



EXAMINATION PROGRESS TRACKER: 9.10

Cory Decarbonisation Project

PINS Reference: EN010128

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Revision CD

The Infrastructure Planning (Examination Procedure) Rules 2010 - Rule 8(1)(c)



QUALITY CONTROL

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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 refencing system indicating matters resolved, capable of resolution or not".
- 1 1.4. This thirdfourth draft of the Examination Progress Tracker, submitted at Deadline 45, 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), its Response to Relevant Representations (AS-044), summaries of case from CAH1 (REP1-021) and ISH1 (REP1-028), Response to Deadline 2 Submissions (REP3-034) and the Applicant's Response to Interested Parties Deadline 3 Submissions (submitted as part of Deadline 4), demonstrate 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 Interested Parties and the status of those issues.

Table 2-1: Examination Progress Tracker

Торіс	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 Veridion 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 Applicant's position is clear that the Veridion Business Park planning obligations have now fallen away and this is agreed with LBB (SOCG, REP2-010)-) who confirmed this position in its Deadline 4 submission (REP4-036). SCNR disagrees, TWUL has not made further comment. The wording in the Draft DCO (as updated alongside this submission) ensures that the Outline LaBARDS (as updated alongside this submission) 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 LBBTWULLBB TWUL	Status of TWUL's retained part of the Crossness LNR in the Outline LaBARDS (as updated alongside this submission) dependent on TWUL position on this. Usage of Thamesmead Golf Course requires Deed of Obligation to be entered into. Suitability of Deeds of Obligation	Draft deed of obligations were sent to Interested Parties prior to Deadline 1 and submitted at Deadline 1. Following discussions at CAH2, ISH2, high level comments received from Peabody, and comments received from TWUL, updated Deeds have been submitted at Deadline 4. Please see also the Written Summary of Oral Submissions at CAH2 submitted at Deadline 4. The draft DOO continue to be discussed with the relevant parties – the response to question 2.16.6, submitted at Deadline 5, sets out the latest position.	
	Water Vole Mitigation	Natural England	Letter of No Impediment being sought in respect of Water Vole mitigation.	Draft method statement was issued to Natural England. A consequent meeting with Natural England was held on the 21 st November 2024 and the updated method statement was sent to Natural England on the 17 th January 2025 as described within the Natural England SoCG (as updated alongside this submission). Natural England issued a Letter of No Impediment (Natural England Reference: DAS	

Торіс	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				457982) to the Applicant in relation to licensing for water voles on 25 th February 2025. This was issued after signature of is reflected in the Natural England Statement of Common Ground (Revision DE, as updated alongside this submission) therefore the latter does not reflect this.).	
				The Draft DCO (as updated alongside this submission) and Outline LaBARDS (as updated alongside this submission) reflect the commitments to the programme and activities included within that revised method statement. the Water Vole Method Statement.	
	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 prepared and issued a technical note respondinghas continued to Natural England's queries in respect to air quality impacts on the SSSI in November 2024 (Appendix B of REP2-019). The technical note outlines the additional air quality modelling that has been undertaken to mitigate impacts from the Proposed Scheme on designated ecological sites. Natural England provided comments on this technical note at Deadline 2 (REP2-027).	
				The Applicant provided an updated version of the Mitigation Schedule (REP1-010)) and the Draft DCO (REP1-002) to reflect the conclusions of the technical note and ensure that no likely significant effects can arise to the SSSI.	
				The Applicant had a have positive meetingengagement with Natural England on the 13 th January 2025. During the meeting an explanation was provided to Natural England on the matters under discussion, including the Inner Thames Marshes SSSI, which allowed Natural England to better understand the methodology, terminology and approach to assessment of impacts. An updated as reflected in the	
				Natural England Statement of Common Ground (REP3-017) was prepared. The Applicant also responded to Natural England's Deadline 2 submissions, as presented in the Applicant's Response To Interested Parties' Deadline 2 Submissions (REP3-034).	
				Natural England, on the 24 th January 2025 set out an update to its position to the Applicant. The Applicant had a further meeting with Natural England on the 18 th February 2025 and has prepared a Technical Note in	

