes that the minimum standards or appropriate levels of deviation should not be included? |
| DCO.1.26 | Applicant | Sch 11 (Protective Provisions) protects the interests of certain statutory undertakers. What engagement, if any, has there been with the relevant statutory undertaker? And how have any concerns been addressed? |
| DCO.1.27 | Applicant Cambs CC HLAs | Sch 6 (Access) includes a series of tables that detail those part of the access to be maintained at the public expense, by the street authority and those works to restore the temporary accesses which will be maintained by the street authority. Do the HLAs, particularly the highways authority, agree with this approach and do they have any other comments to make on this Sch? |
| DCO1.28 | Applicant | Assuming that CA is granted for Algores Way, as proposed at the moment, the Applicant please provide confirmation how it proposes public access is be secured along Algores Way past Britannia Way and how this will be reflected within the DCO? During and after construction period? |
| ENVIRONMENTAL IMPACT ASSESSMENT | | |
| EIA.1.1 | Applicant | The ES does not provide details of any utilities which may require diversion, such as gas pipelines. Can the Applicant confirm whether the Proposed Development will require stopping up/diversion of any existing utilities and any associated impacts and effects of such works? |
| EIA.1.2 | Applicant Environment Agency (EA) | The ES is reliant in numerous aspect chapters on the proposed Environmental Permits (EP) for the delivery of the Proposed Development. The EPs have not yet been agreed with |

² <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-15/>

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| ExQ1 | Question to: | Question: |
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| | | the EA. The existing permits have also not been submitted to the Examination at present. Please can an update be provided as to the stage of the Environmental Permits. |
| EIA.1.3 | Applicant | Can the Applicant provide further details regarding the content of the water quality monitoring programme or provide a draft of the document to the Examination? |
| EIA.1.4 | Applicant | Can the Applicant provide details of any remediation measures which may be required if monitoring identifies any issues which are identified? |
| EIA.1.5 | Applicant EA | The base configuration was a chimney 3m above the level of the tallest building, this being the minimum requirement of the EA's D1 guidance note. Therefore the assessment parameters ranged between 53m – 150m. The worst case scenario height is considered to be 84m and the limit of deviation is a height of up to 90m. Taking in to account the EA's guidance, the chimney height which has been identified as corresponding to best Available Techniques (BAT) and has been used to model impact of chimney emissions in this assessment is 84m (this is considered a worst case scenario recognising that the Applicant's vertical Limits of Deviation (LoD) includes for chimneys up to 90m in height). Can the Applicant explain why 84m was considered to the worst case scenario, both in terms of visual impact and emissions? |
| WATER ENVIRONMENT | | |
| WE.1.1 | Applicant | Figure 3.11i CHP Facility Temporary Construction Compound Layout: Phase 1 [APP-049] shows three surface water storage ponds but these do not appear to be shown on any supporting plans for Chapter 12 of the ES [APP-064]. These do not appear to be included within the draft DCO. Can the Applicant update the draft DCO if necessary to include all surface water storage ponds which are required for the Proposed Development? Can the Applicant confirm that the surface water drainage strategy has been approved with the relevant flood authority? If not, what confidence is there that the surface water can be appropriately managed and will not pose a risk to the new infrastructure or to existing sites and interests elsewhere? |

