

Medworth Energy from Waste Combined Heat and Power Facility



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Statement of Common Ground between Medworth CHP Limited and Wisbech Town Council

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Revision History

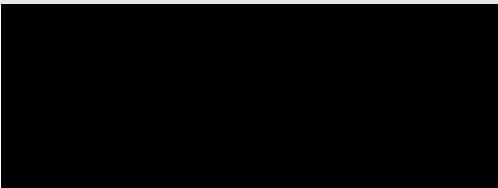
Revision number	Date	Details
0.0	09 March 2023	Draft produced by the Applicant for comment.
1	11 May 2023	Draft issued to Wisbech Town Council for comment, revised to take account of the Applicant's updated Waste Fuel Availability Assessment submitted at Deadline 2 [REP2-009].
2	05 July 2023	Final SoCG: updated to reflect final position reached between the parties, including the Applicant's updated Waste Fuel Availability Assessment submitted at Deadline 5 [REP5-019]. Submitted to WTC for final comment
3	10 July 2023	Final Signed SOCG.

Signatories

Applicant (Medworth CHP Ltd)

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Date	July 2023	July 2023

Wisbech Town Council

Signed	
On behalf of	Wisbech Town Council
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Position	Clerk (and Responsible Finance Officer) to Wisbech Town Council
Date	10 July 2023





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1. Introduction

1.1 Purpose of Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) has been prepared between Medworth CHP Limited ('the Applicant') and Wisbech Town Council to set out the areas of agreement and/or disagreement between the parties in relation to the Proposed Development Consent Order (DCO) Application for the Medworth CHP EfW Facility.

1.1.2 Wisbech Town Council is a Statutory Party in relation to the proposed DCO Application.

1.1.3 The preparation of this SoCG was requested by the Examining Authority in its Rule 6 Letter dated 24 January 2023. The preparation of SOCG is encouraged by the Planning Inspectorate's Advice Note 11: Working with public bodies in the infrastructure planning process encourages a proactive approach to reaching agreement on the approach and the conclusions of the Environmental Impact Assessment (EIA), and the approach to consents, licences and authorisations.

1.1.4 It is the intention that this document will provide the Examining Authority (ExA) with a clear overview of the position between the parties. This is the final agreed document, which is submitted in accordance with the deadline stipulated in the Examining Authority's (ExA) Rule 8 letter **[PED-006]**.

1.2 Overview of the Proposed Development

1.2.1 The Proposed Development comprises the following key elements:

- The EfW CHP Facility Site;
- CHP Connection;
- Temporary Construction Compound (TCC);
- Access Improvements;
- Water Connections; and
- Grid Connection (underground cable and Walsoken Substation).

1.2.2 A summary description of each Proposed Development element is provided below. A more detailed description is provided in **Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]** of the ES. A list of terms and abbreviations can be found in **Chapter: 1 Introduction, Appendix 1F Terms and Abbreviations (Volume 6.4) [APP-068]**.

- EfW CHP Facility Site: A site of approximately 5.3ha located south-west of Wisbech, located within the administrative areas of Fenland District Council and Cambridgeshire County Council. The main buildings of the EfW CHP Facility would be located in the area to the north of the Hundred of Wisbech Internal Drainage Board (HWIDB) drain bisecting the site and would house many development elements including the tipping hall, waste bunkers, boiler house,



turbine hall, air cooled condenser, air pollution control building, chimneys and administration building. The gatehouse, weighbridges, 132kV switching compound and laydown maintenance area would be located in the southern section of the EfW CHP Facility Site.

- **CHP Connection:** The EfW CHP Facility would be designed to allow the export of steam and electricity from the facility to surrounding business users via dedicated pipelines and private wire cables located along the disused March to Wisbech Railway. The pipeline and cables would be located on a raised, steel structure.
- **TCC:** Located adjacent to the EfW CHP Facility Site, the compound would be used to support the construction of the Proposed Development. The compound would be in place for the duration of construction.
- **Access Improvements:** includes access improvements on New Bridge Lane (road widening and site access) and Algores Way (relocation of site access 20m to the south).
- **Water Connections:** A new water main connecting the EfW CHP Facility into the local network will run underground from the EfW CHP Facility Site along New Bridge Lane before crossing underneath the A47 (open cut trenching or horizontal directional drilling (HDD)) to join an existing Anglian Water main. An additional foul sewer connection is required to an existing pumping station operated by Anglian Water located to the north-east of the Algores Way site entrance and into the EfW CHP Facility Site.
- **Grid Connection:** This comprises a 132kV electrical connection using underground cables. The Grid Connection route begins at the 132kV switching compound in the EfW CHP Facility Site and runs underneath New Bridge Lane, before heading north within the verge of the A47 to the Walsoken Substation on Broadend Road. From this point the cable would be connected underground to the Walsoken DNO Substation.

