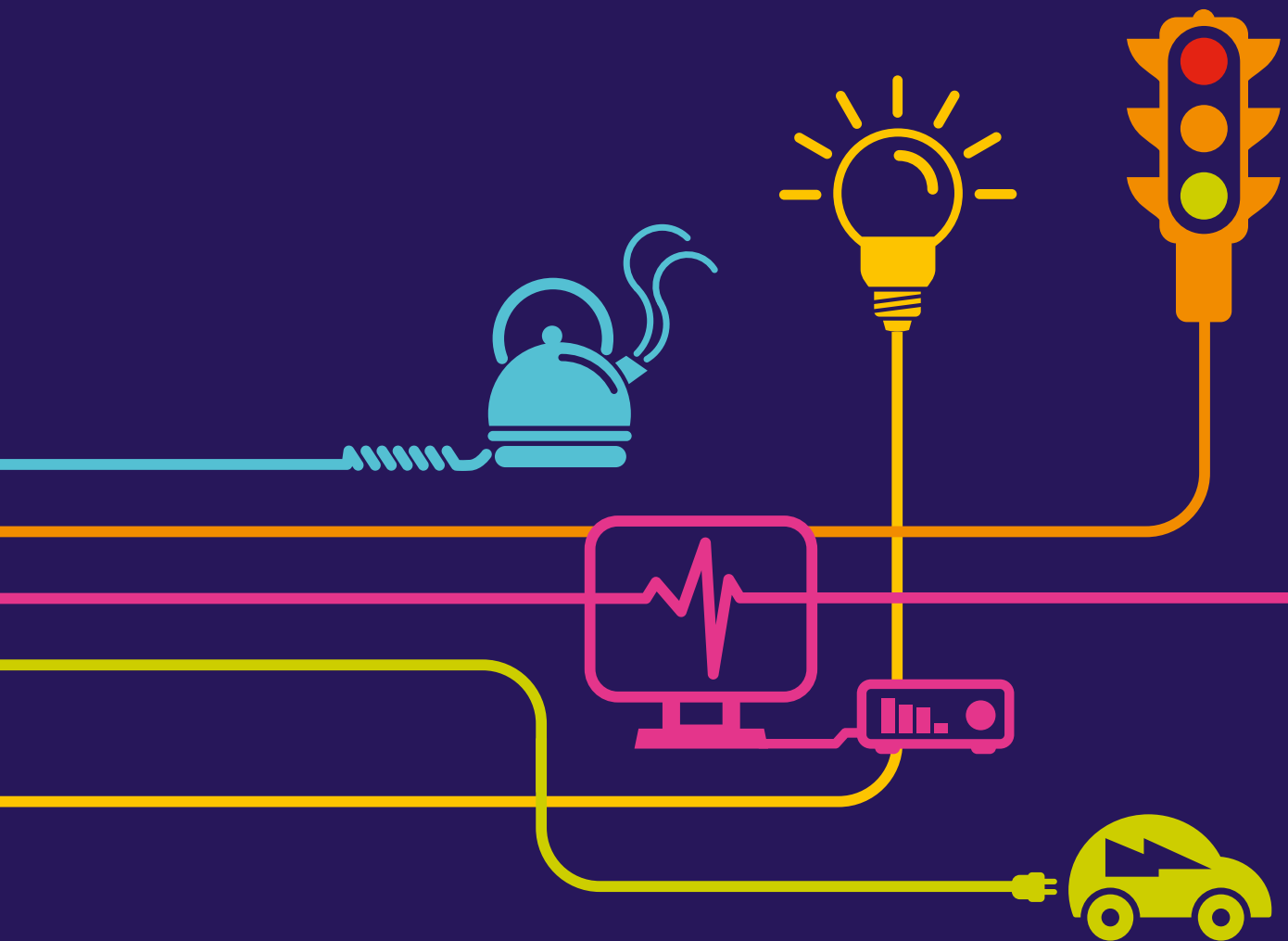


Statement of Commonality for Statements of Common Ground

National Grid (Richborough Connection Project) Order



Richborough Connection Project

Commonality on specific points between Statements of Common Ground

Deadline 8

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Submission

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1 INTRODUCTION

1.1 Purpose

1.1.1 This document has been prepared in order to provide the Examining Authority (ExA) with the final position on Statements of Common Ground (SoCG) between National Grid and statutory consultees, statutory undertakers and interested parties ('other parties') in relation to the proposed Richborough Connection project.

1.1.2 The Rule 6 Letter states:

"The ExA would like the Applicant to provide with the submitted SoCGs a table which shows the commonality on specific points between SoCGs. The ExA would like this table to be updated during the Examination to reflect additional agreement achieved."

