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Mr. John Wheadon
Head of Energy Infrastructure Planning Delivery & Innovation
Department for Energy Security and Net Zero
3-8 Whitehall Place
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Your reference: EN10128
23 October 2025

Dear Mr. Wheadon

CORY DECARBONISATION PROJECT
Application by Cory Environmental Holdings Limited for an Order Granting Development Consent for the Cory Decarbonisation Project

Applicant's Response to Interested Parties' Submissions in Response to Secretary of State's Request for Information Dated 23 September 2025

In response to your request for information dated 23 September 2025, I note that you received four written submissions from the parties set out below (in alphabetical order). This letter provides a brief response to each of those submissions and provides further updates relevant to the Proposed Scheme in regard to Deed of Obligation B and the application for an Environmental Permit.

London Borough of Bexley (C1-005)

Planning Obligation with Thamesmead Golf Course: Deed of Obligation A

As set out at item 2.1.3 of the **Applicant's Responses to Secretary of State's Consultation 1 (C1-007)** Deed of Obligation A is no longer being pursued.

Instead, the necessary provisions had been incorporated into the **Outline LaBARDS (C1-006a)** and the revised **Requirement 12 (C1-006c)** submitted with the above response.

I am pleased to confirm that this approach has been further discussed with London Borough of Bexley (LBB), who agrees with it.

Outline Landscape, Biodiversity, Access and Recreation Strategy (Outline LaBARDS) – Requirement 12

The matters raised in LBB's response as local planning authority were discussed with LBB shortly in advance of the submission of the revised **Requirement 12 (C1-006c)** and the updated **Outline LaBARDS (C1006a)**; however, the planning authority had not had, at that point, an opportunity to review the amendments proposed.



Following further discussion with LBB, further, minor, amendments have been made to the Outline LaBARDS (at paragraph 12.2.3 and 12.2.5) and I am pleased to confirm that this document is now agreed between the parties. Revision H of the Outline LaBARDS (in clean and track formats) is provided with this letter.

Bevan Brittan, on behalf of Peabody (C1-004)

Deed of Obligation A

As set out at item 5.1.3 of the **Applicant's Responses to Secretary of State's Consultation 1 (C1-007)** and as recognised by Bevan Brittan in their letter, Deed of Obligation A is no longer being pursued. Paragraph 10 of Bevan Brittan's response confirms that Peabody does not object to this approach, with paragraphs 11 and 12 setting out amended text.

The wording proposed by Bevan Brittan has been incorporated into the revised **Requirement 12 (C1-006c)** as previously submitted to the Secretary of State.

Deed of Obligation B

As noted by Bevan Brittan, the Applicant can confirm that Peabody is no longer a signatory to this legal agreement. The progress of this Deed is discussed further below.

Ralph Todd, on behalf of CLNR (C1-002)

Mr Todd raises a matter that is not relevant to the Cory Decarbonisation Project; however I am pleased to be able to respond positively to the points he raises.

Mr Todd is correct to note that Riverside Energy Park (known as Riverside 2) is nearing completion and expected to be operational early in 2026. Five sites across Bexley and extending into Royal Borough of Greenwich were chosen as the off-site locations for Biodiversity Net Gain (BNG) provision relevant to the Riverside Energy Park DCO. Habitat creation at one of those locations commenced last year, with the other four due to commence shortly. Indeed, the contractor responsible for the establishment phase at these remaining locations undertook site visits with LBB officers on 22nd October in preparation for works to start. As has been explained to Mr Todd previously, there has, unfortunately, been some delay in habitat creation across all the sites due to the contractual arrangements necessary across a relatively complicated series of schemes. However, and as Mr Todd has been assured, Cory and the relevant landowners remain committed to ensuring the biodiversity outcomes required under the Riverside Energy Park DCO are achieved.

Consequently, contrary to Mr Todd's assertions, there has been no failure to deliver on the details approved under the Riverside Energy Park DCO. Cory takes pride in fulfilling its statutory obligations to a high standard and will continue to do so in the delivery of the Cory Decarbonisation Project, should consent be received.

