

# Cambridge City Council

## Responses to the Examining Authority's third written questions and requests for information (ExQ3)

**Application by Anglian Water Limited for an Order Granting Development Consent for the Cambridge  
Waste Water Treatment Plant Relocation project (CWWTPR) (Ref: WW010003)**

**Deadline 6**

2<sup>nd</sup> April 2024



## Response to ExA's Third Written Questions (ExQ3)

This document sets out the response to the Examining Authority (ExA)'s Third Written Questions and requests for information (ExQ3) by Cambridge City Council (CCC). The table below sets out the topic, question number and CCC's response.

Q.no	Directed to	Question	CCC Response
<b>1. GENERAL AND CROSS-TOPIC QUESTIONS</b>			
<b>1.5</b>	<b>Applicant, CCoC, SCDC, CCC</b>	<p><b>Ministerial Statements</b></p> <p>The Applicant provided two Ministerial Statements at Appendix C of, and in response to ExQ2.1.4 [REP5-111]. Please provide your view on the status of these statements.</p>	<p>The two Ministerial Statements referred to in the ExA's question and which are at Appendix C of the Applicant's response to ExQ2.1.4 [REP5-111] are in CCC/SCDC's opinion clearly Government policy statements and as they involve matters relevant to planning, they also therefore amount to national planning policy.</p> <p>In terms of their legal status as national policy which relates to planning, the ExA is referred to the recent judgment of Mr Justice Holgate in <u>Mead Realisations v SSLUHC [2024]</u> EWHC 279 (Admin) at [55-61] and [68] albeit in the context of the Town and Country Planning Act 1990 planning regimes and decisions made under that Act and the Planning and Compulsory Purchase Act 2004. They are in short, material considerations under that regime which are to be taken into account when making a decision whether to grant planning permission.</p>

			<p>In terms of decision making in accordance with the Planning Act 2008 such policy statements would fall within the category of “matters which...are both important and relevant to the Secretary of State's decision” and to which the ExA must have regard when considering a DCO and thereafter the SoS must have regard when deciding whether to grant an application for a DCO (see S103; 104 and 105). The weight to accord to policy as part of that decision making is a matter for the SofS as is any support from or conflict with it.</p> <p>A further example of such policy statements which will also be important and relevant to the SofS's decision in respect of this application is the more recent Government publication with a foreword by the SofS and the Chair of the Cambridge Delivery Group (CDG) is the “Case for Cambridge” [Appendix 1] dated March 2024, which builds upon the Government's ambition for positive growth of Cambridge into the future already referred to in previous Ministerial Statements. The Case for Cambridge sets out that <i>“the CDG is actively supporting the local area to unlock and accelerate the delivery of planned growth at key strategic sites, including the Cambridge Biomedical Campus, Cambridge East (Marshall's Airport) and North East Cambridge”</i> (page 34).</p>
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# Appendix

**Appendix 1. The Case for Cambridge (publishing.service.gov.uk)**

LINK: [https://assets.publishing.service.gov.uk/media/65f1d8edff11704896615973/The\\_Case\\_for\\_Cambridge\\_March\\_2024.pdf](https://assets.publishing.service.gov.uk/media/65f1d8edff11704896615973/The_Case_for_Cambridge_March_2024.pdf)