

Medworth Energy from Waste Combined Heat and Power Facility

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Deadline 6
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Statement of Commonality of Statements of Common Ground: (Deadline 6)

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1. Introduction

1.1 Introduction

- 1.1.1 The preparation of SOCG is encouraged by The Planning Inspectorate (PINS) *Advice Note 11: Working with public bodies in the infrastructure planning process*. It 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.
- 1.1.2 The aim of a Statement of Common Ground (SOCG) is to agree factual information and to inform the Examining Authority and all other parties by identifying where there is agreement and where the differences lie at an early stage in the Examination process.
- 1.1.3 The SOCG should be agreed between the Applicant and the other relevant Interested Party or parties.

1.2 Purpose of the Document

- 1.2.1 This document summarises the progress which the Applicant has made with the parties listed within the Rule 6 letter dated 24 January 2023 and an overview of where the areas of agreement and dispute between the Interested Parties are. This document includes the *List of matters not agreed where SoCG could not be finalised*.

1.3 Structure of the Document

- 1.3.1 The structure of the document is as follows:
- Section 1 – Introduction.
 - Section 2 – Commonality of Statement of Common Ground.
 - Section 3 – Status of SOCG
 - Section 4 – Overview of Agreement and List of matters not agreed where SoCG could not be finalised.



2. Commonality of Statements of Common Ground

2.1 Introduction

2.1.1 Statements of Common Ground have been prepared between Medworth CHP Limited ('the Applicant') and identified parties 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.

2.1.2 It is the intention that the SOCGs will provide the Examining Authority (ExA) with a clear overview of the level of common ground between both parties. The Final SOCG documents are submitted to the examination at Deadline 6 unless otherwise referenced within this document.

2.2 List of Statements of Common Ground

2.2.1 The Rule 6 letter provided a list of SOCGs requested by the Examining Authority to be prepared between the Applicant and relevant stakeholders.

2.2.2 The Examining Authority requested SOCGs are prepared between the Applicant and:

- Cambridgeshire County Council;
- Norfolk County Council;
- Borough Council of King's Lynn and West Norfolk;
- Fenland District Council;
- Walsoken Parish Council;
- Wisbech Town Council;
- Environment Agency;
- UK Health Security Agency;
- Natural England;
- Anglian Water;
- East of England Ambulance Service NHS Trust;
- Historic England;
- Hundred of Wisbech Internal Drainage Board;
- King's Lynn Internal Drainage Board;
- National Highways; and



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- Network Rail.

2.3 Progress of SoCG submissions at Deadline 6

The Applicant has prepared draft and final SOCGs which it has submitted to each of the parties listed in Section 2.2 above. The current status with each party is shown in **Table 3.1 Status of SoCGs at Deadline 6**.



3. Status of Statements of Common Ground

Table 3.1 Status of SOCGs at Deadline 6

Doc Ref (Vol)	Party	Status Deadline 1	Status Deadline 2	Status Deadline 3	Status Deadline 4	Status Deadline 5	Status Deadline 6	Status Deadline 7
8.2	Network Rail	Submitted as PDA-002 10/02/2023	As Deadline 1	As Deadline 1	As Deadline 1	As Deadline 1	As Deadline 1	
9.4	Cambridgeshire County Council*	Rev 1 Issued for comment 16/02/2023	As Deadline 1	As Deadline 1	Rev 2 issued for comment 28/04/2023. Comments received 19/05/2023	Rev 2.1 Draft	Rev 3.1 Draft	
9.4	Norfolk County Council*	Rev 1 Issued for comment 16/02/2023	As Deadline 1	As Deadline 1	Rev 2 issued for comment 28/04/2023	Rev 2.1 Draft	Rev 3.1 Draft	
9.4	Borough Council of King's Lynn* and West Norfolk	Rev 1 Issued for comment 16/02/2023	As Deadline 1	As Deadline 1	Rev 2 issued for comment 28/04/2023	Rev 2.1 Draft	Rev 3.1 Draft	
9.4	Fenland District Council*	Rev 1 Issued for comment 16/02/2023	As Deadline 1	As Deadline 1	Rev 2 issued for comment 28/04/2023. Comments received 19/05/2023	Rev 2.1 Draft	Rev 3.1 Draft	
9.5	Walsoken Parish Council	Rev 1 issued for comment and draft agreed at a meeting on 08/03/2023	As Deadline 1	As Deadline 1	Rev 2 issued for comment 17/05/2023	Rev 2 Final (signed)	-	-
9.6	Wisbech Town Council	Rev 0.0 issued for comment on 09/02/2023	As Deadline 1	As Deadline 1	Rev 2 issued for comment 11/05/2023	As Deadline 4	Rev 3 Final	
9.7	Environment Agency	Rev 1 following initial comments 06/03/2023	As Deadline 1	Rev 2 following further comments 05/04/2023 and 21/04/2023	Rev 3 Final (signed)	-	-	-
9.8	UK Health Security Agency Environment Agency	Rev 1 issued for comment 08/02/2023	Rev2 Final (signed)	-	-	-	-	-
9.9	Natural England	Rev 1 following comments 02/03/2023	As Deadline 1	As Deadline 1	Rev 2 Final (signed)	-	-	-
9.10	Anglian Water	Rev 1.1 following comments 02/03/2023	As Deadline 1	As Deadline 1	As Deadline 1	Rev 2	Rev 3 Final (signed)	-
9.11	East of England Ambulance Service Trust	Rev 1 issued for comment 01/02/2023	Rev2 Final (signed)	-	-	-	-	-



