



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

By email to:
Medworth@planninginspectorate.gov.uk

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Paul Carey
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Registration Number:
13130012

30 November 2023

Dear Mr Wheadon

**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)**

Post examination update

Medworth CHP Limited ('the Applicant') for the Medworth EfW CHP Facility DCO Application notes that the DCO Application is now with the Secretary of State for determination.

The Applicant is writing to provide an update on a number of matters that were outstanding at the end of the Examination and provide copies of the supporting documents where required.

On 22 November 2023, the Government published and laid before parliament revised National Policy Statements EN-1, EN-3 and EN5. The Applicant notes that the transitional arrangements in Section 1.6 of revised EN-1 apply to the DCO Application. However, the Applicant considers the revised NPSs to be important and relevant and in particular refers to Section 4.2 of EN-1 relating to critical national priority (CNP) infrastructure. The Medworth EfW CHP Facility constitutes "*low carbon infrastructure*" and is therefore CNP infrastructure in accordance with paragraph 4.2.5 of revised EN-1. The Applicant has applied the mitigation hierarchy as set out in **Volume 6.2 ES Chapter 4 Approach to Environmental Impact Assessment [APP-031]**. The Applicant refers to paragraph 4.2.15 of revised EN-1 which states that non-HRA and non-MCZ residual impacts are "*unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts*".

The Applicant can provide an update to the National Policy Statement Tracker Rev 3 [REP7-038] if it would assist the Secretary of State.

Supporting Documents

Table 1.1 (enclosed) lists the supporting documents enclosed with this letter. The reason for enclosing each document is explained in Table 1.1.

Network Rail update

On 21 November 2023, Network Rail and the Applicant entered into a framework agreement in relation to the protection of Network Rail's assets. This has enabled Network Rail to withdraw its objection to the DCO Application. The Applicant requests that Network Rail's preferred form of protective provisions are included in the made Order, if granted. A copy of these are enclosed for reference, see Network Rail's withdrawal of objection and protective provisions, Volume 19.2.


Section 106 Agreement and other Legal Agreements

On 4 October 2023, the Applicant entered into a S106 Agreement and S111 Agreement with Cambridgeshire County Council. The S106 Agreement includes an agreed form of S278 Agreement to be entered into prior to the commencement. Copies of the signed agreements are enclosed:

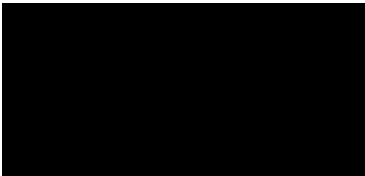
- Section 106 Agreement (including the agreed form of Section 278 Agreement), Volume 19.3; and
- Section 111 Agreement, Volume 19.4.

UKPN lease update

On 15 November 2023, the Applicant entered into an Option for Lease with Eastern Power Networks plc (part of UK Power Networks (UKPN)) for the land required for the Applicant's Substation adjacent to the point of connection at the Walsoken DNO Substation, including access and works required to facilitate the point of connection.

Should you have any questions concerning the Applicant's submission, please do not hesitate to contact Tim Marks 

Yours sincerely



Paul Carey
Managing Director



Tim Marks
Head of Planning

Enc: Table 1.1: Applicant's supporting documents (Volume 19)

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Reference	Document	Reason
19.1	Deadline 8 Covering Letter	The covering letter outlines the content of the Applicant's updates to the Secretary of State (November 2023)
19.1	Deadline 8 Covering Letter (redacted)	As above.
19.2	Network Rail's withdrawal of objection and protective provisions	Network Rail's withdrawal of objection notification and agreed protective provisions
19.3a	Section 106 Agreement (Medworth CHP Limited)	Completed Section 106 agreement (including agreed form of section 278 agreement) – signed by the Applicant
19.3b	Section 106 Agreement (Alboro Developments Limited)	Completed Section 106 agreement (including agreed form of section 278 agreement) – signed by the landowner
19.3c	Section 106 Agreement (Cambridgeshire County Council)	Completed Section 106 agreement (including agreed form of section 278 agreement) – signed by Cambridgeshire County Council
19.4a	Section 111 Agreement (Medworth CHP Limited)	Completed Section 111 agreement – signed by the Applicant
19.4b	Section 111 Agreement (Cambridgeshire County Council)	Completed Section 111 agreement – signed by Cambridgeshire County Council