1.2.3

The Proposed Development would be constructed in a manner consistent with that described within **ES Chapter: 3 Description of the Proposed Development (Volume 6.2) [APP-030]**. In summary:

- Work would commence with the establishment of the TCC together with any pre-commencement surveys and works to demolish existing structures and clear the EfW CHP Facility Site. The mobilisation and site set-up phase will last approximately 3-months.
- Access Improvements on New Bridge Lane will commence and take place over a 6-month period.
- Civil works comprising earthworks, piling and later the creation of external hardstanding areas, concrete structures and steelwork framing and the installation of the Water Connections will take place over a 34-month period.
- Overlapping with the erection of the structures at the EfW CHP Facility Site, mechanical, electrical and plant installation would take place over a period of 24-months followed by a 9-month period of commissioning and testing.



- The construction of the CHP Connection and Grid Connection would follow a similar process of mobilisation, civils and commissioning.

1.2.4 Following the completion of commissioning and testing, the TCC site accessed from Algores Way would be restored to its former condition.

1.2.5 During its construction the workforce is estimated to peak at 500 although this number will change over the course of construction. Based upon experience of constructing other, similar facilities this peak is anticipated to exist for approximately 3 months.

1.2.6 Environmental Statement (ES) **Chapter 3 Description of the Proposed Development (Vol 6.2) [APP-030]** paragraph 3.5.53 sets out the anticipated size of the operational workforce as being 40. The chapter provides a breakdown of the operational workforce which would include a shift team of 18 skilled operators, working in shifts of three at a time, to cover 24-hour operation of the EfW CHP Facility.

1.2.7 The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) under Part 3, Section 14 of the Planning Act 2008 by virtue of the fact that the generating station is located in England and has a generating capacity of over 50MW (see section 15(2) of the 2008 Act). It, therefore, requires an application to be submitted to the Secretary of State for a Development Consent Order (DCO). The DCO application has been submitted by Medworth CHP Ltd (the Applicant); a wholly owned subsidiary of MVV Environment Ltd.

1.3 Approach to Statement of Common Ground

1.3.1 The structure of this SoCG is as follows:

- Section 1: Introduction
- Section 2: The parties to the SoCG;
- Section 3: Agreement on Common Ground;
- Section 4: Summary.



2. The parties to the Statement of Common Ground

2.1 The Applicant and Party to the Statement of Common Ground

2.1.1 The parties to this SoCG are:

- Medworth CHP Limited, the Applicant for the Proposed Development; and
- Wisbech Town Council.

2.2 Role of Wisbech Town Council

2.2.1 Wisbech Town Council is the local parish council within which the EfW CHP Facility would be sited. It is a Prescribed Consultee under section 42 of the Planning Act 2008 as regards the Applicant's DCO application. The Town Council comprises elected councillors, the Town Mayor and three council officers. Wisbech Town Council lies within the administrative area of Fenland District Council.

2.2.2 Wisbech Town Council has commissioned Adams Hendry Consulting Limited to act on its behalf in submitting representations to the Examining Authority.

2.3 Consultation and Engagement

2.3.1 A summary of the general pre-application consultation and engagement carried out with Wisbech Town Council is set out in **Table 2.1** below.

2.3.2 A summary of Wisbech Town Council's written engagement with the examination is set out in **Table 2.2**.

Table 2.1: Summary of pre-application consultation and engagement with Wisbech Town Council

Date	Form of consultation	Statutory/Non-Statutory	Summary
17/12/2019	EIA Scoping Response	Statutory	Wisbech Town Council provided an EIA Scoping response to PINS.
08/2021	Response to the PEIR	Statutory	Wisbech Town Council provided comments on the PEIR as part of the statutory consultation.



Table 2.2: Summary of Wisbech Town Council's post-application written engagement with the examination.