Doc Ref (Vol)	Party	Status Deadline 1	Status Deadline 2	Status Deadline 3	Status Deadline 4	Status Deadline 5	Status Deadline 6	Status Deadline 7
9.12	Historic England	Rev 1 issued for comment 21/02/2023	Rev2	Rev3 Final (signed)	-	-	-	-
9.13	Hundred of Wisbech Internal Drainage Board	Rev 1 issued following meeting 08/03/2023	As Deadline 1	As Deadline 1	Rev2 issued for comment 07/05/2023	As Deadline 4	As Deadline 4	
9.14	Kings Lynn Internal Drainage Board	Rev 1 issued following meeting 07/03/2023	As Deadline 1	As Deadline 1	Rev2 issued for comment 07/05/2023	Rev 2	As Deadline 5	
9.15	National Highways	Rev 1 issued following correspondence	As Deadline 1	As Deadline 1	As Deadline 1	As Deadline 1	As Deadline 1	
* joint SoCG between host authorities								



4. Overview of Agreement and List of Matters not agreed where SoCG could not be finalised.

4.1.1 The section of the statement of commonality provides a broad summary of the main topics covered in the SOCG at Deadline 6. It demonstrates commonality on the matters discussed between the Applicant and the parties or where matters have reached a position of 'not agreed' following discussions.

4.1.2 **Table 4.1** lists the topics covered across the SOCG in the Applicant's discussions with the parties and summarises commonality at Deadline 6.



4.2 Summary of positions on SOCG at Deadline 6

4.2.1 The following section summarises the position reached in each draft SoCG at Deadline 6. Whilst the Examining Authority's Rule 8 Letter and accompanying Examination Timetable (Annex A) requested final SoCGs for Deadline 6 the Applicant remains in continued discussion with the Local Host Authorities, Network Rail, National Highways, the Hundred of Wisbech IDB and King's Lynn IDB with a view to agreeing common ground for Deadline 7.

Signed SOCG at Deadline 6

Historic England

4.2.2 Agreed and signed; submitted at Deadline 3 [REP3-027].

Natural England

4.2.3 Agreed and signed; submitted at Deadline 4 [REP4-011].

Environment Agency

4.2.4 Agreed and signed; submitted at Deadline 4 [REP4-010].

UK Health Security Agency

4.2.5 Agreed and signed; submitted at Deadline 2 [REP2-013].

East of England Ambulance Service NHS Trust

4.2.6 Agreed and signed; submitted at Deadline 2 [REP2-014].

Walsoken Parish Council

4.2.7 Agreed and signed; submitted at Deadline 5 [REP5-024].

4.2.8 Matters of disagreement are:

- Traffic and Transport;
- Air Quality;
- Health;
- Landscape and Visual; and
- DCO Requirements.

Wisbech Town Council

4.2.9 Agreed and signed at Deadline 6, document reference Volume 9.6. The Applicant engaged and liaised extensively with Wisbech Town Council, however agreement could not be reached on the majority of matters discussed, including matters relating to the robustness of the assessments contained in the Environmental Statement



otherwise acceptable to the local host authorities and statutory environmental bodies, notably Natural England, the Environment Agency and Historic England.

4.2.10 The principal areas of disagreement are:

- Alternatives;
- Traffic and Transport;
- Noise and Vibration;
- Air Quality;
- Landscape and Visual;
- Historic Environment;
- Biodiversity
- Hydrology and Hydrogeology;
- Climate
- Waste Fuel (Need) and
- the DCO requirements.

