



STATEMENT OF COMMON GROUND - MARINE MANAGEMENT ORGANISATION: 8.1.7

Cory Decarbonisation Project

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SIGNATORIES

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

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1. INTRODUCTION

1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

- 1.1.1. A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO) and is prepared jointly by the applicant and another party.
- 1.1.2. Paragraph 007 of the Department for Levelling Up, Ministry for Housing Communities and Local Government (MHCLG) Guidance entitled 'Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects' (30 April 2024) (hereafter referred to as MHCLG Guidance)¹ describes a SoCG as follows:
- "A Statement of Common Ground (SoCG) is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at the examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority".*
- 1.1.3. This SoCG has been prepared in accordance with the MHCLG Guidance¹. The aim of a SoCG is to assist the Examining Authority in examining the DCO by providing an understanding of the status of discussions or negotiations between the applicant and the other party. The effective use of SoCG aid an efficient examination process.
- 1.1.4. A SoCG may be submitted to the Planning Inspectorate either prior to the start of or during an Examination and is updated as necessary or as requested during the Examination.
- 1.1.5. This SoCG has been prepared by WSP UK Limited on behalf of Cory Environmental Holdings Limited ('the Applicant'). It accompanies the application for a DCO ('the DCO Application') in relation to the Cory Decarbonisation Project in Bexley, London. The DCO Application has been made in accordance with Section 37 of the Planning Act 2008 (as amended) and submitted to the Secretary of State ('the SoS') for Energy Security and Net Zero (DESNZ).
- 1.1.6. The DCO, if granted, would authorise the construction, operation, maintenance and decommissioning of the Cory Decarbonisation Project (the 'Proposed Scheme'). The Proposed Scheme is to be located at Norman Road, Belvedere in the London Borough of Bexley (LBB) (National Grid Reference/NGR 549572, 180512).
- 1.1.7. The Proposed Scheme is described in **Chapter 2: Site and the Proposed Scheme (Volume 1)** of the **ES (APP-051)** and includes:
- 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.

1.2. INTRODUCTION TO MARINE MANAGEMENT ORGANISATION

- 1.2.1. This SoCG has been prepared between Marine Management Organisation and the Applicant (jointly referred to as the Parties) in relation to the DCO Application. The Marine Management Organisation is responsible for regulating and licensing activities in English waters to protect the marine environment.
- 1.2.2. As the Proposed Scheme involves works extending into the River Thames, mandatory consultation with the Marine Management Organisation has been undertaken. Advice and consultation responses are typically provided as part of non-statutory consultation and engagement, in response to the Environmental Impact Assessment (EIA) Scoping Report², as part of statutory consultation (including on the Preliminary Environmental Information Report (PEIR)³ and as part of participation in the Examination process.

1.3. STATEMENT OF COMMON GROUND STRUCTURE

- 1.3.1. Section 2 summarises all engagement to date of relevance to this SoCG and Section 3 details whether matters are Agreed, Not Agreed or Under Discussion between the Parties.
- 1.3.2. In respect of matters relevant to the Proposed Scheme, but not referred to in this SoCG, Marine Management Organisation has no further comments to make at this point. It may have further or additional comments to make, particularly if further information about the Proposed Scheme becomes available.
- 1.3.3. The SoCG is a document that will evolve during the Examination stage and will conclude with a version that confirms the Parties' positions on relevant matters before the close of the Examination.

2. RECORD OF ENGAGEMENT

- 2.1.1. A summary of the meetings and correspondence that has taken place between the Applicant and Marine Management Organisation in relation to the Proposed Scheme is outlined in **Table 2-1** below. There has been email correspondence between the Parties to discuss the sharing of information, arrangement of meetings and to share comment on draft documentation, but this table reflects the key meetings and emails of note that have taken place between the Parties.

Table 2-1 – Schedule of Meetings and Correspondence during the Pre-Application Stage

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
22 nd December 2023	Section 42 Responses Letter (email)	Marine Management Organisation's Section 42 response letter made comments on the following topics of the PEIR ³ : • Benthic Ecology; • Coastal processes; • Dredge and disposal; • Fisheries and Fish Ecology; • Shellfisheries; and • Underwater Noise.
7 th February 2024	Meeting	Meeting to present the design for the Proposed Jetty, associated dredging requirements, analysis undertaken to assess the coastal processes and risks to water quality in the River Thames, and further data requested by the MMO in order to validate the findings of Chapter 11: Water Environment and Flood Risk (Volume 1) (APP-060) and Appendix 11-1: Water Framework Directive Assessment (Volume 3) of the ES (APP-106) .