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| ExQ1 | Question to: | Question: |
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| WE1.2 | Applicant | Can the Applicant please provide further information in relation to how flood risk informed the development of the proposal and how it has considered flood risk as part of alternatives? |
| WE1.3 | Applicant | The Proposed Development will use water in order to produce steam as part of its energy production. Can the Applicant please confirm how it proposes water to be treated to remove pollutants as to not negatively impact nearby water bodies or land? |
| GEOLOGY AND LAND USE | | |
| GLU.1.1 | Applicant | Table 13.9 of Chapter 13 of the ES [APP-040] states that a walkover survey for desk study was completed October 2019, with ground investigation completed during February and March 2020. It is noted that further Phase 2 ground investigation works are due to be carried out. Can the Applicant confirm what further ground investigation works have been carried out and report findings to the Examination? |
| GLU.1.2 | Applicant | The Proposed Development is located in close proximity to agricultural land. Can the Applicant please clarify how it has assessed its impact on nearby agricultural land? |
| HISTORIC ENVIRONMENT | | |
| HE.1.1 | Applicant | Please provide lower resolution versions of the figures that make up APP-010 as these are quick large and not suitable for a virtual environment. |
| HE.1.2 | Applicant | Para 10.6.10 of Chapter 10 of the ES [APP-037] states, as Bowthorpe Conservation Area overlays with the ZTV (Zone of Theoretical Visibility) that some theoretical visibility of the upper part of the chimneys from within the southern part of Wisbech Park, within an area occupied by sports pitches could occur. The Applicant goes on to say that: "However, at a distance of 2-2.5km, this would not affect the historic character of this part of the conservation area as an open recreation ground, enclosed along its edge by a line of mature park trees." Could the Applicant provide further information on how it arrived to this conclusion and what work has been carried out in order to assess the impact of the Proposed Development on Bowthorpe Conservation Area, particularly the area that overlays with the ZTV? |
| HE.1.3 | Applicant | Para 10.9.36 of Chapter 10 of the ES [APP-037] states that there will be visibility of the EfW CHP Facility from a group of listed buildings comprising the Elgoods Brewery Site and that a photomontage from this point has been included as Figure 9.23a & b of Landscape |

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| ExQ1 | Question to: | Question: |
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| | | and Visual Figures 9.17 to 9.24 [APP-058]. Can the Applicant please provide further information of how it has arrived to its assessment of impact being Minor (not significant) as set out in Table 10.17 Summary of significance of adverse historic environment effects included in Chapter 10 of the ES [APP-037]? |
| HE.1.4 | Applicant | Para 10.9.36 of Chapter 10 of the ES [APP-037] states There will also be visibility of the EfW CHP Facility from a more extensive area along the southern extent of South Brink. Could the applicant confirm if any photomontages of this view have been submitted? |
| HE.1.5 | Applicant | Para 10.9.41 of Chapter 10 of the ES [APP-037] states that there would be limited visibility of chimneys and the upper sections of the tallest EfW CHP Facility buildings. Considering the size and overall volume of facility, could the Applicant provide further information on what is considers "limited visibility", particularly in relation to heritage assets? |
| HE.1.6 | Applicant Fenland DC | <p>Para 10.9.41 of Chapter 10 of the ES [APP-037] states that, in the context of the Wishbech Conservation Area, the visibility of the chimneys and the upper sections of the tallest EfW CHP Facility buildings would be greatest from the southern part of The Brinks character area.</p> <ul style="list-style-type: none"> • Could the Applicant please provide further information regarding how visible the the chimneys and the upper sections of the tallest EfW CHP Facility buildings would from the Binks character area and why it believes its impact will be "not significant"? • Could Fenland DC please also comment? |
| HE.1.7 | Fenland DC | Could Fenland District Council provide the ExA with a character assessment, if available, in relation to The Brinks character area? |
| HE.1.8 | Applicant | Para 10.9.41 of Chapter 10 of the ES [APP-037] states that the identified limited visibility of the chimneys and upper sections of the main building at the EfW CHP Facility would be in the context of existing large scale industrial and logistic buildings in the intervening space. Can the Applicant please provide further justification of why it believe that further industrial development, even if in the context of existing other large scale industrial and logistic buildings, would not be significant? |
| HE.1.9 | Applicant | Para 10.9.51 of Chapter 10 of the ES [APP-037] states, in relation to Elm Conservation Area, that would be very limited visibility of the EfW CHP Facility from within the |