4.2.11 Further information on the specific matters of disagreement can be found within the SOCG (Volume 9.6).

Anglian Water

4.2.12 Agreed and signed at Deadline 6, document reference **Volume 9.10**. All matters have been agreed.

4.2.13 The Applicant and Anglian Water have an agreed position on water supply availability for the Proposed Development and no outstanding objections remain.

Unsigned SOCG at Deadline 6

Cambridgeshire County Council, Norfolk County Council, Fenland District Council and Borough Council of Kings Lynn West Norfolk

4.2.14 The Applicant submitted its first draft SOCG to the host authorities on 16 February 2023 and received a response on 22 March 2023. The Applicant shared a revised document with the host authorities on 28 April 2023. Comments were received from CCC and FDC on 19 May and there followed two MS Teams meetings with CCC and NCC respectively to discuss outstanding matters on 09 June 2023 followed by further meeting in the week commencing 12 June 2023. The Applicant forwarded a revised draft SOCG for comment following each meeting. The Applicant submitted an SOCG for Deadline 5 which summarised the position between the parties at that time and all parties have continued to meet to discuss the areas of common ground to be finalised. A further update is provided at Deadline 6

4.2.15 Matters of disagreement with CCC/FDC are:



- Landscape and Visual – assessment of effects and embedded mitigation;
- Climate change – conclusions of GHG emissions assessment

4.2.16 Matters of disagreement with NCC are:

- Landscape and Visual – with regard to the visual representation of the stack and plume;
- The DCO – that NCC does not agree with the mechanism for the discharge of requirements.

4.2.17 There are no matters of disagreement with the BCKLWN.

4.2.18 The Applicant is confident that it will be able to reach agreement on the SOCG by Deadline 7. It is continuing to engage in discussions with the host authorities on a number of matters, including the proposed signal timings for the Cromwell Road/New Bridge Lane junction (the subject of a Change Application), the scenarios used in the assessment of GHG emissions, the provision of a community fund to mitigate socio-economic effects and arrangements for consents under the Control of Pollution Act.

Hundred of Wisbech Internal Drainage Board

4.2.19 The Applicant submitted its first draft SOCG to HWIDB and discussed its contents. Further meetings have been held to discuss the protective provisions, the Outline Drainage Strategy and the Access Improvements to New Bridge Lane together with the measures contained within the Outline Construction Environmental Management Plan. An updated SOCG was submitted to the drainage board on 07 May 2023 and the Applicant continues to seek comments from the HWIDB. The Applicant will continue to use its best endeavours to agree a final SoCG by Deadline 7.

Kings Lynn Internal Drainage Board

4.2.20 The Applicant submitted its first draft SOCG to KLIDB and discussed its contents. Further meetings were held to discuss the Draft DCO, the embedded measures to address effects upon the IDB drainage network, the Outline Drainage Strategy and the measures contained within the Outline Construction Environmental Management Plan. An updated SOCG was submitted to the drainage board on 07 May 2023 and a further meeting to review outstanding matters was held on 26 May 2023.

4.2.21 Amendments were made to the SOCG following 26 May 2023 and an updated, unsigned SoCG Rev 2 (Volume 9.14) [REP5-026] was submitted at Deadline 5 to set out the further progress made between the parties. Following discussions with the IDB, an update to the List of Other Consents and Licences (Volume 5.4) [APP-026] has been submitted at Deadline 6. Negotiations are now being concluded on the matter of protective provisions and the Applicant is confident that a final SoCG will be signed for Deadline 7.



National Highways

- 4.2.22 The Applicant submitted its first draft SOCG to National Highways and discussed its contents. Discussions continue between the parties with a view to agreeing common ground on matters including Part 5 of Schedule 11 of the Draft DCO and compulsory acquisition.
- 4.2.23 The Applicant had intended to finalise the SoCG by Deadline 6, however it was not possible to conclude discussions relating to protective provisions in time to enable signature.
- 4.2.24 The Applicant is confident that it will be able to reach agreement on the SOCG by Deadline 7 or the close of the Examination.

Network Rail

- 4.2.25 The draft SoCG was agreed with Network Rail and submitted into Examination [PDA-002]. The Applicant will continue to engage with Network Rail in order to reach common ground concerning the design and layout of the Proposed Development such that it would not impede a future road bridge embankment and the ability to accommodate the CHP Connection along the route of the Disused March to Wisbech Railway.
- 4.2.26 The Applicant had expected that an updated version of the draft SOCG would have been ready by Deadline 6, however discussions regarding the mechanism for securing non-motorised user permissive access via New Bridge have not yet been concluded, to enable the SoCG to be signed in time.
- 4.2.27 The Applicant is confident that it will be able to reach agreement on the SOCG during the Examination.

