



EXAMINATION PROGRESS TRACKER: 9.10

DECARBONISATION

Cory Decarbonisation Project

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Revision A

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1. INTRODUCTION

1.1. INTRODUCTION AND PURPOSE

- 1.1.1. This Examination Progress Tracker relates to an application (the 'Application') made by Cory Environmental Holdings Limited (the 'Applicant'), to the Secretary of State for Energy and Net Zero for a Development Consent Order ('DCO') under section 37 of the Planning Act 2008 (the 'PA 2008') for the proposed Cory Decarbonisation Project in Bexley, London (the 'Proposed Scheme').
- 1.1.2. The Application has been accepted for examination. The Examination commenced on 5 November 2024.
- 1.1.3. This Examination Progress Tracker has been prepared by the Applicant further to the Examining Authority's ('ExA's') **Rule 6 Letter (PD-005)** and **Rule 8 Letter (PD-006)** and meets the ExA's expectations in those letters for it to be "*a live document that tracks principle and other notable issues in the Examination, most helpfully set out in tabular form, including a simple visual referencing system indicating matters resolved, capable of resolution or not*".
- 1.1.4. This first draft of the Examination Progress Tracker, is in the form of a table, as requested by the ExA, and is set out at **Section 2**, focussing on principle/notable matters.
- 1.1.5. Notably, however, this Tracker does not deal with the matter of Optioneering. Whilst the Applicant recognises that this is likely to be the 'predominant' issue for this Examination, it is not a matter that it is considered to have any 'progress' per se that can be tracked – it is clear that Interested Parties are all of the view that the Applicant's proposals should variously avoid Metropolitan Open Land (MOL), Accessible Open Land, local nature designations, and/or Landsul/Munster Joinery land, and the Applicant considers that its optioneering process, as discussed in the **Terrestrial Sites Alternative Report ('TSAR') (APP-125)**, the **TSAR Addendum (AS-043)**, the **TSAR Appendix H: Terrestrial Site Alternatives Report – Addendum (AS-062)** and its **Response to Relevant Representations (AS-044)** demonstrates that the Site it has chosen is the most suitable location for the Proposed Scheme. This will continue to be discussed in Examination submissions, and each respective party will set out their case.
- 1.1.6. The status of the issues within the Examination Tracker is based on a Red, Amber, Green ('RAG') rating as follows:

	Currently subject to disagreement
	Subject to further/ on-going discussion
	Agreed

2. EXAMINATION PROGRESS TRACKER

2.1. SUMMARY OF THE PRINCIPAL ISSUES RAISED

2.1.1. Table 2-1 provides a summary of the principal/ notable issues raised by Interest Parties and the status of those issues.

Table 2-1: Examination Progress Tracker

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
Terrestrial Biodiversity	Interaction with existing consents/planning obligations	Friends of Crossness LNR Save Crossness LNR London Borough of Bexley (LBB) Thames Water Utilities Ltd (TWUL)	Concerns raised about the efficacy of the Applicant's proposed mitigation measures and whether they can be considered as 'double counting' when considered alongside TWUL's existing Crossness LNR obligations and previous s.106 obligations relating to providing mitigation for Viridion Business Park at Norman Road Field.	Applicant has worked with Interested Parties to find planning information and its Deadline 1 submissions have set out its position on double counting for Interested Parties to consider (Written Summary of Oral Submissions at ISH1 and its Appendix F). The wording in the draft DCO (AS-056) ensures that the Outline LaBARDS proposals will wipe the slate clean legally and create one regime of ecological management moving forward.	
	Delivery of the Outline Landscape Biodiversity Access and Recreation Delivery Strategy (LaBARDS)	Peabody/Tilfen Land Limited LBB TWUL	Status of TWUL's retained part of the Crossness LNR in the Outline LaBARDS (APP-129) dependent on TWUL position on this. Usage of Thamesmead Golf Course requires Deed of Obligation to be entered into.	Draft deed of obligations have been sent to Interested Parties and submitted at Deadline 1.	
	Water Vole Mitigation	Natural England	Letter of No Impediment being sought in respect of Water Vole mitigation.	Draft method statement has been issued to Natural England and comments received. A meeting with Natural England regarding the comments was held on the 21 st November. The Applicant is updating this method statement for re-submission.	
	AQ impacts to Inner Thames Marshes SSSI	Natural England	Natural England have queried the Applicant's air quality assessment in respect of impacts to this SSSI.	The Applicant has prepared and issue a technical note which responds to Natural England queries in respect to air quality impacts on the SSSI. The technical note outlines the additional air quality modelling which has been undertaken to mitigate impacts from the Proposed Scheme on designated ecological sites. The Applicant is awaiting a response from National England. The Applicant has provided an updated version of the Mitigation Schedule (as updated alongside this submission) and the draft DCO (as updated alongside this submission) to reflect the conclusions	