1.1.3 This report provides a final position on the commonality on specific points between SoCGs at Examination **Deadline 8** (24 November 2016).

1.2 Structure

1.2.1 The remainder of this report is structured as follows:

- **Section 2** details the structure of each SoCG document and provides an up to date list of SoCGs.
- **Section 3** sets out the status of each SoCG.
- **Section 4** sets out the commonality between SoCGs and a summary of the final position.
- **Section 4.3** provides the latest position on protective provisions at Deadline 8.

2 POSITION

2.1 Structure of SoCGs

2.1.1 To ensure consistency in the approach taken to documenting matters agreed, matters subject to further negotiation or matters not agreed, each of the SoCGs adopted a standard format in order to provide clarity to other parties and ultimately the ExA. The Topic based SoCG with South East Water (SEW) (**Doc 8.4.11.1(A)**) did not follow this standard format.

2.1.2 Each SoCG was broadly structured in the following way:

- Section 1 provided an introduction to the SoCG and a description of its purpose.
- Section 2 stated the role of each party (e.g. Natural England) in the process and details the consultation undertaken.
- Section 3 set out matters agreed.
- Section 4 set out matters which were subject to negotiation or not agreed.
- Appendix A contained a signing off sheet.

2.2 List of SoCGs

2.2.1 In accordance with guidance published by the Department of Communities and Local Government¹ (DCLG), National Grid prepared SoCGs with a number of statutory consultees, statutory undertakers and interested parties during the preparation of the DCO and during the Examination stage.

2.2.2 The SoCGs identify matters on which parties agree and to document the position of each party where agreement was not reached.

2.2.3 National Grid prepared SoCGs with various bodies as identified in **Table 2.1** (overleaf). This provides a list of SoCGs that are in place, along with identifying other bodies where a SoCG was requested but which were not considered necessary.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. London: Department for Communities and Local Government, 2015

Table 2.1 List of SoCGs at Deadline 8

Party	Position
Local Authorities	
The Councils (Canterbury City Council, Dover District Council, Thanet District Council and Kent County Council)	SoCG in place
Kent County Council Highways & Public Rights of Way	SoCG in place
Statutory Consultees	
Environment Agency	SoCG in place
Kent Wildlife Trust	SoCG in place
Kent Downs AONB Unit	SoCG in place
River Stour (Kent) Internal Drainage Board (IDB)	SoCG in place
Historic England	SoCG in place
Natural England	SoCG in place
Marine Management Organisation (MMO)	SoCG in place
Statutory Undertakers	
Network Rail	SoCG in place
South East Water	SoCG in place
South East Water – Topic Specific SoCG	SoCG in place
Southern Water	SoCG in place
Southern Gas Networks	SoCG in place
UK Power Networks	SoCG in place
<i>British Telecommunications plc</i>	<i>SoCG not considered necessary</i>
<i>EDF Energy Networks</i>	<i>SoCG not considered necessary</i>
<i>Southern Electric Gas</i>	<i>SoCG not considered necessary</i>
<i>Virgin Media</i>	<i>SoCG not considered necessary</i>
Interested Party	
Woodland Trust	SoCG in place

2.3 SoCGs not considered necessary

2.3.1 For those parties where **Table 2.1** identifies that a SoCG is not considered to be necessary, an explanation of this view is provided below.

2.3.2 The following SoCGs were requested through the ExA's Rule 6 letter dated 11 May 2016.

British Telecommunications plc (BT)

2.3.3 BT was invited to enter into a SoCG but verbally confirmed they did not consider this to be necessary.

EDF Energy Networks (EDF)

2.3.4 EDF Energy Networks changed its name to South Eastern Power Networks plc on 1 November 2010. South Eastern Power Networks are part of UK Power Networks therefore please refer to the UK Power Networks (UKPN) SoCG (**Doc. 8.4.14(A)**). A schedule of variation (**Doc 3.5**) to the Book of Reference (BoR) was submitted at Deadline 5 to revise entries from 'EDF' to 'UKPN'.

Southern Electric Gas

2.3.5 Entries in the BoR relating to Southern Electric Gas' right to install and maintain electricity transmission equipment are incorrect and have been removed. A schedule of variation (**Doc 3.5**) to the BoR was submitted at Deadline 5.

Virgin Media

2.3.6 National Grid invited Virgin Media to enter into a SoCG in relation to areas where assets may interact. Virgin Media has not responded directly on the establishment of a SoCG and has not raised any concerns with the Richborough Connection project.

3 STATUS

3.1 Summary of current position

3.1.1 This section provides the final position of each SoCG. Where further progress has been made with a party, the final version of the SoCG (as at Deadline 8 on 24 November 2016) has been submitted alongside this document.