Western Riverside Waste Authority (WRWA) (C1003)

It is the case that, unfortunately, there has been no substantive progress in negotiations between the Applicant and the WRWA. As set out in the **Applicant's Responses to Secretary of State's Consultation 1 (C1-006)** it *'has continued to use its best efforts in seeking to reach agreement with WRWA in relation to all of its concerns. In the context that WRWA had supported the Proposed Scheme in its letter of support for the Applicant's section 35*



Direction application, the Applicant is disappointed that a settled position has been unable to be agreed'. Further information is provided in that response, at item 2.1.2

Deed of Obligation B

Further to the email sent to you on 26 September 2025 (**C1-007**), the Applicant has been working closely with TWUL and LBB to reach completion on this Deed (now just called the 'Deed of Development Consent Obligations').

I am pleased to confirm that the form of the Deed (including all of its drafting) is now agreed between the Applicant and LBB. TWUL has also agreed the form and drafting in principle, with the document currently going through its internal approval processes – that approval is anticipated and expected to be given very shortly.

That form of Deed is enclosed with this letter. Given the above, the Applicant considers that at this stage the Department can finalise the writing of his decision on the presumption that the matters within it are secured.

Moving forward, in anticipation of TWUL's approval process being successful, the Applicant has started off the execution and completion process for the Deed at its end, to enable the Deed to be completed as soon as possible.

The completed Deed will be submitted as soon as possible after today's deadline once executed by all parties. Any delay in this will be communicated to the Secretary of State.

DCO

The Applicant is mindful that it has made a number of submissions in respect of DCO drafting in the **Applicant's Responses to Secretary of State's Consultation 1 (C1-007)** and in its submissions at the end of the Examination process.

In light of this, to assist the Secretary of State in finalising the drafting of the DCO to be made (if that is the Secretary of State's decision), enclosed with this letter is a track changed version of the final version of the DCO submitted at Deadline 7 of the Examination, showing the proposed changes all in one place.

Within this Track Changes version, in respect of the Requirements and the 'in part' issues, some minor additional changes have been made further to the amends proposed in the **Applicant's Responses to Secretary of State's Consultation 1 (C1-007)**, as logical follow-ons from what was previously proposed.

Additionally, within this Track Changes version, the changes highlighted in yellow are those noted in the **Applicant's Response to Second Written Questions (REP5-033)** in response to question 2.5.3. As noted in that submission, these changes are only acceptable (and so are otherwise presented 'without prejudice') to the Applicant if the Deed of Development Consent Obligations is completed. As noted above, this is expected to happen shortly, which would enable these changes to be supported in full by the Applicant.

However, if that does not occur before the DCO decision, the Applicant recognises that the Secretary of State still needs to make a decision absent a completed Deed of Development



Consent Obligations by 5 November. In that scenario, the Applicant's position would remain as per paragraph 7.3.31 of its **Closing Statement (REP7-071)**.

That submission makes reference to further wording for Requirement 12 being required in respect of the 'Endowment Sum' referred to in the Deed of Development Consent Obligations in a no-agreement scenario. The Applicant proposes that if such wording is needed, it could be added as a new sub-paragraph (6) to Requirement 12, as follows:

Any landscape, biodiversity, access and recreation delivery strategy submitted for approval under sub-paragraph (1) which includes activities to be carried out on land owned by Thames Water Utilities Limited must be accompanied by a planning obligation securing the delivery of an endowment payment to the relevant planning authority for the management and maintenance of ecological measures on that land from the date that decommissioning of Work No. 1 completes until 31 December 2093.

If the Deed of Development Consent Obligations is completed post Secretary of State decision, that would be able to be submitted to discharge this Requirement.

As noted above, the Applicant is working at speed to seek to ensure that the Deed of Development Consent Obligations is completed such that the above drafting is not required and will keep the Department updated over the coming days.

Environmental Permit Application

I am pleased to also provide an update in regard to the Environmental Permit application being progressed for the Carbon Capture Facility. On 13 October 2025, the Environment Agency confirmed receipt of stage 3 of that application, which is the final stage. I enclose copy of that confirmation letter.

I would be grateful if you could confirm safe receipt of these documents.

Yours sincerely

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A small black rectangular box redacting the name of the Project Director.

Project Director

Enclosed:

- Form of Deed of Obligation
- Draft DCO Track Changes
- Outline LaBARDS, Revision H, October Amendments (in both clean and track formats)
- Confirmation letter from Environment Agency, 13 October 2025