



# STATEMENT OF COMMON GROUND – AVIVA: 8.1.21

**DECARBONISATION**

## Cory Decarbonisation Project

PINS Reference: EN010128

**October 2024**

**Revision B**

## QUALITY CONTROL

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## SIGNATORIES

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	Aviva	Cory Environmental Holdings Limited (the Applicant)
Signed		
Printed Name		
Title		
On behalf of	Aviva	Cory Environmental Holdings Limited
Date		

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## 1. INTRODUCTION

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### 1.1. Parties

1.1.1. The “Parties” to this Statement of Common Ground (‘SoCG’) are Cory Environmental Holdings Limited (‘the Applicant’) and Aviva Life & Pensions UK Limited (‘Aviva’).

### 1.2. Purpose of this Statement of Common Ground

1.2.1. This SoCG has been prepared by the Applicant to inform the Examining Authority of the matters agreed and, if applicable, the matters yet to be agreed, between the Parties in relation to the Development Consent Order (‘DCO’) application for the Cory Decarbonisation Project (‘the Proposed Scheme’).

### 1.3. Background and Description of the Proposed Scheme

1.3.1. The Applicant has applied to the Secretary of State for Energy Security and Net Zero under the Planning Act 2008 for powers to construct, operate, maintain and decommission a carbon capture facility to capture carbon dioxide from energy from waste facilities Riverside 1 and Riverside 2 (at the time of writing, construction for Riverside 2 is ongoing) at the Applicant’s existing facility on Norman Road (‘the Riverside Campus’), in the London Borough of Bexley.

1.3.2. The application was submitted to the Planning Inspectorate on 20 March 2024 and was accepted for Examination on 18 April 2024.

1.3.3. The Proposed Scheme is described in **Chapter 2: Site and the Proposed Scheme (Volume 1)** of the **Environmental Statement (APP-051)** and the principal elements include:

- the Carbon Capture Facility (including its associated supporting plant and ancillary infrastructure);
- a Proposed Jetty to allow for export of the captured carbon by vessel;
- a Mitigation and Enhancement Area;
- Temporary construction compounds; and
- Utilities Connections and Site Access Works.

### 1.4. Aviva’s Interests

1.4.1. The Applicant has engaged and consulted with Aviva because Aviva is the freehold owner of the following land plots listed in the **Book of Reference (AS-016)** and identified on the **Land Plans (AS-006)**: 1-007, 1-023, 1-024A, 1-027, 1-028, 1-028A, 1-028B, 1-072, 1-072A, 1-094, 1-098, 1-100, 1-100A, 1-100B, and 1-100C.

1.4.2. These land plots are primarily comprised of drainage ditches, dykes, embankments, and the spur road immediately to the east of Norman Road and the Applicant’s existing facility on Norman Road.

- 1.4.3. Aviva also has rights over the following land plots listed in the **Book of Reference (AS-016)** and identified on the **Land Plans (AS-006)**: 1-053, 1-083, 1-092, and 1-097.
- 1.4.4. These land plots primarily comprise the access road from Norman Road into the Iron Mountain site, and over the Iron Mountain site itself, reserved in order for Aviva solely to fulfil its maintenance obligations under the River Works Licences ('RWL') it holds from the Port of London Authority ('PLA') in respect of the Belvedere Power Station Jetty ('BPSJ').
- 1.4.5. Aviva is also the owner of the existing BPSJ, a legacy asset left over from the decommissioning and demolition of the Belvedere Power Station in 1986 and 1994, respectively. Aviva has rights to retain the BPSJ in the riverbed owned by the PLA in the following land plots listed in the **Book of Reference (AS-016)** and identified on the **Land Plans (AS-006)**: 1-107, 1-110, 1-111, and 1-118.

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## 2. RECORD OF ENGAGEMENT

2.1.1. A summary of the key meetings and key correspondence between the Parties can be found in the table below.

**Table 1. Record of Engagement**

<b>Date</b>	<b>Form of Correspondence</b>	<b>Summary of Matters Dealt with in Correspondence / Meetings</b>
<b>15.02.2023</b>	Letter	LIQ issued to Aviva
<b>17.04.2023</b>	Letter	Letter issued to Aviva chasing LIQ response, inviting initial views on the Proposed Scheme, and requesting meeting availability
<b>19.05.2023</b>	Meeting	Meeting held with representatives of Aviva to introduce the Proposed Scheme, the outcome of the Applicant's scoping report, the LIQ that had been sent to Aviva, and to clarify Aviva's ownership and rights
<b>19.05.2023</b>	Email	Email to Aviva enclosing LIQ, the letter sent on 17.04.2023 and the scoping report
<b>08.06.2023</b>	Email	Exchange of emails to provide meeting notes from 19.05.2023 and to raise prospect of discussing the possible transfer of the existing BPSJ
<b>12.06.2023</b>	Email	Email from Aviva enclosing RWL for the existing BPSJ
<b>12.06.2023</b>	Meeting	Meeting held with Aviva to discuss the Proposed Scheme (Aviva noted it was generally supportive of the Proposed Scheme), Aviva's ownership and interests, and the potential for transferring the BPSJ to the Applicant
<b>18.10.2023</b>	Letter	Section 42 documentation issued by the Applicant to Aviva
<b>17.11.2023</b>	Email	Email to Aviva enclosing section 42 documentation and a further RWL for the