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| ExQ1 | Question to: | Question: |
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| | | conservation area. Can the Applicant confirm that this would also be case for the Church of All Saints Grade I Listed Building, located within Elm Conservation Area, particularly in relation to views from the building and of the building from key viewing corridors and also confirm how the impact of the Proposed Development on the Church of All Saints Listed Building has been carried out? |
| HE.1.10 | Applicant | Considering that the PA2008 requires that, in considering the impact of a proposed development on heritage assets, decision-makers should have regard to the desirability of preserving the asset or its setting, including considering any harm or loss that may result from the development, can the Applicant please provide further justification of why it believes that the impact of the proposal on identified heritage assets is not significant? |
| LANDSCAPE AND VISUAL | | |
| LV.1.1 | Applicant | There will be no requirement for visible aviation lighting on the chimneys as confirmed by the Defence Infrastructure Organisation (email dated 05/05/2021). Can the Applicant provide a copy of the communication from the Defence Infrastructure Organisation dated 05/05/2021 stating they do not consider that visible aviation lighting on chimneys is required? |
| LV.1.2 | Applicant | Para 9.10.4 of Chapter 9 of the ES [APP-036] states that no additional mitigation measures are proposed at this stage to further reduce the landscape and visual effects identified in this chapter because all relevant and implementable measures have been embedded into the development proposal. Can the Applicant please clarify what additional measures were considered and why these were deemed to not relevant or not implementable, particularly considering that likely significant effects remain? |
| LV.1.3 | Applicant | Table 9.16 Summary of significance of adverse effects: residential and community visual Receptors, included in Chapter 9 of the ES [APP-036] includes a series of Residential Properties within 500m of the main building at the EfW CHP Facility. Instead of relying on Appendix 9K, the ExA requests that a new figure is produced that shows, in one page, the location of all of the Residential Properties within the 500m boundary in relation to the Proposed Development. |
| LV.1.4 | Applicant | Table 9.16 Summary of significance of adverse effects: residential and community visual Receptors, included in Chapter 9 of the ES [APP-036] states, in relation to "Group of southern properties on New Drove" and "Group of southern properties on Cox Close and |

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| ExQ1 | Question to: | Question: |
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| | | Ellerby Drive" that impacts of the Construction and Operation phases and Not Significant, with the significance being Minor at Construction Phase and Moderate at Operation Phase. Can the Applicant please provide further information on how it reach this conclusion, particularly in relation to potential views from higher floors? |
| LV.1.5 | Applicant | 10 New Bridge Lane, as recognised by the Applicant, is particularly exposed to the Proposed Development in relation to visual impacts. This is then exacerbated, as also acknowledge by the Applicant, by the partial removal of trees and scrubs which would otherwise offer some degree of protection. Could the Applicant please confirm why the partial removal of trees and scrubs is necessary and why, at operation phase, the 3m high acoustic fence is deemed appropriate for screening views of HGVs? |
| LV.1.6 | Applicant | How has the impact of the new proposed access for HGV vehicles via New Bridge Lane, both during Construction and Operation phases been taken into consideration as part of the overall Landscape and Visual Impact of the proposal in relation to Potty Plans Nursery, New Bridge Lane, 10 New Bridge Lane, Group of southern properties on New Drove, and Residents in Oakdale Place Park and New Bridge Lane Travellers Site Caravan Parks south of A47? |
| LV.1.7 | Applicant | Para 9.12.4 of Chapter 9 of the ES [APP-036] confirms the Applicant's intention to acquire 9 New Bridge Lane and cease its use as a residential property which would remove it as a visual Receptor with the consequence that no significant visual effects would occur. Could the Applicant please provide the ExA with an update on these negotiations and also what alternatives has it considered, particularly in relation to mitigation measures, in the event that it is unable to acquire 9 New Bridge Lane? |
| MAJOR ACCIDENTS AND DISASTERS | | |
| MA.1.1 | Applicant | Para 17.3.6 of Chapter 17 of the ES [APP-044] states that a 1km buffer from the EfW CHP Facility Site is considered conservative for harm to Receptors. Could the Applicant please provide some further information of why that is the case, particularly in relation to stored waste materials? |
| MA.1.2 | Applicant | Para 17.3.13 of Chapter 17 of the ES [APP-044] states that it is unlikely that two unrelated major accidents and disasters could occur in the same time period. Although the ExA accepts this, accidents and disasters are by nature unpredictable events and therefore one major accident could lead to others. Can the Applicant please confirm if any |