Торіс	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				response to their latest position. The Technical Note	
				forms Appendix A to the Applicant's Response To	
				Interested Parties' Deadline 3 Submissions	
				(Document Reference 9.23). An updated Natural	
				England Statement of Common Ground (Revision	
				D, as updated alongside this submission) has also	
				been prepared.). A summary of the position between	
				the Applicant and Natural England is provided below:	
				The Applicant awaits a response to Appendix A	
				to the Applicant's Response To Interested	
				Parties' Deadline 3 Submissions (Document	
				Reference 9.23) from Natural England in due	
				course, a meeting will be set up if Matters agreed:	
				 An in-combination assessment for Epping 	
				Forest SAC is not required.	
				The emissions limit values (ELV) can be	
				considered as embedded mitigation and	
				appropriate. The parties secured by	
				Requirement 14 of the Draft DCO (as	
				updated alongside this submission).	
				It is likely that when the cumulative impact	
				assessment for the Inner Thames Marshes	
				SSSI (see below) has been completed, it	
				will be agreed that the Proposed Scheme	
				will continue to discuss have no negative	
				impact on designated sites.	
				Matters Under Discussion: Natural England has	
				requested that a cumulative impact assessment is	
				undertaken for the Inner Thames Marshes SSSI.	
				Whilst both the Applicant and Natural England	
				agree that the results of the cumulative impact	
				assessment are unlikely to show significant impact,	
				as the species present are unlikely to be sensitive	
				to changes in air quality, the Applicant is happy to	
				prepare a short Technical Note to provide written	
				evidence of this. This Technical Note will include a	
				consideration of committed developments that are	
				likely to impact Inner Thames Marshes SSSI. The	
				committed developments reviewed will be limited to	
				those identified within the Chapter 21: Cumulative	
				Effects of the Environmental Statement	
				(Volume 1) (APP-070) and any developments not	
				included within the Air Pollution Information System	
				(APIS) baseline modelling and with realistic	
				potential to add to cumulative impacts on Inner	

Topic Sub-1	-Topic Inte	erested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				Thames Marshes. The assessment will be undertaken using the APIS data. Matters Not Agreed: Whilst the Applicant and Natural England agree that when the cumulative impact assessment for the matters in Inner Thames Marshes SSSI (see below) has been completed, it will be agreed that the Proposed Scheme will have no negative impact on designated sites, Natural England does not agree with the terminology used by the Applicant to define the baseline and the future baseline. The Natural England Statement of Common Ground (Revision D, as updated alongside this submission) to seek to reach an agreed reflects the above position.	
Marine Ecology n/a	Mai	arine Management ganisation	The Environment Agency and Marine Management Organisation 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.	The Applicant undertook additional sediment sampling, at depth, in December 2024 following consultation with the relevant stakeholders (MMO, PLA and Cefas). The Applicant received the additional sediment sampling data from the MMO approved laboratory on 6th February 2025. The Applicant can confirm that its initial analysis of the data from the December 2024 sediment sampling, is that it has validated the mitigation measures presented within Appendix 11-1: Water Framework Directive Assessment of the Environmental Statement (Volume 3) (APP-106). This initial analysis was relayed to the Environment Agency and the Marine Management Organisation, during two separate meetings held on the 19th February 2025. The Applicant is preparingprepared a Technical Note that willto present the findings of the December 2024 sediment sampling and present the evidence which validates that the conclusions and the mitigation measures presented within the WFD Assessment remain appropriate. Further details are provided withinThe Technical Note was submitted to the Environment Agency and the MMO on the 5th March 2025, ahead of the date committed to in the Applicant's Response to the Examining Authority's Rule 17 Letter - Request for further information - Applicant and Environment Agency (AS-077), which was issued to the Examining Authority on 14th	

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				The Environment Agency confirmed on 20th March 2025 that they had reviewed the Sediment Sampling Technical Note (as submitted alongside this report) and are content that the Proposed Scheme is WFD compliant. The Applicant received comments from the MMO on the Sediment Sampling Technical Note (as submitted alongside this report) on the 20th March	
				2025. No updates are required to the Sediment Sampling Technical Note (as submitted alongside this report) based on the comments. However, there are several points raised relating to dredging arising disposal matters (not WFD compliance matters), and the Applicant has proposed a meeting with the MMO to discuss these comments further.	
Flood Risk	n/a	Environment Agency	The Applicant is currently discussing the following matters with the Environment Agency: • The Environment Agency remain concerned over perceived excessive flexibility created by the wording of the Design Principles and Design Code (as updated alongside this submission) in terms of how close the ground raising and the works can extend towards the watercourses. • The Environment Agency's Risk and Evidence Team are carrying out a further review of the breach model (flood risk); 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).	The Applicant re-emphasises its commitment to the Design Principles and Design Code that states the intention to allow for a minimum 5m offset, up to 8m or greater where practicable, from the top of bank on existing retained watercourses to allow for maintenance, to protect habitats and for the delivery of flood compensation. Requirement 4(3) of the Draft DCO (as updated alongside this submission) sets out how the authorised). The Applicant has now agreed the design principle in respect of the development must be designed and constructed in accordance with the Design Principles and Design Code and a Statement of Compliance will also be prepared as part of discharging this requirement in order to support and enable the platform with the Environment Agency. The Environment Agency, on the 20th March, confirmed that their Environment Agency's and LLFA's scrutiny and assessment of design outcomes developed during the detailed design process. Evidence and Risk Team have reviewed the raw outputs of the breach modelling data and are satisfied that the model is fit for purpose as a comparison of the change based on the development platform scenarios presented in Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035). With regards to the breach modelling, the Applicant provided a Technical Note on Development Platform	

