

Indaver Rivenhall IWMF DCO

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009

**Other Documents [PINS Ref: EN0101038]**

# Land Ownership and Interests Schedule

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**Revision Number 1.0**

**APFP Regulation 5(2)(q)**

November 2023  
Indaver Rivenhall Ltd

Leading the field in  
sustainable waste  
management.

# LAND OWNERSHIP AND INTERESTS SCHEDULE

## Rivenhall IWMF DCO

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## 1. Part 1 - Introduction

- 1.1. This Landownership / Interests Schedule ("**LOS**") has been prepared on behalf of Indaver Rivenhall Limited (the "**Applicant**"). It forms part of the application (the "**Application**") for a Development Consent Order ("**DCO**"), that is being submitted to the Secretary of State for Energy Security and Net Zero ("**SoS**"), under Section 37 of the Planning Act 2008 (the "**PA 2008**").
- 1.2. The Applicant is seeking development consent for the extension of capacity of the Rivenhall Integrated Waste Management Facility (the "**Proposed Development**"), on the site of the former Rivenhall Airfield north west of Kelvedon, Essex (the "**Site**").
- 1.3. A DCO is required for the Proposed Project as it falls within the definition of a 'Nationally Significant Infrastructure Project' ("**NSIP**") under Sections 14(1)(a) and 15(1)(2)(a) to (c) of the PA 2008.
- 1.4. The DCO, if made by the SoS, would be known as 'The Rivenhall Generating Station Extension Order 202[ ]' (the "**Order**").
- 1.5. The works comprising the authorised development are described in Schedule 1 to the Order and shown on the Indicative Designs and Locations of Work No 1 and 2 Plan. This Plan outlines the extent of the of land within which the authorised development may be carried out (the "**Order Limits**").
- 1.6. Every parcel of land that is affected is identified as a plot and a unique number has been ascribed to each plot. The plots are shown on the Land Plans which accompany the Order and are listed in this LOS.
- 1.7. The Proposed Project does not require any compulsory acquisition of land or the acquisition, extinguishment, or

interference with the rights of any other party. As such a book of reference has not been provided with the Application because it is not applicable (as per Regulation 5(2)(d) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the “**APFP Regulations**”). This is because:

- 1.7.1. there are no persons in Category 1 or 2 who have interests in the land as described in Regulation 7(1)(a) of the APFP Regulations which it is proposed shall be subject to powers of compulsory acquisition, rights to use land, or rights to carry out protective works to buildings.
- 1.7.2. after making diligent inquiry, the Applicant has not identified any Category 3 persons as defined by section 57(4) of the PA 2008 as described in Regulation 7(1)(b) of the APFP Regulations.
- 1.7.3. there is also no land or interest falling within Regulation 7(1) parts (c) to (e) of the APFP Regulations.

1.8. This LOS has been prepared instead to identify Category 1 and 2 persons for the purposes of consultation and publicity under sections 42(1)(d), 44, 56(2)(d) and 57 of the PA 2008. It is submitted with the Application pursuant to Regulation 5(2)(q) of the APFP Regulations.

1.9. Section 42(1)(d) of the PA 2008 requires that the Applicant must consult each person who is within one or more of the categories set out in section 44 of the PA 2008 about the proposed application.

1.10. Section 56(2)(d) of the PA 2008 provides that the Applicant must give notice of the Application to each person who is within one or more of the categories set out in section 57 of the PA 2008.

1.11. Section 44 of the PA 2008 places a duty on the Applicant to make ‘diligent inquiry’ as to the identification of persons described in Section 44 as Category 1, 2, or 3 persons. The term ‘diligent inquiry’ is not defined for the purposes of the PA

2008 but requires all reasonable and recognised avenues of research to be exhausted. Category 1, 2 and 3 persons are defined as:

- 1.11.1. Category 1 persons are defined as those who own, lease, or hold a tenancy in relation to or occupy the land (section 44(1) and 57(1) of the Act).
- 1.11.2. Category 2 persons are those who have an interest in the land or have the power to sell and convey or to release such land (section 44(2) and 57(2) of the PA 2008).
- 1.11.3. Category 3 persons are defined in section 44(4) and 57(4) of the PA 2008 and are persons whose land, whilst not directly affected by the authorised development, may be entitled to make a relevant claim for compensation under section 10 of the Compulsory Purchase Act 1965, Part 1 of the Land Compensation Act 1973 or section 152(3) of the PA 2008, for loss resulting from the implementation of the Order and use of the land once the Order has been implemented.

- 1.12. The methods employed by the Applicant to seek to ensure that all Category 1, 2 and 3 persons were identified and consulted included searches at the Land Registry, discussions with key personnel of the Applicant with current and historical knowledge of the Site and local area, and a review of legal title reports.

## 2. Part 2 – Persons identified under sections 44 and 57 of the Planning Act 2008

Plot shown on Land Plan	Extent, description and situation of land	Category 1			Category 2	
		A person is within Category 1 if the applicant, after making diligent inquiry knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land; see section 44 (1) of the Planning Act 2008.				A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person – (a) is interested in the land, or (b) has power – (i) to sell and convey the land, or (ii) to release the land; see section 44 (2) of the Planning Act 2008.
		Freehold or Reputed Freehold Owners	Lessees or Tenants or Reputed Lessees or Tenants	Occupiers or Reputed Occupiers		
Plot edged in red	Land lying to the west of Woodhouse Lane, Kelvedon, Colchester  <b>Freehold – EX591558</b>  <b>Leasehold – AA22272</b>	<b>Wren Renewables (Holdings) Limited</b> (Co. Regn. No. 09301685) Court of Noke, Pembroke, Leominster HR6 9HW.	<b>Indaver Rivenhall Limited</b> (Co. Regn. No. 13020091) Kao Hockham Building, Edinburgh Way, Harlow CM20 2NQ	<b>Indaver Rivenhall Limited</b> (Co. Regn. No. 13020091) Kao Hockham Building, Edinburgh Way, Harlow CM20 2NQ	<b>HSBC UK Bank plc</b> (Co. Regn. No. 9928412) Customer Service Centre, BX8 5HB (in respect of registered charge dated 26 January 2023 registered under title EX591558)  <b>Wren Renewables (Holdings) Limited</b> (Co. Regn. No. 09301685) Court of Noke, Pembroke, Leominster HR6 9HW (as beneficiary of an option dated 13 January 2021 registered under title AA22272)	

