



Please reply to  
c/o Devonport EfW CHP Facility, Creek Road, Plymouth, PL5 1FL

Tracey Williams  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

**Medworth CHP Limited**  
Registered Office:  
Devonport EfW CHP Facility  
Creek Road  
Plymouth  
PL5 1FL

[www.mvvuk.co.uk](http://www.mvvuk.co.uk)

Tim Marks  
[REDACTED]

Managing Directors:  
Paul Carey  
Peter Knapp  
M ke Turner

Registration Number:  
13130012

18 August 2023

Dear Ms Williams

**Planning Act 2008 (AS AMENDED), Infrastructure Planning  
(Examination Procedure) Rules 2010**

**EN010110 - Application by Medworth CHP Limited for an Order Granting  
Development Consent for the Medworth Energy from Waste Combined  
Heat and Power Facility (Medworth EfW CHP Facility)**

**Response to Deadline 8 (Friday 18 August 2023)**

This letter sets out Medworth CHP Limited's ('the Applicant') response to the Examining Authority's (ExA) request for submissions at Deadline 8, as set out in the Rule 8 letter issued by the ExA on 2nd March 2023 (and amended by the ExA's procedural decision of 28 July 2023 [PD-018]).

**Submitted Documents**

Table 1.1 (enclosed) lists the documents submitted by the Applicant at Deadline 8, including those requested by the ExA. The reason for submitting each document is explained in Table 1.1.

Where appropriate, track-changed versions of existing documents are submitted to provide an understanding of the precise changes made.

**Final Draft Development Consent Order (DCO)**

A Final Draft Development Consent Order has been submitted at Deadline 8, with an accompanying SI template validation report. Article 48 has been added to the Draft DCO following discussions between the Applicant, Cambridgeshire County Council (CCC) and Tesco on the delivery of the highway improvements. Tesco has confirmed that it has no objection to the adoption of the relevant section of highway, see **Appendix A**. Schedule 13 (Documents and Plans to be Certified)

has also been updated to incorporate the latest versions of documents submitted at Deadline 8.

## **Volume 2 Plans**

The Applicant has updated Volume 2.4 the Access and Public Rights of Way Plan to Revision 7 at Deadline 8. This was to correct a minor drafting error as regards the extent of highway land at New Bridge Lane, identified recently by CCC. The correction has no bearing on the Order Limits, land acquisition or other powers in the Draft DCO relating to the deliverability of the highway access improvements.

## **Statements of Common Ground**

Final signed statements of common ground (SoCGs), between the Applicant, CCC and Fenland District Council (FDC) (Volume 9.4b) and between the Applicant and Network Rail (Volume 8.2) have been submitted at Deadline 8. All matters have now been agreed with Network Rail and there are no remaining points of disagreement between the parties. Whilst most issues have also been resolved with CCC and FDC now, there remains partial or no common ground on matters relating to the landscape and visual impact assessment, the climate (greenhouse gas emissions) assessment, alternative sites considered and deliverability of recovery capacity in outside of Cambridgeshire. A summary of the final position reached is provided in an updated Statement of Commonality of Statements of Common Ground (Revision 8) (Volume 9.16) also submitted at Deadline 8.

## **Applicant's comments on Deadline 7 and Deadline 7a Submissions**

As requested by the ExA, the Applicant has provided comments on the Deadline 7 and 7a submission. These are presented in three separate volumes:

- Volume 18.2 sets out the Applicant's Comments on Deadline 7 submissions, as with previous deadlines the Applicant has separated its Comments into two documents, Part 1 (Volume 18.2a) provides comments on submissions made by Statutory Parties and Part 2 (Volume 18.2b) provides comments on submissions made by Other Interested Parties;
- Volume 18.3 which sets out the Applicant's Comments on Deadline 7a submissions; and
- Volume 18.4 which sets out the Applicant's comments on the responses made by other statutory and interested parties to the ExA's Third Written Questions (ExQ3).