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				Matters, presented as Appendix C of the Response to the Examining Authority's First Written Questions (REP3-035) which explains the flooding position following the application of the Design Principles and Design Code. The Applicant discussed this matter with the Environment Agency on 13 th February 2025, where there was a positive discussion as to potential next steps to resolving the Environment Agency's concerns on this matter. The Environment Agency is undertaking further detailed review of the breach modelling submitted in January 2025 to allow a further discussion and agreement of a mutually acceptable next step. Protective Provisions update is provided below.	
				The Environment Agency Statement of Common Ground (as updated alongside this submission) reflects the above position.	
Compulsory Acquisition ¹	Extent/Size of Land Requirements	Landsul/Munster Joinery PLA	Landsul/Munster Joinery consider that the terrestrial land take is excessive. PLA has 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 and Examination submissions as to why it considers its land take is required to meet operational requirements. The Applicant has:	Landsul matter will not be able to be agreed. PLA matter is agreed.
				 shared information requested on 14th November to inform Landsul/Munster Joinery's Deadline 1 submissions; facilitated an expert to expert meeting on 13th December; shared information following that and its Deadline 2 submissions on 20th December and 2nd January; and following sending a draft SoCG on 18th December 2024, held a SoCG meeting on 8th January 2025 	
				and exchanged emails since then to inform the SoCG to be submitted by 24 th January 2025, which shows agreement on some matters between the parties. This matter was further discussed at CAH2 – see the Applicant's summary of oral submissions from this	

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
				hearing submitted at Deadline 4. The Applicant made a change at Deadline 3 to remove the navigation channel from the Order Limits, save where this is required for Work No. 4C. This is an agreed issue with the PLA.	
	Need for Single Site	Landsul/Munster Joinery SCNR	Landsul/Munster Joinery consider (through their oral submissions and Written Representation) that if the South Zone is to be utilised, the Proposed Scheme could be designed to avoid its land, through a split site. SCNR agreeagrees with this position in its Deadline 2 submission.	Applicant has made submissions on this in its Written Summary of Oral Submissions at ISH1 (REP1-025 and appendices) submitted at Deadline 1 and its response to Landsul/Munster Joinery's Written Representation (REP2-021) and considers that it has demonstrated that a single site would not ensure a safe, suitable and secure operation. Please also see the Applicant's Follow up to Rule	
				17 Response (AS-083) and its summary of oral submissions from CAH2 submitted at Deadline 4. The Applicant has agreed with LBB that effective masterplanning across a single contiguous site, guided by clear, agreed design principles would deliver clarity and legibility across a consistent design approach.	
	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.	In respect of TWUL, building on Statement of Reasons, see Applicant's Written Summary of Oral Submissions at CAH1 (REP1-028), Response to Interested Parties Deadline 1 submissions (REP2-019), and its response to FWQ 1.5.0.8 submitted at D3 and its summary of oral submissions at CAH2 submitted at Deadline 4.	
				Discussions on voluntary agreement with TWUL continues – revised HoTs were sent to TWUL prior to Deadline 1. Comments were received on 8 th January, and a meeting was held on 14 th January 2025 to discuss them. A further meeting is scheduled forwas held on 7 th February, to be informed by the Applicant's response to those comments. The Applicant returned a further iteration of the Heads of Terms for Thames	
				Water's consideration ahead of the meeting held on 7 th February 2025, at which the Applicant explained the principles and structure of the drafting. Comments on the Applicant's revised iteration are awaitedcommercial position have now been received from TWUL and the Applicant has requested an in person meeting with Thames Water, with a viewwill be reverting shortly to agreeing TWUL on these. In respect of the Heads of Termsposition within the DCO documentation, please see the Applicant's response to question 2.5.3.	