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
19 th March 2024	Meeting	Meeting to discuss the following Marine Biodiversity topics including fish surveys, the impact of underwater noise on fish, shellfish, offshore disposal of dredged material, and benthic subtidal sampling to inform Chapter 8: Marine Biodiversity (Volume 1) (APP-057) of the ES (APP-106). Meeting Minutes shared on 25/03/2024, MMO responded on 27/03/2024 to advise confirming there were no additional comments to make.
23 rd May 2024	Email (and upload to the case management system)	As detailed in Section 8.9 of Chapter 8: Marine Biodiversity (Volume 1) (APP-057) and described in Appendix 11-1: Water Framework Directive Assessment (Volume 3) of the ES (APP-106), sediment sampling at dredged depth is necessary to inform detailed design. Information gathered through this sampling will inform subsequent additional mitigation if sediments are shown to be elevated in contaminant concentrations. A Marine Sample Plan (Case Reference: SAM/2024/00042) was submitted to the MMO for approval, outlining the methodology for collecting and analysing sediment within the River Thames to the proposed dredge pocket depth.
13 th June 2024	Letter	The MMO submitted their Relevant Representation for the application for a Development Consent Order for the Cory Decarbonisation Project. The following topics were covered in their documentation: • Marine Plans; • DCO and Deemed Marine Licenses (DMLs); • Coastal processes; • Dredge and Disposal;

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
		• Benthic Ecology; • Fish Ecology; • Shellfish Ecology; • Underwater Noise; • Marine Navigation; and • Historic Environment.
30th July 2024	Email	The MMO has requested further information on the Applicant's submitted draft Marine Sample Plan. In response, the Applicant has shared a draft Marine Sample Plan with the MMO, emphasising that it is subject to change. The MMO has asked for the Applicant's feedback on their draft response before approval.
30th July 2024	Meeting	A meeting was held to discuss the Applicant's submitted draft Marine Sample Plan, which was submitted on 23 rd May 2024.
1st August & 2nd August 2024	Meeting and Email (and upload to the case management system)	A further meeting was held to discuss and find an agreement for the draft Marine Sample Plan, after the meeting the MMO emailed their final version of the draft Marine Sample Plan, which the Applicant will adhere to.
13th August	Meeting	A meeting was held to discuss the MMO's response to the Relevant Representation (RR) (RR-150) in regard to coastal modelling and dredging, including the Marine Sample Plan (Case Reference: SAM/2024/00042)

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
19th August	Meeting	A meeting was held to discuss the MMO's response to the RR (RR-150) covering benthic ecology, fish and underwater noise.
29th August 2024	Email	The Applicant sent the minutes of the meeting held on 13 th August 2024 to the MMO (coastal modelling and dredging).
29th August 2024	Email	The Applicant sent the minutes of the meeting held on 19 th August 2024 to the MMO (benthic ecology, fish and underwater noise).
5th September 2024	Email	The MMO confirmed they had no comments to make regarding the minutes for the meeting held on 13 th August 2024 (coastal modelling and dredging).
9th September 2024	Email	The MMO provided additional comments as part of their review of the minutes for the meeting held on 19 th August 2024 (benthic ecology, fish and underwater noise).
7th October 2024	Report	The Applicant provided a written response to the comments made in the MMO's RR (RR-150) and additional comments received on the 9 th September within the Applicant's Response to Relevant Representations (AS-043) .

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
18 th October 2024	Letter	The MMO provided a response letter to the Applicant's notification of proposed changes to the Proposed Scheme which covered the following topics: • Dredge and disposal; • Benthic ecology; • Coastal processes; • Shellfisheries; • Fisheries and fish ecology; and • Underwater noise.
25 th October 2024	Report	The Applicant responded to the MMO's comments regarding the proposed changes to the Proposed Scheme within the Change Request Report (AS-048) and Change Request Appendix (Consultation Report - Appendix K) (AS-049) .
26 th November 2024	MMO response to Deadline One Submission	The Marine Management Organisation made a Written Representation at Deadline One to the Examining Authority. The matters raised included the drafting of the Development Consent Order, coastal processes, dredging, benthic and fish ecology and underwater noise. The Applicant provided a response within the Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019) .
10 th December 2024	MMO response to Deadline Two Submission	The Marine Management Organisation made a Written Representation at Deadline Two to the Examining Authority. The matters raised included the drafting of the Development Consent Order and Marine Planning Policy. The Applicant seeks to provide a response within the Applicant's Response to Interested Parties' Deadline 2 Submissions (9.17) .