Date	Form of consultation	Statutory/Non-Statutory	Summary
11/11/2022	Relevant Representation	Statutory	Wisbech Town Council provided a detailed relevant representation [RR-010] regarding the Proposed Development. This representation was provided by Adams Hendry Consulting Limited on behalf of Wisbech Town Council.
25/04/2023	Comments made as IP	Statutory	Wisbech Town Council provided comments on further information which had been submitted at Deadline 2 [REP3-052] .
25/05/2023	Comments made as IP	Statutory	Wisbech Town Council provided its post-hearing submission at Deadline 4 [REP3-052] .
16/06/2023	Comments made as IP	Statutory	Wisbech Town Council provided its Deadline 5 Submission – response to ExQ2 [REP5-054] .

2.4 Status of the Statement of Common Ground

2.4.1 This is the final SoCG (Rev 3). It supersedes the Rev 0 version submitted at Deadline 1 **[REP1-040]**. The documents referred to in this SoCG are those submitted with the DCO application or during the Examination, which are available on the Planning Inspectorate's website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/medworth-energy-from-waste-combined-heat-and-power-facility/?ipcsection=docs>

2.4.2 The examination library references have been adopted in the SoCG for ease:

<https://infrastructure.planninginspectorate.gov.uk/wpcontent/ipc/uploads/projects/E/N010110/EN010110-000900-Medworth%20Examination%20Library.pdf>



3. Agreement on Common Ground

3.1 Overview

3.1.1 During the course of the Examination, the Applicant has engaged with Wisbech Town Council in relation to the following matters:

- General points of fact on site location;
- Draft DCO (articles and requirements);
- Need for the Proposed Development and the assessment of alternatives;
- Traffic and Transport;
- Noise and Vibration;
- Air Quality;
- Landscape and Visual;
- Historic environment;
- Biodiversity;
- Hydrology and hydrogeology, flood risk and contamination risk
- Climate.

3.1.2 A first draft SoCG (Rev 0) [REP1-040] was shared with Wisbech Town Council on 9 March 2023, detailing the matters where the Applicant sought to establish common ground. A copy of the draft SoCG (Rev 0) was submitted to the Examination for information at Deadline 1 on 10 March 2023, although noting that it was based only on the Applicant's understanding of the position since Wisbech Town Council had not had the opportunity to comment at that stage.

3.1.3 The parties have agreed to simplify the format of the draft SoCG, to provide a list of matters agreed and a list of matters not agreed.

3.2 Matters Agreed

3.2.1 The Applicant and Wisbech Town Council are agreed on the following points of fact:

- (i) That with the exception of the grid connection works along the A47 and at Walsoken, all of the Proposed Development would be situated within the boundary of Wisbech Town Council's administrative area;
- (ii) That no land or assets belonging to or managed by Wisbech Town Council would be affected by the Proposed Development;
- (iii) That none of the powers being sought by the Applicant as set out in the draft Development Consent Order (REP5-005] would affect Wisbech Town Council in exercising its statutory functions and other duties and obligations;



- (iv) That the entirety of the EfW CHP Facility Site, CHP connection corridor and much of the area required for the Access Improvements, TCC and Water connections are situated within Flood Zone 3, whilst some parts of the TCC, Access Improvements and most of the Water Connections lie within Flood Zone 2, as set out in Chapter 12 of the Environmental Statement (Volume 6.2) **[REP5-008]**;
- (v) That the summary of the Proposed Development provided in Section 1 of this document reflects Wisbech Town Council's understanding of the Proposed Development.

3.3 Matters not agreed

3.3.1 Following extensive engagement and liaison between the parties, agreement could not be reached on the majority of matters discussed. The principal areas of disagreement remain as follows:

Need for the Proposed Development

- (i) Whether the study area and methodology for assessing local need in the Waste Fuel Availability Assessment (WFAA) (Volume 7.3) **[REP5-020]** should have accounted for waste arisings beyond a 2-hour drive time;
- (ii) Whether the assessment methodology in the WFAA **[REP5-020]** takes appropriate account of relevant and up to date information on suitable residual waste arisings and current and planned management provision, market trends and Government targets in the 2023 Environmental Improvement Plan;
- (iii) Whether the conclusions in the WFAA **[REP5-020]** as to there being a shortfall in waste management facilities are accurate and reliable;
- (iv) Whether the scale of the Proposed Development would result in over-capacity of EfW waste treatment at a national or local level, resulting in a conflict with the waste hierarchy or prejudicing the achievement of targets on waste prevention, re-use and recycling; and
- (v) Whether there is sufficient evidence of potential demand from heat and electricity customers to justify the need for the Proposed Development.