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				Discussions continue with WRWA following submission of its Written Representation and the Applicant's response to it. The Applicant considers that WRWA's commercial, practical, and property concerns will be able to be dealt with through an Agreement between the parties as well as any amendments that may be agreed between the parties to the Draft DCO. Amendments were made at Deadline 4, and further suggestions have been received from WRWA, which the Applicant is considering.	
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: Articles 50, 53-54, Requirement 12, Protective Provisions LBB: Drafting in relation to Streets LBB: Disapplication of Drainage consents NH: Requirements MMO: Deemed Marine Licence drafting, transfer of benefit wording and dispute resolution wording.	PLA: All DCO matters now agreed—(including accounting for the small amendments made at Deadline 5). EA: The Applicant has reviewed the preferred form of protective provisions submitted by the EA and reverted to them (with what is accepted reflected in the updated DCO submitted at Deadline 4). Further comments from the EA are awaited. TWUL: It is understood that the 'front-end' DCO drafting is now agreed with TWUL, save that TWUL considers that further drafting could be added to article 50 to avoid compulsory acquisition being replaced. The Applicant does not consider this is appropriate for the reasons given in its summary of oral submissions at CAH2 submitted at Deadline 4. It is understood that TWUL wish to be an approver of the LaBARDS under Requirement 12. The Applicant does not agree with this as this is appropriate or necessary. The DCO provides for TWUL to be consulted both prior to (pursuant to the PPs) submission of the LaBARDS, and by LBB once it is submitted (pursuant to Requirement 12). The LaBARDS is ultimately a planning sphere document so the Applicant does not consider it is appropriate for TWUL to approve it – this is the responsibility of the local planning authority. On PPs, the Applicant has reviewed TWUL's preferred drafting and reverted back on these in January 2025, withupdated the amendments being largely about draft	
				DCO at Deadline 5 to include this drafting, save for one issue. The Applicant received a response to this on 25 February and is now considering them.in respect of two issues (where the parties have 'agreed to disagree'), which are discussed in the Schedule of Changes to the DCO document submitted at Deadline 5.	

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				LBB: Following ISH2, LBB DCO drafting points are substantially agreed.	
				NH: It is understood that NH are now content with the DCO Requirements.	
				MMO: Latest position is as per the Applicant's response to the MMO's Deadline 3 submissions submitted at Deadline 4. Further comments are awaited from the MMO.	
Traffic and Transport	Landside Transport	National Highways Kent County Council (KCC) Dartford Borough Council (DBC)	National Highways and KCC requested information in respect of the Riverside 2 Construction Traffic Management Plan (CTMP) and recorded Riverside 2 construction HGV movements and staff survey data. All matters were agreed with DBC at Deadline 2.	A meeting was held with The Applicant, National Highways, KCC and DBC and the Applicant. In response to comments received, have reached an agreed position in respect of landside transport matters, as reflected in updated version of the Framework CTMP (REP1-008) was provided to Highways, KCC and DBC on the 15th November 2024 submitted at Deadline 5. The Applicant received further comments from National Highways on the 22nd November 2024 regarding the Framework CTMP (REP1-008). The Applicantagreed position is preparing a separate Technical note on the matters that remain under discussion in thedepicted in: The signed and agreed National Highways SoCG (as updated alongside this submission). The Applicant received further comments from KCC on the 28th November 2024 regarding the Framework CTMP (REP1-008). The Applicant prepared a separate Technical note which addressed these comments. The Technical Note, together with an updated Framework CTMP (as updated alongside this submission) was submitted to National Highways and KCC on the 18th January 2025. The updated Framework CTMP seeks to further manage and mitigate the temporary construction vehicle impacts on the highways networks. It should be noted that The signed and agreed KCC SoCG (as updated alongside this submission); and	
				• The signed and agreed Dartford BC has confirmed it is content with the Framework CTMP (REP1-008), as described in the Dartford BCBorough Council SoCG (REP2-013).	

Topic	Sub-Topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
	River Transport	PLA, Kent County Council, NH	These Interested Parties seek more commitments in respect of river transport from the Applicant.	The Applicant and the PLA have reached an agreed position in respect of river transport matters, reflected in updated wording in paragraph 1.2.3 of the Outline CoCP submitted at Deadline 4,(REP4-008), and in Requirement 7 of the Draft DCO, also submitted at Deadline 4. (REP4-004).	



10 Dominion Street Floor 5 Moorgate, London EC2M 2EF

Contact Tel: 020 7417 5200 Email: enquiries@corygroup.co.uk

CORY

corygroup.co.uk