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| ExQ1 | Question to: | Question: |
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| | | assessment has been carried out of the cumulative or combined effects of major accidents and disasters? |
| NOISE AND VIBRATION | | |
| NV.1.1 | Applicant Cambs CC Fenland DC BCKLWN Norfolk CC | Chapter 7 of the ES Noise and Vibration [APP-034] states, in para. 7.5.2 that the influence of COVID-19 on the measurement data was considered by comparison with monitoring data acquired in 2019 (prior to the pandemic) and with noise mapping data which indicates expected levels of road noise during daytime and night-time. The comparisons indicated that differences in sound levels were generally within ± 3 dB, indicating that the 2021 monitoring data were not unduly affected by variations in local conditions due to the pandemic, and are therefore representative of current baseline conditions. Do the Host Authorities agree with this approach and the conclusions reached by the Applicant? |
| NV.1.2 | Cambs CC Fenland DC | Cambs CC and Fenland DC RR, in para 4.10, request that that an updated CEMP is submitted for approval by all relevant consultees prior to the commencement of any site clearance, ground preparations, demolition and construction associated with the site. It also requests that an updated NMP is submitted for approval by relevant consultees prior to the operation of the installation on the site. The Examination process anticipates that final updated versions (if needed) of these documents would be submitted by the end of the examination process for the ExA's consideration, with opportunities for the relevant consultees to comment. Could Fenland DC please clarify if this is what it meant by its request? And, if not, could Fenland DC please clarify what are the objectives linked to this request? |
| NV.1.3 | Applicant | Can the Applicant clarify its assessment in terms of the effect of the proposed development on sensitive receptors, in relation to noise and vibration and clarify why it does not believe that the effects of the proposal will be significant, particularly considering the relative proximity of the Proposed Development to other businesses as well as residential uses. |
| NV.1.4 | HLAs IPs, APs and OPs | The ExA asks for comments, particularly from HLAs, IPs APs and others with an interest in the Proposed Development in relation to Noise and Vibration. |

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| ExQ1 | Question to: | Question: |
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| PLANNING POLICY | | |
| PP.1.1 | Applicant | Can the Applicant confirm how other energy projects have been taken into consideration in relation to need and which projects have been considered? |
| PP.1.2 | Applicant Cambs CC Fenland DC BCKLWN Norfolk CC | As stated in para 3.3.2 of the [APP-095] Project Benefits Report, "NPS EN-3, in its consideration of waste combustion generating stations states, at paragraph 2.5.64 that stations 'need not disadvantage reuse or recycling initiatives where the proposed development accords with the waste hierarchy' ". How does the Applicant feel that the present Development Proposal meets the Waste hierarchy? The HLAs are asked to also comment on this point. |
| PP.1.3 | Cambs CC | Chapter 2 of the ES [APP-029] states that "Cambridgeshire County Council (CCC) disposed of approximately 88,500 tonnes of local authority collected Household, Industrial and Commercial (HIC) waste to non-hazardous landfill in 2019/2020 that could be managed further up the waste hierarchy". Cambs CC is asked to comment on this statement. |
| PP.1.4 | Cambs CC | CCC also had the second highest amount of HIC waste from commercial sources disposed to non-hazardous landfill in the East of England (approximately 236,000 tonnes of waste suitably for use as fuel in an EfW). A current shortfall in HIC treatment capacity was therefore identified in Cambridgeshire, together with a predicated shortfall up to 2035 and beyond (excluding permitted but non-operational capacity). <ul style="list-style-type: none"> • Cambs CC is asked to comment on this statement. • Cambs CC is also asked to state how the current shortfall in HIC treatment capacity is being addressed in their Waste Local Plan. |
| PP.1.5 | Applicant | Technology in relation to EfW is fast evolving. Can the Applicant please confirm how it has considered the best available technology in relation to the production of EfW and how has this technology informed the development of Alternatives? |
| PP.1.5 | Applicant | Can the Applicant please confirm how it has considered the National Infrastructure Commission Design Principles for National Infrastructure and what consideration has the Applicant given to the National Model Design Code. |

