
THE THURROCK FLEXIBLE GENERATION PLANT DEVELOPMENT CONSENT ORDER

Responses to the Examining Authority's Written Questions and Requests for Information (ExQ1)

Unique Reference Number	EN010092
Interested Party Reference Number	20025539
Document Ref.	PLA 6
Author	Winckworth Sherwood LLP
Date	23 March 2021

Minerva House
5 Montague Close
London
SE1 9BB
DX: 156810 London Bridge 6

T 020 7593 5000
F 020 7593 5099
www.wslaw.co.uk

Winckworth
Sherwood

Solicitors and
Parliamentary Agents

ExQ and Respondent	Question	Response/comments
Questions directed to PLA		
1.3.20 PLA	Please comment on paragraph 11.42 of the Applicant's SoR [APP-024] and provide the PLA's views on granting a licence for the proposed causeway.	<p>Paragraph 11.42 of the Applicant's Statement of Reasons (APP-024) states that the Applicant is not seeking any compulsory powers over the land in the River Thames required for the causeway, and that the necessary rights will be secured through the grant of a licence by the Port of London Authority ("the PLA").</p> <p>To confirm this is reiterated within the PLA's protective provisions (Schedule 9, Part 5) in section 17(2) (Permanent works where land not acquired) of the current draft DCO (ref PDC-009) which states that the PLA will grant to the undertaker a licence under section 66 of the Port of London Act 1968 in respect of any work to which section 17(1) applies. The PLA is continuing to work constructively with the Applicant on the necessary adjustments to the protective provisions and DCO wording including on this section specifically.</p> <p>To confirm the parties are negotiating an agreement to secure the necessary interests to allow the applicant to construct the causeway on the riverbed and bring it into use. Both parties agree that there is no known impediment to such agreement being able to be reached. In addition the PLA will grant the applicant a licence to retain the causeway over their land during the operational period, and there is no known impediment to such a licence being able to granted.</p>

ExQ and Respondent	Question	Response/comments
1.7.37 PLA	Please comment on the protective provisions set out in Schedule 9, P5 of the dDCO. Please provide details of any additional protections the Port of London Authority considers are necessary to protect its interests.	<p>The PLA is in active discussions with the applicant on the draft DCO (PDC-009) and the PLA's protective provisions in Schedule 9, Part 5 and on a number of proposed amendments.</p> <p>Please see paragraph 10.1.9 of the PLA's Written Representations for a summary of the requested changes to the PLA's protective provisions. The PLA understands most of these to be agreed by the Applicant and expects them to be included in the version of the dDCO submitted by the Applicant at deadline 2. The PLA can confirm this once it has had the opportunity to review the latest version.</p>

Winckworth Sherwood LLP
Solicitors and Parliamentary Agents
On behalf of the Port of London Authority
23 March 2021