## **Environmental Permit Update**

The Applicant submitted its Environmental Permit application to the Environment Agency (EA) on 5 August 2022. It was confirmed by the EA as duly made on 13 April 2023. The EA has carried out public consultation on the permit application, having considered it to be one of 'high public interest'. This consultation concluded on 02 August 2023. The Applicant has received a request for further information, which it has duly provided (16 August 2023). The Applicant has also updated the **Outline Fire Prevention Plan (Rev 3.0) (Volume 7.10)** and **Outline Odour Management Plan (Rev 3.0) (Volume 7.11)** in the light of discussions with the EA and has submitted these to the Examination at Deadline 8 for the sake of completeness and consistency. Earlier during the Examination process, the Applicant received notification from the EA that the results of its air quality impact assessment and Human Health Risk Assessment are within the necessary limits for human health and the protection of habitats, see **REP6-005**.

The Applicant continues to meet regularly with the EA to review progress and to address any queries. The Applicant anticipates that a "minded to approve" position will be reached with the Environment Agency and within the next few months.

**Closing Position Statements**

The Applicant has submitted three closing position statements, which are intended to assist the ExA by collating and summarising the Applicant’s case into discrete overarching documents. These are:

- Closing Position Statement on Waste Need (Volume 18.5);
- Closing Position Statement on Climate (Volume 18.6); and
- Closing Position Statement on Access Improvements (Volume 18.7).

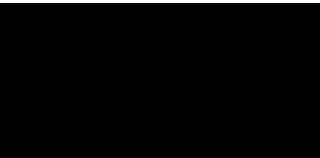
**Section 106 Agreement and other Legal Agreements**

A document setting out the agreed Heads of Terms for a Section 106 Agreement between the Applicant and Cambridgeshire County Council, was submitted at Deadline 6 [REP6-031]. The Applicant has continued to negotiate with CCC on the detail of the S.106 Agreement, along with separate S.278 and S111 Agreements. The drafting has now been agreed and the Applicant is hoping to submit copies of the signed agreements to the ExA by the end of the Examination.

As this is the final Examination Deadline, the Applicant wishes to express its appreciation to all the parties involved in the preparation of the SoCGs and various agreements and for the efforts made to resolve issues as far as possible. The Applicant extends its gratitude to the Planning Inspectorate and Examining Authority for the opportunity to make its case.

Should you have any questions concerning the Applicant’s Deadline 8 submission, please do not hesitate to contact our planning agent David Kenyon, WSP Ltd ([REDACTED]).

Yours sincerely



Paul Carey  
Managing Director



Tim Marks  
Head of Planning

Enc: Appendix A: Tesco email (14 August 2023)  
Table 1.1: Applicant’s Deadline 8 documents

## Appendix A: Tesco email (14 August 2023)

### Tim Marks

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**From:** Brittain, George [REDACTED]  
**Sent:** 14 August 2023 15:25  
**To:** Gerran McCrea  
**Cc:** Tim Marks; [REDACTED]; Paul Carey  
**Subject:** RE: MVV Medworth

Caution! This message was sent from outside your organization.

Afternoon Paul,

We have no objection to the council adopting the strip of land.

Regards

George Brittain  
Lead Asset Manager



Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire, AL7 1GA.  
[www.tescopl.com](http://www.tescopl.com) | @tesconews

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**From:** Gerran McCrea [REDACTED]  
**Sent:** 14 August 2023 15:12  
**To:** Brittain, George [REDACTED]  
**Cc:** Tim Marks; [REDACTED]; Paul Carey  
**Subject:** FW: MVV Medworth

Be careful, this message is from outside of Tesco. Inspect the email and if it's suspicious, report it using the Report Phishing button or email [REDACTED]

Hi George

I wondered if you had yet been able to consider the below?

I am on leave from Wednesday this week, but in my absence, please could you contact my colleagues, Tim or Paul on the email addresses in copy.

Thank you in advance.

KRs  
G

Gerran McCrea  
Head of Development – MVV Environment Ltd.

[REDACTED]

[REDACTED]