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| ExQ1 | Question to: | Question: |
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| SOCIO-ECONOMIC, POPULATION AND CUMULATIVE EFFECTS | | |
| SPC.1.1 | Applicant | ES Chapter 15: Socio-economics and Tourism [APP-042] does not explain if any Public Rights of Way will required to be temporary or permanently diverted as a result of the Proposed Development. Can the applicant confirm whether any Public Rights of Way will be affected by the Proposed Development and whether any diversions or temporary closures will be necessary? |
| SPC.1.2 | Cambs CC Fenland DC BCKLWN Norfolk CC Statutory Undertakers | A long and short list of developments for the purpose of the assessment of cumulative effects has been included in in Appendix18A of the Cumulative Effects Assessment Appendices [APP-090]. Can the HLAs and affected Statutory Undertakers please confirm if they agree with the lists provided? |
| SPC.1.3 | Applicant | Para 18.8.1 of Chapter 18 of the ES states that, in relation to inter-project effects that the assessment of cumulative effects has been completed based on information relating to the committed developments which are available within the public domain. Can the Applicant confirm if any projects currently under consideration but yet undecided, particularly linked to energy, have been considered as part of cumulative effects? |
| SPC.1.4 | Applicant | Can the Applicant please confirm that the short list of developments for the cumulative assessment has bene agreed with relevant consultees. |
| SPC.1.5 | Applicant | The Applicant has identified in Para. 18.7.6 of the ES Chapter 18 [APP-045] that several receptors (Potty Plants, The Chalet New Drove, Peckover House, Wisbech Town Centre Conservation Area and River Nene CWS) are identified as having two or more 'Not Significant' effects which cumulatively have the potential to be significant. In the following Para. It states that: "In respect of these Receptors, the various combinations of Noise, Air & LVIA; LVIA & Historic Environment; Air and Hydrology and Socio economic, Tourism, Recreation and Land use are judged to be Not Significant effects". Could the Applicant please provide further detail on how it has reached this position particularly considering that the significance of identified effects already took into consideration mitigation measures associated with the construction and operation stages as identified in the outline CEMP? |

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| ExQ1 | Question to: | Question: |
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| SPC.1.6 | Applicant | Can the Applicant also provide further confirmation in relation to the employment numbers, during construction and operation phase that expects to be generated? Can the Applicant also confirm if it has had any conversations or negotiations already with local training facilities in relation to facilitating training and employment opportunities? |
| SPC1.7 | Applicant | Several education facilities are located within relative close proximity of the proposed development. Can the Applicant please explain how it has considered the cumulative effects of the Proposed Development, particularly in the context of impacts on young people? |
| TRAFFIC AND TRANSPORT | | |
| TT.1.1 | Applicant Cambs CC Norfolk CC National Highways | Chapter 6 of the ES [APP-033] states, in para. 6.5.31 that the baseline traffic surveys were undertaken over a two-weeks between 8 October 2021 to 21 October 2021. In para. 6.5.28 of the same document the Applicant recognises that, due to the ongoing COVID-19 pandemic, the baseline traffic flows could have been skewed and therefore it was agreed with the relevant highways authorities (National Highways, Cambs CC and Norfolk CC) that the baseline traffic flows could be derived from existing historic traffic counts. Can the Applicant please confirm how this work informed the Proposed Development and also how the baseline traffic flows derived from existing historic traffic counts differed from the baseline traffic surveys undertaken between 8 October 2021 to 21 October 2021? |
| TT.1.2 | Applicant | Chapter 6 of the ES [APP-033] states, in para. 6.5.29 states that it was also agreed that all the Receptor locations included at the Preliminary Environmental Information Report (PEIR) would be resurveyed for the DCO submission. Can the Applicant please confirm that this work was carried out and how the results of the resurveyed sites differ from the previous survey (if applicable)? |
| TT.1.3 | Cambs CC Fenland DC | Cambs CC and Fenland DC RR states in para. 3.3 in relation to New Bridge Lane Access that "Access arrangements to the site/ access to affected premises and properties does not take into account the potential need to turn east from accesses towards the A47, when the aspirations of the South Wisbech Broad Concept Plans are realised and a link is formed to a new roundabout on the A47 (See FDC Broad Concept Plans - Fenland District Council)". Nevertheless, the hyperlink provided does not seem to be accessible. Fenland DC or Cambs CC is asked to submit the above mentioned document. |