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
17th January 2025	MMO response to Deadline Three Submission	The Marine Management Organisation made a response to the Examining Authority's First Written Questions (REP3-039). The Marine Management Organisation raised matters concerning updates to the Draft DCO, response to the ExA's First Written Questions (ExQ1) and Rule 13 and 16 letters submitted by the Applicant. The Applicant has reviewed the comments and made updates within the Draft DCO (as updated alongside this submission).
7th February 2025	Email	MMO provided their "Comments on Applicant's Response to Interested Parties' Deadline 1 Submissions: 9.12" [REP2-019] which will be submitted as part of their Deadline 4 response.
19th February 2025	Meeting	A meeting was held to discuss the Deemed Marine License and the Applicant's recent sediment sampling, the following matters were discussed: • Deemed Marine License; • Description of sampling and extent of samples taken; • Presentation of results; and • Discussion of assessment.

2.1.2. It is agreed **Table 2-1** is an accurate record of the key meetings, consultation undertaken between the Applicant and Marine Management Organisation in relation to the issues addressed in this SoCG as at the date of this SoCG.

3. ISSUES

3.1. TERMINOLOGY

3.1.1. In the tables in this section of this SoCG:

- “Agreed” indicates where the issue has been resolved;
- “Under Discussion” indicates where these points are the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the Parties; and
- “Not Agreed” indicates a final position of the Parties that is Not Agreed.

3.1.2. It can be taken that any matters not specifically referred to in this section of this SoCG are not of material interest or relevance to the Interested Party’s representation and therefore have not been considered in this document.

3.2. MATTERS AGREED

3.2.1. **Table 3-1** below details the matters Agreed between the Marine Management Organisation and the Applicant.

Table 3-1 – Matters Agreed

Topic	Details of Matters Agreed
S42 Response Letter (email)	The MMO highlighted the following points from their Section 42 response: • The MMO considered the information presented in the baseline and impact assessment for benthic ecology to be adequate (Section 1.1 of the Section 42 response). • The MMO agreed with the mitigation measures presented for benthic ecology (Section 1.3 of the Section 42 response). • The MMO has agreed with the Applicant's approach to considering the South East Inshore Marine Plan. Each relevant technical chapter of the Environmental Statement (APP-043) reflects this consideration, and an assessment of compliance with the South East Inshore Marine Plan is provided in the Planning Statement (APP-040).
Marine Sediment Sampling	The Applicant completed the sediment sampling in December 2024 in accordance with the Marine Sample Plan (Case Reference: SAM/2024/00042). Within the meeting on the 19th February 2025 it was agreed that a Technical Note to present the findings of the sediment sampling, and the information requested by the MMO, would be acceptable.
Coastal modelling and dredging	A meeting was held to discuss the MMO's response to the RR (RR-150) in regard to coastal modelling and dredging. The following matters were agreed: Morphological Equilibrium Clarification: The Applicant agreed to include within the Errata Schedule (Document Reference 9.1) adjustments to the wording of the assessment regarding morphological equilibrium to reflect sediment settling accurately.

Topic	Details of Matters Agreed
	Cumulative Impacts: All parties agreed that there are no significant other projects impacting the area, and no issues were raised with the cumulative assessment (including in respect of underwater noise). Wave Wash and Ship Navigation: It was agreed that the limited fetch lengths and unchanged ship navigation types mean that ship wash impacts are not anticipated.
Benthic ecology, fish, and underwater noise	A meeting was held to discuss the MMO's response to the RR (RR-150), which covered benthic ecology, fish, and underwater noise. The following matters were agreed: • Benthic Ecology: the MMO confirmed they were satisfied with the Applicant's approach to this topic. No further concerns or queries raised. Fish/Shellfish: The MMO agreed that undertaking any piling activity (impact and vibro piling) in dry, low tide conditions during the month of March was an appropriate mitigation measure, and that with this measure in place, the MMO would be satisfied with the Applicant's approach to impacts to these receptors. The Applicant subsequently agreed to update the Outline Code of Construction Practice (APP-124) to include this measure. This measure was agreed in addition to the existing mitigation that no piling activities would be undertaken between April and September to protect fish species. The underwater noise assessment considered a total of 15 piles installed per day, with a duration of 20 minutes per pile. The total duration of vibro-piling per day is to be confirmed as part of the detailed design and the MMO agrees that it will be able to consider this pursuant to the DML.
Coastal processes	MMO confirmed the Applicant has responded to our previous concerns regarding coastal processes and has no further comments regarding this topic.