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MVV Environment Baldovie Ltd, Forties Road, Dundee, DD4 0NS - Managing Directors: Paul Carey, Peter Knapp, Mike Turner  
MVV Environment Devonport Ltd, Devonport EfW CHP Facility, Creek Road, Plymouth, Devon, PL5 1FL - Managing Directors: Paul Carey, Peter Knapp, Mike Turner  
MVV Environment Ridham Ltd, Ridham Dock Biomass Facility, Lord Nelson Road, Ridham Dock, Iwade, Sittingbourne, ME9 8FQ - Managing Directors: Paul Carey, Peter Knapp, Mike Turner  
MVV Environment Services Ltd, Devonport EfW CHP Facility, Creek Road, Plymouth, Devon, PL5 1FL - Managing Directors: Paul Carey, Peter Knapp, Mike Turner  
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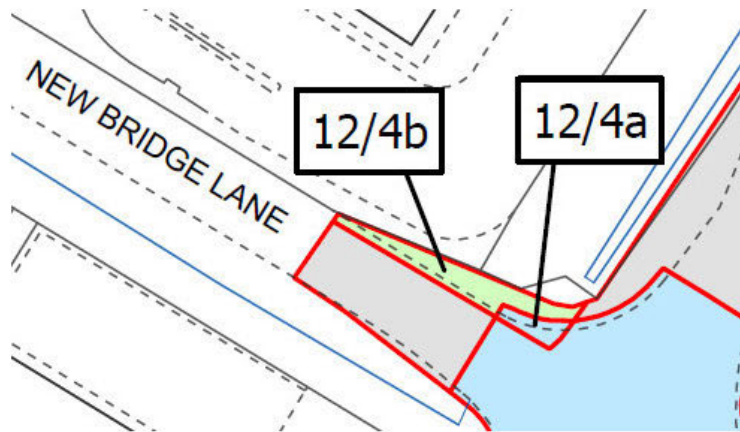
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**From:** Gerran McCrea  
**Sent:** Tuesday, August 8, 2023 3:26 PM  
**To:** Brittain, George [REDACTED]  
**Cc:** Tim Marks [REDACTED]; Paul Carey [REDACTED]  
**Subject:** RE: MVV Medworth

Good afternoon, George,

Cambridgeshire County Council have suggested that they might be prepared to use their powers under s.228 and adopt the small plot of land (12/4b) belonging to Tesco, at the New Bridge Lane/Cromwell Road junction, which we discussed previously (see below for reference)



Please could you confirm that you would not object to a notice served under s228 of the Highways Act 1980 in respect of plot 12/4b; and that this would not affect the terms of, or the ability for CCC to enforce, the S106 Agreement dated 11 December 2013 between Tesco Stores Limited and CCC in respect of other land. CCC are also keen to have a meeting together with us and yourself, can you let me know if you would be happy for me to arrange this?

Thank you in advance.

KRs  
G

Gerran McCrea  
Head of Development – MVV Environment Ltd.



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From: Brittain, George [REDACTED]  
Sent: Thursday, July 27, 2023 3:15 PM  
To: Gerran McCrea [REDACTED]  
Cc: Tim Marks [REDACTED]; Paul Carey [REDACTED]  
Subject: RE: MVV Medworth

Afternoon Gerran,

We have no principal objection.

regards

George Brittain  
Lead Asset Manager



Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire, AL7 1GA.  
[www.tescopl.com](http://www.tescopl.com) | @tesconews

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From: Gerran McCrea [REDACTED]  
Sent: 26 July 2023 09:26  
To: Brittain, George [REDACTED]  
Cc: Tim Marks [REDACTED]; Paul Carey [REDACTED]  
Subject: MVV Medworth

**Be careful, this message is from outside of Tesco. Inspect the email and if it's suspicious, report it using the Report Phishing button or email [REDACTED]**

Good morning, George,

Please find attached letter, which we have also sent to your address at Shire Park, Welwyn Garden City.

I would be most grateful if you could confirm that Tesco has no in principle objection to our change proposal as previously discussed.

Thank you in advance.

Kind regards

Gerran McCrea  
Head of Development – MVV Environment Ltd.

[REDACTED]

[REDACTED]

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**Table 1.1 Applicant's Deadline 8 documents**

