



**Anglian Water Services Ltd**

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Our ref 10032122

Your ref EN10056

Mr Philip Asquith  
Lead Member of the Panel of Examining Inspectors  
c/o The Planning Inspectorate  
3D Eagle  
Temple Quay House  
2 The Square,  
Bristol, BS1 6PN  
[Sent by e-mail]

8 November 2016

Dear Mr Asquith,

**Application by East Anglia Wind Farm Ltd for the East Anglian Three Offshore Wind Farm – deadline 6**

Anglian Water had previously sought amendments to the wording of the Applicant's Draft DCO to allow the developer to undertake any necessary works at Anglian Water's election (upon Anglian Water giving the developer reasonable notice).

We have had further discussions with the applicant relating to wording of the Draft DCO submitted at Deadline 3 (examination document REP4-003) and the issue set out above. We have been able to agree amended wording to be included in Schedule 8 Part 1 (Protective Provisions) of the DCO which would provide the flexibility which we had sought.

A copy of the amended wording as agreed is enclosed with this letter. Our understanding is that the agreed wording will be included in the Applicant's revised draft DCO to be submitted at deadline 6.

Should you have any queries relating to this response please let me know.

Yours sincerely

Stewart Patience

**Planning Liaison Manager**

Proposed amendment to Part 1 of the Draft DCO (changes in bold)

1. For the protection of the **affected** undertakers referred to in this part of this Schedule the following provisions must, unless otherwise agreed in writing between the undertaker and the affected undertaking concerned, have effect.

2. In this part of this Schedule—

“affected undertaker” means

- (a) any licence holder within the meaning of Part 1 of the Electricity Act 1989(**[1]**);
- (b) a gas transporter within the meaning of Part 1 of the Gas Act 1986(**[2]**);
- (c) a water undertaker within the meaning of the Water Industry Act 1991(**[3]**); and
- (d) a sewerage undertaker within the meaning of Part 1 of the Water Industry Act 1991,

for the area of the authorised development **but, for the avoidance of doubt, does not include the undertakers specified in Part 4, Part 5 and Part 6 of this Schedule**, and in relation to any apparatus, means the undertaker to whom it belongs or by whom it is maintained.

“alternative apparatus” means alternative apparatus adequate to enable the affected undertaker in question to fulfil its statutory functions in a manner not less efficient than previously;

“apparatus” means—

- (e) in the case of an electricity undertaker, electric lines or electrical plant (as defined in the Electricity Act 1989), belonging to or maintained by that affected undertaker;
- (f) in the case of a gas undertaker, any mains, pipes or other apparatus belonging to or maintained by a gas transporter for the purposes of gas supply;
- (g) in the case of a water undertaker, mains, pipes or other apparatus belonging to or maintained by that affected undertaker for the purposes of water supply; and
- (h) in the case of a sewerage undertaker—
  - (i) any drain or works vested in the affected undertaker under the Water Industry Act 1991; and

(ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that Act or an agreement to adopt made under section 104 of that Act, and includes a sludge main, disposal main (within the meaning of section 219 of that Act) or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus



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