ExQ1: 02 March 2023**Responses due by Deadline 2: 24 March 2023**

| ExQ1 | Question to: | Question: |
|-------------|------------------------|--|
| TT.1.4 | Applicant | <p>ES Chapter 6: Traffic and Transport [APP-033] para 6.6.83 states that there may be occasions where deliveries may be required outside of the usual delivery times of between 07:00 and 20:00. Therefore, it is proposed that the Proposed Development be able to accept waste outside the operating hours stated above in these circumstances.</p> <ul style="list-style-type: none">• Can the Applicant clarify how deliveries of waste outside of standard permitted hours will be managed and how this is reflected within the DCO?• Can the Applicant confirm that the flexibility for out of standard permitted hours has been taken into account for the ES assessments? |
| TT.1.5 | | <p>The grid connection is proposed to be installed by open cut trench method, at a depth of 1.6m. This is likely to be at a depth of 2m at the Broadend Road and A47 junction, this is in order to allow Cambridgeshire County Council to construct a proposed roundabout in the future or to account for unforeseen circumstances.</p> <p>Can the Applicant confirm if any road closures will be required due to grid connection works, and if so, how these will be managed?</p> |
| TT.1.6 | Cambs CC Fenland DC | <p>Cambs CC and Fenland DC RR refers to the aspirations of the South Wisbech Broad Concept Plans in relation to the formation of a link to a new roundabout on the A47. Cambs CC, as the Highway Authority, is asked to explain how the Development Proposal would impact the aspirations set out in South Wisbech Broad Concept Plans.</p> |
| TT.1.7 | Cambs CC Fenland DC | <p>Cambs CC and Fenland DC RR are asked to confirm the status of the South Wisbech Broad Concept Plans.</p> |
| TT.1.8 | Applicant Cambs CC | <p>Cambs CC and Fenland DC RR states in para. 3.7 that "any approvals greater than 2 years old would need to be checked against the current streetlighting standards". The Applicant and Cambs CC are asked to detail how discussions are progressing in relation to lighting arrangements and how the Development Proposal is being future proofed.</p> |
| TT.1.9 | Applicant | <p>Cambs CC and Fenland DC RR states in para. 3.9 that the existing carriageway of New Bridge Lane is unlikely to be suitable for retention and will need to be reconstructed. Can the Applicant please provide information on how it has assessed the robustness of the existing carriageways predicted to be used during the construction and operational stages of the development? Have any been identified as being unsuitable? What are the proposed mechanisms to secure works needed?</p> |

