

Riverside Energy Park

Applicant's response to Southern Gas Networks PLC Deadline 4 Submission

VOLUME NUMBER:

08

PLANNING INSPECTORATE REFERENCE NUMBER:

EN010093

DOCUMENT REFERENCE:

8.02.57

August 2019 | Revision 0 (Deadline 5) | APFP Regulation 5(2)(q)

Planning Act 2008 | Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1 Applicant's response to Southern Gas Networks PLC Deadline 4 Submission (on 25 July 2019)

1.1 Introduction

1.1.1 Southern Gas Networks plc ("SGN") has stated in its submission that it does not take issue with the principle of the Proposed Development, but objects to the interference with, and extinguishment or suspension of the land rights relating to it apparatus and the performance of its undertaking. It has therefore raised two main areas in which agreement will need to be reached with the Applicant. These relate to:

- a. The Protective Provisions ("PPs"); and
- b. Property and commercial agreements.

1.1.2 This response covers each of these matters in turn below.

1.2 Protective Provisions

1.2.1 The Applicant first contacted SGN in relation to the PPs on 26 October 2018 and has regularly requested comments since that date. However, SGN only provided comments on the protective provisions on 25 July 2019.

1.2.2 The Applicant has since agreed to include bespoke protective provisions for the protection of SGN in the draft Development Consent Order ("dDCO"). The Applicant has included in **Part 9 of Schedule 10** of the **dDCO (3.1, Rev 3)** submitted at Deadline 5 the Applicant's latest position on the draft PPs for the protection of SGN.

1.2.3 The Applicant has sent the updated PPs to SGN for comments and will continue negotiations with SGN in order to agree the PPs before the end of the Examination.

1.2.4 In light of the protective provisions already included in the dDCO and the outcome of the negotiations that are on-going between the parties, the Applicant is of the view that the Secretary of State can be satisfied that conditions set out in section 127(3) and section 138(4) of the Planning Act 2008 are met in each case.

1.3 Property and commercial agreements

1.3.1 Whilst the Applicant does not dispute the principle of entering into any required property and commercial agreements with SGN and is willing to commence negotiations in relation to these agreements, the Applicant is of the view that the proposed PPs provide the necessary protection in relation

to SGN's undertaking and therefore there is no reason why SGN's objection needs to be maintained until those agreements are concluded.

1.3.2 As agreed with other statutory undertakers, the property and commercial agreements do not need to be agreed prior to withdrawal of objection.