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence / Meetings
		existing BPSJ received from the PLA, requesting whether any other River Works Licences were in place for the existing BPSJ, and seeking clarification on the pipework shown on the RWL plans.
28.02.2024	Meeting	Meeting held with Aviva’s representatives to discuss the options available for (a) the Applicant taking control of the existing BPSJ and (b) the permanent and temporary rights it intends to seek over Aviva owned land through the <b>draft DCO (AS-014)</b> , and proposals for how to implement these. The general consensus from the Parties was that it would be simpler to use DCO powers to deliver both (a) and (b), subject to Aviva reviewing the position with its legal advisors. The Parties agreed to meet again following submission of the DCO application to discuss and agree next steps in further detail.
22.04.2024	Email	The Applicant confirmed to Aviva that its DCO application has been accepted for Examination and provided a link to application documents on the Planning Inspectorate’s website.
30.04.2024	Meeting	Meeting held with Aviva’s representatives to review ownership, the powers the Applicant is seeking in its <b>draft DCO (AS-014)</b> and how these might effect Aviva’s interests and the existing BPSJ, and to discuss whether Aviva would prefer the Applicant to use its DCO powers or to assemble the land and rights required through a voluntary agreement. The meeting also introduced the concept of a SoCG to record the position.



Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence / Meetings
23.05.2024	Email	Email to Aviva enclosing meeting notes from 30.04.2024 and identifying plots of land the Applicant understands Aviva to own or otherwise has an interest in that have been included in the DCO application, and over which the Applicant is seeking temporary possession and permanent acquisition powers. Email also enclosed article in the <b>draft DCO (AS-014)</b> that deals with the extinguishment of Aviva’s RWL and inviting Aviva to form a view on how it wishes to proceed (i.e. through a voluntary agreement or use of powers).
11.06.2024	Email	Email to Aviva confirming the Applicant wishes to agree an SoCG. Email also enclosed plans received from the PLA showing an outfall pipe running under the adjoining Iron Mountain and Lidl sites outside the red-line boundary of the DCO application, and as a result advised Aviva that the Applicant would therefore be pursuing a variation to the RWL rather than a full extinguishment in the <b>draft DCO (AS-014)</b> .
09.07.2024	Email	Email to Aviva summarising key points the Applicant considers needs capturing in a SoCG.
19.08.2024	Email	Email from the Applicant to Aviva enclosing a draft SoCG for Aviva to review.

2.1.5. The Parties remain in regular communication.

### 3. MATTERS AGREED BETWEEN THE PARTIES

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#### 3.1. Introduction

3.1.1. The Parties are agreed on the points set out in this section.

#### 3.2. Matters Agreed

3.2.1. Aviva is the freehold owner of the following land plots listed in the **Book of Reference (AS-016)** and identified on the **Land Plans (AS-006)**: 1-007, 1-023, 1-024A, 1-027, 1-028, 1-028A, 1-028B, 1-072, 1-072A, 1-094, 1-098, 1-100, 1-100A, 1-100B, and 1-100C.

3.2.2. Aviva is also the owner of the existing BPSJ, which it holds in part under RWL's from the PLA, in the following land plots listed in the **Book of Reference (AS-016)** and identified on the **Land Plans (AS-006)**: 1-107, 1-110, 1-111, and 1-118.

3.2.3. Aviva benefits from rights over the following land plots listed in the **Book of Reference (AS-016)** and identified on the **Land Plans (AS-006)**: 1-053, 1-083, 1-092, and 1-097.

3.2.4. Aviva benefits from rights over the land plots listed in paragraph 4.2.3 to access the land based elements of the existing BPSJ for inspection and maintenance. The Applicant is seeking powers to acquire new rights in the **draft DCO (AS-014)** over these plots to effectively replicate the rights Aviva currently enjoys in respect of the existing BPSJ but for the purposes of the Proposed Scheme. In addition, the Applicant is seeking powers to acquire new rights to use plots 1-028 and 1-028A (owned by Aviva), being the spur road to the east of Norman Road, to access the River Thames and new jetty infrastructure it proposes to construct as part of the Proposed Scheme and for its own ongoing maintenance.

3.2.5. Part of the existing BPSJ and associated infrastructure is within the red line boundary of the Applicant's DCO application, and the Applicant's DCO application proposes to build a new jetty on the river bed in front of the existing jetty and to either modify or remove the existing jetty infrastructure.

3.2.6. Owing to part of the existing BPSJ and its associated infrastructure being held under a River Works Licence ('RWL') from the PLA and being within the red line boundary of Cory's DCO application, should the DCO be granted the Applicant intends (through amendments to be made to the **draft DCO (AS-014)** submitted with the application) to extinguish those parts of the RWL falling within the red-line boundary (i.e. those plots listed in paragraph 4.2.2). This will relieve Aviva of its liabilities for those same parts within the red-line boundary. Aviva's will still retain liability for the extent of its infrastructure aspects outside of the red line boundary under the RWL.

3.2.7. If the DCO is granted, the Applicant intends to implement, where necessary, the compulsory and temporary possession powers it is seeking in respect of Aviva's land interests within the red-line boundary to facilitate the construction, operation,

maintenance and decommissioning of the Proposed Scheme. In doing so the Parties have agreed that any compensation due will be dealt with and assessed under the Compensation Code (the set of principles derived from statute and case law relating to compensation for compulsory acquisition) and associated payment mechanisms when the statutory liability arises.

- 3.2.8. The implementation of Cory's DCO powers, if consented, is the preferred course of action in terms of the assembly of the land and rights required for the purposes of the Proposed Scheme, in lieu of an agreement.

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## **4. MATTERS UNDER DISCUSSION**

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### **4.1. Introduction**

4.1.1. There are currently no matters under discussion between the Parties.

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