ExQ1: 02 March 2023**Responses due by Deadline 2: 24 March 2023**

| ExQ1 | Question to: | Question: |
|-------------|------------------------|--|
| TT.1.10 | Applicant Cambs CC | Can the Applicant and the Highways Authority please provide further information on how the recent decisions in relation to the A47/A11 Thickthorn Junction DCO, the A47 Blofield to North Burlingham DCO, the A47 North Tuddenham to Easton DCO have been considered as part of the proposed development? |
| TT.1.11 | Fenland DC | Cambs CC and Fenland DC RR states that the County Council has no statutory function in relation to Algores Way beyond Britannia Way. Can Fenland DC please confirm if it is the owner of Algores Way? |
| TT.1.12 | Cambs CC Fenland DC | Cambs CC and/or Fenland DC are asked to provide the ExA with an update in relation to the status of the on-going negotiations regarding the proposed re-opening of the Wishbech railway line and further justification of why it believes that the Proposed Development would impact or limit the re-opening of the line. |
| TT.1.13 | Applicant | Cambs CC and Fenland DC RR states, in para. 3.28 state the legal status of the different named roads included in the Access and Public Rights of Way Plan [APP-008] is not clearly shown. The Applicant is asked to submit a revised version of the Access and Public Rights of Way Plan that clearly indicates the legal status of the roads (i.e. whether or not they form part of the public highway). |
| TT.1.14 | Cambs CC | Cambs CC and Fenland DC RR states in para. 3.35 that committed developments in the vicinity of the site have been added to give a robust forecast of the future year base. Cambs CC is asked to provide a list of the committed developments considered and also information regarding timescale for the implementation of each development (if known). |
| TT.1.15 | National Highways | Cambs CC and Fenland DC RR states, in para. 3.38 that National Highways would need to agree the results of the modelling and the conclusions reached by Cambs CC in respect of the effects of proposal on the A47/Cromwell Road/Redmoor Lane roundabout. National Highways are requested to provide an update of their view on this issue. |
| TT.1.16 | Cambs CC | Cambs CC and Fenland DC RR states in para. 3.39 that the Cambs CC Transport Assessment Team are of the view that the increase in slow moving right turning HGV vehicles could potentially cause a more localised capacity and safety issue at the junction. Cambs CC is asked to provide further information regarding this and further explanation on why standard junction modelling cannot accurately predict such an impact. |

ExQ1: 02 March 2023**Responses due by Deadline 2: 24 March 2023**

| ExQ1 | Question to: | Question: |
|-------------|---------------------|--|
| TT.1.17 | Cambs CC | Cambs CC and Fenland DC RR states in para. 3.46 that “the commitments in 6.6.133 in relation to a bridge will therefore also need to provide sufficient flexibility to apply to any crossing form identified by either Network Rail, and/or by the Cambridgeshire and Peterborough Combined Authority and Cambs CC in the event that the final solution changes”. Could Cambs CC provide further information regarding potential solutions for the crossing that might offer a viable alternative to the proposed bridge and what it considers “sufficient flexibility”? |

ExQ1: 02 March 2023**Responses due by Deadline 2: 24 March 2023****ANNEX A**

Medworth Energy from Waste Combined Heat and Power Facility:

List of all objections to the grant of Compulsory acquisition OR TEMPORARY POSSESSION powers (ExQ1: Question CA1.2)

| Obj No.ⁱ | Name/ Organisation | IP/AP Ref Noⁱⁱ | RR Ref Noⁱⁱⁱ | WR Ref No^{iv} | Other Doc Ref No^v | Interest^{vi} | Permanent / Temporary^{vii} | Plot(s) | CA?^{viii} | Status of objection |
|----------------------------|-------------------------------|--|--|-----------------------------------|---|------------------------------|--|----------------|---------------------------|--------------------------------|
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

i Obj No = objection number. All objections listed in this table should be given a unique number in sequence.

ii Reference number assigned to each Interested Party (IP) and Affected Person (AP)

iii Reference number assigned to each Relevant Representation (RR) in the Examination library

iv Reference number assigned to each Written Representation (WR) in the Examination library

v Reference number assigned to any other document in the Examination library

vi This refers to parts 1 to 3 of the Book of Reference:

- Part 1, containing the names and addresses of the owners, lessees, tenants, and occupiers of, and others with an interest in, or power to sell and convey, or release, each parcel of Order land;
- Part 2, containing the names and addresses of any persons whose land is not directly affected under the Order, but who "would or might" be entitled to make a claim under section 10 of the Compulsory Purchase Act 1965, as a result of the Order being implemented, or Part 1 of the Land Compensation Act 1973, as a result of the use of the land once the Order has been implemented;
- Part 3, containing the names and addresses of any persons who are entitled to easements or other private rights over the Order land that may be extinguished, suspended or interfered with under the Order.

vii This column indicates whether the applicant is seeking compulsory acquisition or temporary possession of land/ rights

viii CA = compulsory acquisition. The answer is 'yes' if the land is in parts 1 or 3 of the Book of Reference and National Grid are seeking compulsory acquisition of land/ rights.