Consideration of alternatives

- (i) Whether the site selection criteria for the Proposed Development, as set out in Section 2.3 of the Environmental Statement **[APP-029]** are appropriate and consistent with relevant National Policy Statements;
- (ii) Whether the site for the Proposed Development at Algores Way is a suitable location for the provision of a new EfW CHP Facility;



- (iii) Whether the Applicant's Flood Risk Assessment, as set in Volume 6.4 of the Environmental Statement **[APP-084]**, complies fully with the sequential test and exception test in the National Planning Policy Framework and relevant National Policy Statements; and
- (iv) Whether sufficient consideration has been given to the evaluation of alternatives, including the provision of a smaller facility or a series of smaller facilities on alternative sites.

Transport and traffic effects

- (i) Whether the Proposed Development would be capable of sourcing most of its incoming waste locally or whether it would be reliant upon transporting waste over significant distances contrary to the proximity principle;
- (ii) Whether the assumptions and methodology for the traffic and transport assessment, as presented in Chapter 6 of the Environmental Statement **[APP-033]** are robust and can be relied upon; and
- (iii) Whether there is sufficient clarity on the delivery of the highway improvement measures necessary to mitigate the effects of the Scheme.

Noise and vibration effects

- (i) Whether the scope and methodology set out in Chapter 7 of the Environmental Statement (Volume 6.2) **[APP-034]** are sufficiently robust for the purposes of identifying any likely significant noise and vibration effects resulting from the construction and operation of the Proposed Development.

Effects on air quality

- (i) Whether the methodology for the assessment set out in Chapter 8 of the Environmental Statement (Volume 6.2) **[APP-035]** is sufficiently robust for the purposes of identifying any likely significant air quality effects resulting from the construction and operation of the Proposed Development.

Landscape and visual effects

- (i) Whether the scope and methodology set out in Chapter 9 of the Environmental Statement (Volume 6.2) **[APP-036]** are sufficiently robust and clear for the purposes of identifying any significant landscape and visual effects resulting from the construction and operation of the Proposed Development; and
- (ii) Whether the conclusions of the landscape and visual impact assessment are clear and appropriately detailed.



Effects on the historic environment

- (i) Whether the assessment of the Proposed Development's effects on the historic environment, as set out in Chapter 10 of the Environmental Statement (Volume 6.2) **[APP-037]** accords with the approach required by the National Planning Policy Framework; and
- (ii) Whether the scale and height of the Proposed Development would have an unacceptable effect on the Wisbech Conservation Area.

Biodiversity effects

- (i) Whether the scope and methodology for the assessment of the Proposed Development's effects on the natural environment, as set out in Chapter 11 of the Environmental Statement **[AS-008]**, appropriately consider effects on aquatic and riparian diversity.

Effects on hydrology, geology, hydrogeology and contaminated land

- (i) Whether the assessments presented in Chapters 12 and 13 of the Environmental Statement **[REP5-008]** and **[APP-040]** are sufficiently robust for the purposes of identifying any likely significant effects on hydrology, geology, hydrogeology and contaminated land as result of the construction and operation of the Proposed Development.

Climate effects

- (i) Whether the scope and methodology, including assumptions on landfilling in the future and the origin of waste, as set out in Chapter 14 of the Environmental Statement **[APP-041]** are appropriate for the purposes of assessing greenhouse gas emissions and effects on climate resulting from the construction and operation of the Proposed Development.

DCO requirements

- (i) Whether the requirements in the draft Development Consent Order **[REP5-005]** adequately secure compliance with the waste hierarchy scheme;
- (ii) Whether the requirements in the draft Development Consent Order **[REP5-005]** on the origin of waste adequately secure compliance with the proximity principle;
- (iii) Whether the requirements in the draft Development Consent Order **[REP5-005]** provide an appropriate mechanism for regulating the approval of detailed designs for the Proposed Development and for securing mitigation; and
- (iv) Whether the draft DCO requirements **[REP5-005]** adequately secure the Proposed Development's CHP benefits.



4. Summary

4.1.1

This SoCG records that the parties have been unable to reach agreement on most matters, as listed in section 3 of this document, and this remains the final position recorded in this Statement. This final signed SoCG is submitted at Deadline 6, in accordance with the Examining Authority's request set out in its Rule 8 Letter, dated 2 March 2023 **[PD-006]**.