Topic	Details of Matters Agreed
Shellfisheries	MMO confirmed the Applicant has responded to our previous concerns regarding shellfisheries and has no further comments regarding this topic.
South East Marine Inshore Marine Plan	The MMO requested the South East Marine Inshore Marine Plan and it associated polices be assessed in accordance with the Proposed Scheme. The Applicant completed a thorough review of the South East Marine Inshore Marine Plan as part of the Policy Accordance Tracker (APP-041) Table 1-2 .
Marine mammals assessment	The Applicant has provided clarifications to the MMO regarding the marine mammals assessment within Appendix 6-4: Underwater Noise Assessment of the Environmental Statement (Volume 3) (APP-084) (2% and 4%), detailed in Paragraph 2.6.6 of the RR (RR-150) to clarify and explain assessment percentages and the underwater noise assessment. 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). The MMO confirmed the aforementioned information would be reviewed on the 17th January 2025, this position was re-confirmed within the meeting on the 19th February 2025.

3.3. MATTERS UNDER DISCUSSION

3.3.1. **Table 3-2** details the Matters Under Discussion between the Marine Management Organisation and the Applicant.

Table 3-2 – Matters Under Discussion

Topic	Details of Matters Under Discussion
Assessment of Contaminants	The MMO partially agree with the assessment on contaminants within Chapter 8: Marine Biodiversity of the Environmental Statement (Volume 1) (APP-057) and Appendix 11-1: Water Framework Directive Assessment (Volume 3 (APP-106)) , the Applicant will submit a technical note into the examination in March 2025 to validate the conclusions reached in the Environmental Statement, as discussed during the meeting on 19 th February 2025
Marine Licence	The MMO are seeking clarification to which Marine Licence the dredge and disposal of material will be undertaken. In addition the MMO are seeking additional information regarding the possible impact water quality and the release of contaminants from dredging. Maintenance dredging for the Proposed Scheme is proposed to be covered under the Deemed Marine Licence at Schedule 11 of the Draft DCO (updated alongside this submission). Schedule 11 states that <i>“this licence authorises the licence holder (and any agent, contractor or subcontractor acting on their behalf) to carry out any licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act within the licensable area”</i>. Condition 3(2)(d) confirms that authorised development includes <i>“maintenance dredging within the river”</i> Please see Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019).
Fisheries and Fish Ecology	The MMO requested additional information in relation to Fisheries and Fish Ecology, specifically migratory periods. The Applicant as agreed at Deadline 2 has provided additional information via a Technical Note for

Topic	Details of Matters Under Discussion
	Migratory Fish to the MMO in January 2025 prior to Deadline 3 as agreed by both parties. Additional information was provided within the Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019) .
Underwater Noise	The MMO have received information in connection to Underwater Noise in anticipation that all matters will have been resolved following the submission of Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019) . The aforementioned Technical Note for Migratory Fish addresses matters regarding Underwater Noise. The MMO confirmed it would review the aforementioned information on 17 th January 2025, this position was re-confirmed within the meeting on the 19 th February 2025.

3.4. MATTERS NOT AGREED

- 3.4.1. No matters remain that are Not Agreed between the Marine Management Organisation and the Applicant.

DRAFT

4. REFERENCES

- ¹ UK Government. 2008. 'Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects'. Available at:
<https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>
- ² Cory Environmental Holdings Limited. (2023). 'Environment Impact Assessment Scoping Report: Cory Decarbonisation Project'. Available at:
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010128/EN010128-000021-EN010128%20-%20Scoping%20Report.pdf>
- ³ Cory Environmental Holdings Limited. (2023). 'Preliminary Environmental Information Report: Cory Decarbonisation Project'. Available at:
<https://corydecarbonisation.co.uk/document-library/>



DECARBONISATION

10 Dominion Street
Floor 5
Moorgate, London
EC2M 2EF
Contact Tel: 020 7417 5200
Email: enquiries@corygroup.co.uk
corygroup.co.uk