

THE INFRASTRUCTURE PLANNING (EXAMINATIONS PROCEDURE) RULES 2010

THE CORY DECARBONISATION PROJECT DEVELOPMENT CONSENT ORDER

PINS REFERENCE EN10128

**DEADLINE 5: PORT OF LONDON
AUTHORITY'S COMMENTS ON DEADLINE
4 SUBMISSIONS**



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1.0 Introduction

- 1.1. This is a written submission made on behalf of the Port of London Authority ("**PLA**") in respect of comments on deadline 4 submissions.
- 1.2. Documents referred to in this submission are:
- 1.2.1. Draft Development Consent Order (REP4-005); and
 - 1.2.2. Applicant's Response to Interested Parties' Deadline 3 Submissions (REP4-033)

2.0 Draft Development Consent Order ("dDCO") (REP4-005)

- 2.1 A number of minor updates were made to the dDCO (REP4-005) at deadline 4.
- The PLA welcomes the amendment to Requirement 7 which was agreed with the PLA prior to its inclusion within the dDCO.
 - The Article 8 (Interaction with the 1968 Act) amendments appear to simply be minor changes made in relation to typographical errors
 - The amendments to paragraphs 45 and 46 of the PLA's protective provisions were agreed with the PLA prior to their inclusion within the dDCO.

3.0 Applicant's Response to Interested Parties' Deadline 3 Submissions [REP4-033]

- 3.1 The Applicants response to the matters raised in the PLA's deadline 3 submissions are set out in table 2-2. As set out in the Applicant's response to PLA comments 2.2.1 and 2.2.4, agreed amendments have been made to Requirement 7 along with associated wording in the Code of Construction Practice ("**CoCP**") in respect of river transport matters. The PLA has no further comments to make on this matter.
- 3.2 In relation to PLA comment 2.2.2 – the assessment of the potential use of a jetty as a high tide roost - the PLA is content with the Applicant's response and has no further comments to make on this matter.
- 3.3 Regarding 2.2.3 the PLA and the Applicant have met twice, and a draft technical note has been shared with the PLA. Further data has also been shared by the PLA, and an updated report will be produced by the Applicant. A further update will be provided at deadline 6 (and the PLA will provide this update earlier if possible). The response regarding movements at Middleton Jetty temporarily pausing when the Proposed Jetty movements are taking place are noted along with the comment that the required control measures will be discussed and agreed during detailed design stage. The PLA would expect these control measures to be identified and secured in the Navigation Risk Assessment that is required to be submitted to the PLA pursuant to Requirement 19.

- 3.4 The PLA welcomes the update to the outline Emergency Preparedness and Response Plan (REP4-015) which was made in response to PLA comment 2.2.5.
- 3.5 In respect of PLA comment 2.2.6 it is noted that the Applicant is not currently considering other forms of dredging except backhoe dredging and that if an alternative was considered and it would lead to materially new or materially different effects to those reported in the Environmental Statement the Applicant would be required to bring forward a change to the dDCO, to update the CoCP to allow for that other methodology as it would not be possible to do so pursuant to Requirement 3(2).
- 3.6 The PLA has also reviewed the Applicant's response to the Environment Agency's ("**EA**") comments, and in particular the response to question 2.3b.12 regarding the Water Framework Directive and dredging. The EA seem to be concerned that even with a removal technique the scale of capital dredging may not be compliant as some water quality parameters are already failing. The PLA would defer to the EA on matters relating to the WFD as they are the determining authority in relation to WFD compliance and considers that the only way to understand the levels of contamination is to obtain samples. The PLA will provide further comments once it has been able to review the technical note on contamination levels and uplift predictions.