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				of the technical note and ensure that no likely significant effects can arise to the SSSI.	
Marine Ecology	n/a	MMO	<p>The MMO partially agree with the Applicant's assessment of contaminants, the Applicant agreed that once additional sampling has been carried out, the Applicant will submit a technical note into the examination to validate the conclusions reached in the Environmental Statement.</p> <p>The MMO raised queries with regards to the Applicant's marine mammals assessment within Appendix 6-4: Underwater Noise Assessment of the Environmental Statement (Volume 3) (APP-084) (2% and 4%).</p>	<p>The Applicant will share the results of the additional sampling with the MMO within the second half of the examination.</p> <p>The Applicant provided a written response to the comments made in the MMO's RR (RR-150) and additional comments received on the 9th September within Table 5-2 of the Applicant's Response to Relevant Representations (AS-043). This continues to be discussed with MMO.</p>	
Flood Risk (including coastal modelling)	n/a	Environment Agency ('EA')	<p>The Applicant are currently discussing the following matters with the Environment Agency:</p> <ul style="list-style-type: none"> • Following the Environment Agency's sedimentation review (regarding coastal processes), the Environment Agency raised queries regarding the Applicant's modelling and the results at the Belvedere Power Station Jetty, Proposed Jetty and the Great Breach Pumping Station Outfall; • The Environment Agency's Risk and Evidence Team are carrying out a breach model review (flood risk) and have requested data files from the Applicant; • Regarding land raising, and mitigation regarding buffer zones the Applicant is awaiting the Environment Agency's comments on proposed updated wording within the Design Principles and Design Code (AS-020); and • The Environment Agency are considering the draft Protective Provisions within the Draft DCO (AS-056) to ensure its protected (including its land interests), as well as the wording of the DCO Requirements. Given this, it is as yet unable to issue its section 150 consent or agree to the disapplications currently in the Draft DCO (AS-056). 	<p>The Applicant has since prepared and issued a Technical Note in response to the Environment Agency's queries regarding Coastal Processes. The Applicant is awaiting a response from the Environment Agency.</p> <p>The Applicant is currently preparing the additional data files requested by the Environment Agency.</p> <p>The Applicant is currently awaiting confirmation from the Environment Agency that they are content with the updated wording within the Design Principles and Design Code (AS-020), draft SoCG and the draft Protective Provisions within the draft DCO (AS-056).</p>	

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
Compulsory Acquisition ¹	Extent/Size of Land Requirements	Landsul/Munster Joinery PLA	Landsul/Munster Joinery consider that the terrestrial land take is excessive. PLA have queried the extent of temporary possession land in the River Thames (particularly in the navigation channel).	The Applicant has set out its position in its application documentation, Response to Relevant Representations (AS-043) and its Deadline 1 Summary of Case (as updated alongside this submission) documentation as to why it considers its land take is required to meet operational requirements. The Applicant also shared requested technical information to Landsul/Munster Joinery on 14 th November 2024. Landsul/Munster Joinery will be submitting technical report on this point at Deadline 1 which Applicant will respond to at Deadline 2. The Applicant has set out its position in its Written Summary of Oral Submissions at CAH1 in respect of the PLA's concerns.	
	Need for Single Site	Landsul/Munster Joinery	Landsul/Munster Joinery consider that if the South Zone is to be utilised, the Proposed Scheme could be designed to avoid its land, through a split site.	Applicant has made submissions on this in its Written Summary of Oral Submissions at ISH1 submitted at Deadline 1 and considers that a single site would not ensure a safe, suitable and secure operation. Landsul/Munster Joinery will be submitting technical report on this point at Deadline 1 which Applicant will respond to at Deadline 2.	
	Interaction with TWUL/Western Riverside Waste Authority (WRWA)	TWUL WRWA	Both parties concerned whether the Applicant has taken the right approach to the powers sought over their respective land interests.	Building on Statement of Reasons, see Applicant's Summary of Case Written Summary of Oral Submissions at CAH1 submitted at Deadline 1. Discussions on voluntary agreement with TWUL continues – revised HoTs have been sent to TWUL prior to Deadline 1. Discussions continue with WRWA to understand their concerns and how they can be assuaged, noting article 30(6)(b) and the RRRL Protective Provisions.	

¹ Note updates on negotiations with Affected Persons is recorded in the Land Rights Tracker and therefore not provided for additionally here. With the updates to the OLaBARDS and its Summary of Case from CAH1, the Applicant considers that there are no remaining 'issues' under discussions with regards to equalities matters.

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
DCO Drafting	DCO Drafting	Port of London Authority (PLA) (article 8, Requirements and PP EA TWUL LBB National Highways ('NH') MMO	PLA: Article 8, Requirements and Protective Provisions Environment Agency: Protective Provisions TWUL: Protective Provisions LBB: Drafting in relation to Streets NH: Requirements MMO: Deemed Marine Licence drafting, transfer of benefit wording and dispute resolution wording.	PLA: Various meetings and sharing of correspondence. Understood that Requirements may now be agreed; Protective Provisions also agreed save for paragraph 46 and its relationship with article 8; and article 8 itself. EA: Comments awaited on Protective Provisions. TWUL: Comments awaited on Protective Provisions. LBB: Comments awaited from LBB on Applicant's response to Relevant Representations on streets related drafting. NH: It is understood that NH are now content with the DCO Requirements. MMO: Comments awaited from MMO on 25 September DCO.	
Traffic and Transport	Landside Transport	National Highways Kent County Council (KCC) Dartford Borough Council (DBC)	National Highways, KCC and DBC requested information in respect of the Riverside 2 Construction Traffic Management Plan (CTMP) and recorded Riverside 2 construction HGV movements and staff survey data. Amendments to the Framework Construction Traffic Management Plan (CTMP) (as updated alongside this submission) have been made in response to feedback provided by these stakeholders to strengthen the Framework CTMP to manage and mitigate the temporary construction vehicle impacts on the National Highways, KCC and DBC networks.	A meeting was held with National Highways, KCC and DBC and the Applicant. In response to comments received, an updated version of the Framework CTMP (as updated alongside this submission) was provided to Highways, KCC and DBC on the 15 th November 2024. The Applicant is currently awaiting a response from Kent CC, Dartford BC and National Highways but has submitted the proposed updated at Deadline 1.	
	River Transport	PLA, Kent County Council, NH	These Interested Parties seek more commitments in respect of river transport from the Applicant.	Responses from Interested Parties are awaited to the Applicant's Responses to Relevant Representations (AS-043) on this point.	



DECARBONISATION

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