

Stefanie Gosling

From: Shruti Trivedi
Sent: 05 April 2022 16:18
To: Stefanie Gosling
Subject: FW: Boston Alternative Energy Facility - Statement of Common Ground with BFFS [BDB-BDB1.FID10747615] [ROYT-LIVE.BOS0104.BOS0104-0004.FID23399]

From: Shruti Trivedi
Sent: 05 April 2022 12:28

[REDACTED]

Subject: RE: Boston Alternative Energy Facility - Statement of Common Ground with BFFS [BDB-BDB1.FID10747615] [ROYT-LIVE.BOS0104.BOS0104-0004.FID23399]

Dear Rahil

Thank you for your email. I am concerned and disappointed that your clients are blatantly refusing to pay our costs associated with any work required on the Statement of Common Ground. My last letter was clearly pointing out the current state of play to the Examiner. Considering this latest correspondence from yourselves and the lack of any substantive response to us on how (or if) you have addressed the issues highlighted in the Marico Report, I fail to see how you can expect the fishermen to continue liaison on any joint position statement. I shall be writing to bring this latest email to the attention of the Examiner and explaining why we are not able to do any further work on the Statement of Common Ground. I shall also be highlighting how there has been no attempt made to agree even a fallback position for the fishermen on compensation or any other protectionary measures should there be issues with the NMP in the future or indeed, should the promised NMP fail to deliver. This is all contrary to the principles underpinning a compulsory acquisition process and will force my clients to rely on the statutory code and is clearly contrary to verbal assurances your client and team have provided us in the past. We have continued to seek dialogue and have attempted on numerous occasions to seek a negotiated position, but it is entirely your clients' decision that this is not being pursued.

I hope this makes our position clear.

Kind regards,
Shruti

From: HAQ Rahil [REDACTED] >
Sent: 04 April 2022 15:02
To: Shruti Trivedi [REDACTED]
[REDACTED]
Cc: MARSH Richar [REDACTED] >

Subject: FW: Boston Alternative Energy Facility - Statement of Common Ground with BFFS [BDB-BDB1.FID10747615]

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Dear Shruti, Ben

As you may be aware, the examination period for the BAEF DCO concludes on 7 April. We would like to submit an updated joint statement of common ground (see attached email). This document assists the examining authority in understanding where the parties are in agreement/disagreement.

I note from your most recent Deadline 9 submission that you have already informed that examining authority that "such agreement has not been possible". I also understand from the below that you require an undertaking for your fees prior to looking at the SoCG. In light of your recent submission to the examining authority, our client is not willing to contribute further towards your fees. However, the offer to submit a joint statement of common ground remains open.

Please can you let me know if, in the interests of assisting the examining authority, you are prepared to update the SoCG by close of business tomorrow (5 April). As the examining authority had already requested final statements of common ground to be submitted, we are reserving the right to submit the attached version (marked as not agreed) at Deadline 10.

Please give Richard or I a call if you would like to discuss.

Kind regards
Rahil



BDB PITMANS

Rahil Haq Associate
T +44 (0)20 7783 3448
[Redacted]
W www.bdbpitmans.com

For and on behalf of BDB Pitmans LLP
One Bartholomew Close, London EC1A 7BL

From: Paul Salmon [Redacted] >
Sent: 16 March 2022 12:03
To: Shruti Trivedi [Redacted]

[Redacted]

Subject: RE: Boston Alternative Energy Facility - Statement of Common Ground

Thanks Shruti – I'll discuss with BDB Pitmans now for an immediate response.

From: Shruti Trivedi [Redacted]
Sent: 16 March 2022 10:56
To: Paul Salmon [Redacted]

[Redacted]

[Redacted]

Subject: Re: Boston Alternative Energy Facility - Statement of Common Ground

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Dear Paul

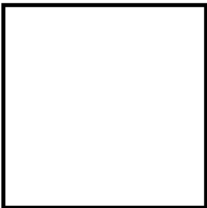
Before I can agree to engage any further, please can our very long overdue costs be settled. I am not going to expose my clients to yet more costs that are not their responsibility, a position we made clear in corresponded to BDB Pitmans. The costs outstanding are only up to November last year - there have been more incurred since then. It is tedious to keep talking about this over and over. I need to see that outstanding invoice first settled and then an undertaking for further costs up to a maximum of £1000 plus VAT (which will be subject to me providing a breakdown as I have done all along) for the further discussions that are now sought.

Once I have the above two matters settled, I will take instructions and we can discuss further.

Kind regards
Shruti

Shruti Trivedi | Roythornes Limited
Partner

[Redacted]



From: Paul Salmon [Redacted]

Sent: Wednesday, March 16, 2022 10:36 am

To: Shruti Trivedi [Redacted]

[Redacted]

Subject: Boston Alternative Energy Facility - Statement of Common Ground

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Dear Shruti,

The Examination timetable identifies that we need to submit the final Statement of Common Ground at Deadline 9 (24th March). I have updated the previous draft version noting additional information from the Applicant's standpoint. Please could you update your parts and return to me, with the intention **to sign in advance of issue to the Examination next Thursday**.

We have Anatec reviewing Marico's response to their report and we will be updating the draft NRA for deadline 9. We have also submitted (yesterday; see attached) an updated Navigation Management Plan Template to show how the NRA and NMP will be updated and approved post consent, with the latter being a live document. The DCO is being amended to reference the template which will ensure these process set out in this document is followed. The references to all these documents are contained in the glossary (last page) of the SoCG.

Is there any merit in having a call to discuss the SoCG at all, or indeed any other matter? Please let me know.

Many thanks and regards,

Paul.

Paul Salmon
Technical Director
Environment Group
Industry & Renewables

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