Reference	Document	Revision	Reason
<b>Volume 1 Application Forms</b>			
1.5	Guide to the application (clean)	Rev 11	This document provides confirmation of the latest versions of documents relevant to the Examination.
1.5	Guide to the application (tracked)	Rev 11	As above.
<b>Volume 2 Plans</b>			
2.4	Access and Public Rights of Way Plan	Rev 7	This document has been amended at the request of Cambridgeshire County Council (CCC). Revision 7 corrects a minor drafting error as to the alignment of the highway boundary on the north side of New Bridge Lane, immediately to the west of the drain feature.
<b>Volume 3 Draft Development Consent Order</b>			
3.1	Draft Development Consent Order (clean)	Rev 7	The Draft DCO has been updated to incorporate a new article providing powers to modify an existing S106 Agreement (relating to the Tesco development), reflecting the outcome of discussions between the Applicant, CCC and Tesco, on the delivery of access improvements for the Proposed Development. Schedule 13 (Documents and Plans to be Certified) has also been updated to incorporate the latest versions of relevant documents and plans submitted at Deadline 8.
3.1	Draft Development Consent Order (tracked)	Rev 7	As above.
3.1	DCO SI Template Validation Report		As requested by the ExA within their Rule 8 letter, for the final version of the Draft DCO submitted to the Examination.
<b>Volume 7 Other Documents</b>			
7.10	Outline Fire Prevention Plan (clean)	Rev 3	Updated at the request of the Environment Agency during discussions relating to the Environmental Permit Application for the Proposed Development and submitted to the Examination for completeness and consistency.
7.10	Outline Fire Prevention Plan (tracked)	Rev 3	As above.
7.11	Outline Odour Management Plan (clean)	Rev 3	As above.
7.11	Outline Odour Management Plan (tracked)	Rev 3	As above.



Reference	Document	Revision	Reason
Volume 8 – Procedural Decision A (9 February 2023) Submission			
8.2	Statement of Common Ground between Medworth CHP Limited and Network Rail (signed)	Rev 3	As requested by the ExA within their Rule 8 letter. This document has been updated to reflect the final agreed position reached with Network Rail as at Deadline 8.
Volume 9 – Deadline 1 (10 March 2023) Submission			
9.4b	Statement of Common Ground between Medworth CHP Limited and Cambridgeshire County Council and Fenland District Council (signed)	Rev 5	As requested by the ExA within their Rule 8 letter. This document has been updated to reflect the final agreed position reached with the host local authorities of Cambridgeshire County Council and Fenland District Council as at Deadline 8.
9.16	Statement of Commonality of Statements of Common Ground	Rev 8	This document has been updated to confirm that all SoCGs requested by the ExA have now been finalised and signed by Deadline 8. It identifies where common ground could and could not be reached between the Applicant and the relevant SoCG parties.
9.20	Schedule of Changes	Rev 8	This document summarises the changes made to documents submitted with the original DCO application at each successive examination deadline, including the draft DCO. It explains what changes have been made and the reasons for making those changes.
Volume 10 – Deadline 2 (24 March 2023) Submission			
10.5	Status of Negotiations with Statutory Undertakers	Rev 5	This document has been updated to reflect the further progress made in negotiations with statutory undertakers at Deadline 8, most notably with the Hundred of Wisbech Internal Drainage Board and National Highways.
Volume 18 – Deadline 8 (18 August 2023) Submission			
18.1	Deadline 8 Covering Letter	Rev 1	The covering letter outlines the content of the Applicant's Deadline 8 submission.
18.1	Deadline 8 Covering (redacted)	Rev 1	As above.
18.2a	Applicant's Comments on Deadline 7 submissions Part 1 Statutory Parties	Rev 1	As requested by the ExA within its Rule 8 letter. This document sets out the Applicant's responses to the Deadline 7 submissions made by statutory parties
18.2b	Applicant's Comments on Deadline 7 submissions Part 2 Other Interested Parties	Rev 1	As requested by the ExA within its Rule 8 letter. This document sets out the Applicant's responses to the Deadline 7 submissions made by Other Interested Parties.
18.3	Applicant's Comments on Deadline 7A submissions	Rev 1	As requested by the ExA within its Rule 8 letter. This document sets out the Applicant's responses to Deadline 7A submissions.



Reference	Document	Revision	Reason
18.4	Applicant's Comments on the Responses to ExQ3	Rev 1	As requested by the ExA within its Rule 8 letter. This document sets out the Applicant's comments on the responses made by Statutory and Other Interested Parties to the ExA's Third Written Questions (ExQ3).
18.5	Closing Position Statement on Waste Need	Rev 1	This document provides an overall summary of the Applicant's position as regards waste matters.
18.6	Closing Position Statement on Climate	Rev 1	This document provides an overall summary of the Applicant's position as regards climate matters.
18.7	Closing Position Statement on Access Improvements	Rev 1	This document summarises the Applicant's position on access matters, including the deliverability of the access improvements for the Proposed Development (including in particular Work 4A).