3.1.2 **Table 3.1** provides a high level position and where necessary includes further detail to aid understanding of the ExA. In summary the high level positions used in **Table 3.1** are as follows:

- **Final Signed SoCG all matters agreed** – The final SoCG has been signed by both parties and all matters are agreed.
- **Final Signed SoCG with matters outstanding** – The final SoCG has been signed by both parties, and there remain matters outstanding that National Grid and the other party agree will not be resolved during Examination.
- **SoCG in draft** – The final SoCG was drafted by National Grid, it has been shared with the other party and comments have been provided.

Table 3.1 Status of SoCGs at Deadline 8, 24 November 2016

Document Reference	Party	Position at Deadline 2 (14 July 2016)	Position at Deadline 3 (4 August 2016)	Position at Deadline 4 (8 September 2016)	Position at Deadline 5 (7 October 2016)	Position at Deadline 6 (26 October 2016)	Position at Deadline 7 (16 November 2016)	Position at Deadline 8 (24 November 2016)
Local Authorities								
8.4.5(A)	Kent County Council – Highways & Public Rights of Way	Signed SoCG, all matters agreed SoCG signed by Kent County Council on 4 July 2016.	Document was omitted from Deadline 2 submission. Now submitted but position remains unchanged.	Final Signed SoCG, all matters agreed SoCG updated to reflect Hearing outcomes and Second round of Questions. Signed by Kent County Council on 7 September 2016.				

Document Reference	Party	Position at Deadline 2 (14 July 2016)	Position at Deadline 3 (4 August 2016)	Position at Deadline 4 (8 September 2016)	Position at Deadline 5 (7 October 2016)	Position at Deadline 6 (26 October 2016)	Position at Deadline 7 (16 November 2016)	Position at Deadline 8 (24 November 2016)
8.4.6(B)	The Councils (Canterbury City Council, Dover District Council, Thanet District Council and Kent County Council)	Signed SoCG with matters outstanding SoCG signed by all parties on 6 July 2016.	Position as at Deadline 2	Position as at Deadline 3	Position as at Deadline 4	Signed SoCG with matters outstanding Updated SoCG signed by all parties on 26 October 2016.	Position as at Deadline 6	Final Signed SoCG, with matters outstanding Final SoCG submitted at Deadline 8. See Section 4.2.
Statutory Consultees								
8.4.1(C)	Environment Agency	Signed SoCG with matters outstanding SoCG signed by the Environment Agency on 8 July 2016.	Signed SoCG with matters outstanding SoCG signed by the Environment Agency on 2 August 2016.	Position as at Deadline 3	Signed SoCG with matters outstanding Updated SoCG signed by the Environment Agency on 29 September 2016.	Position as at Deadline 5	Final Signed SoCG, with matters outstanding Final SoCG signed by the Environment Agency on 2 November 2016.	Position as at Deadline 7 See Section 4.2.

Document Reference	Party	Position at Deadline 2 (14 July 2016)	Position at Deadline 3 (4 August 2016)	Position at Deadline 4 (8 September 2016)	Position at Deadline 5 (7 October 2016)	Position at Deadline 6 (26 October 2016)	Position at Deadline 7 (16 November 2016)	Position at Deadline 8 (24 November 2016)
8.4.2(B)	River Stour (Kent) Internal IDB	SoCG in Draft Version 2 issued to the IDB for final comment 23 June 2016.	Signed SoCG with matters outstanding SoCG signed by the IDB on 2 August 2016.	Position as at Deadline 3	Final Signed SoCG, with matters outstanding Updated SoCG signed by the IDB on 6 October 2016.	Position as at Deadline 5	Position as at Deadline 6	Position as at Deadline 7 See Section 4.2.
8.4.3(A)	Natural England	Signed SoCG, all matters agreed SoCG signed by Natural England on 6 July 2016.	Position as at Deadline 2	Position as at Deadline 3	Position as at Deadline 4	Final Signed SoCG, all matters agreed Update on matters relating to water voles signed by Natural England on 20 October 2016.		
8.4.4	Kent Wildlife Trust (KWT)	Final Signed SoCG, with matters outstanding SoCG signed by KWT on 8 July 2016.	Position as at Deadline 2	Position as at Deadline 3	Position as at Deadline 4	Position as at Deadline 5	Position as at Deadline 6	Position as at Deadline 7 See Section 4.2.

Document Reference	Party	Position at Deadline 2 (14 July 2016)	Position at Deadline 3 (4 August 2016)	Position at Deadline 4 (8 September 2016)	Position at Deadline 5 (7 October 2016)	Position at Deadline 6 (26 October 2016)	Position at Deadline 7 (16 November 2016)	Position at Deadline 8 (24 November 2016)
8.4.7	Historic England	Final Signed SoCG, all matters agreed SoCG signed by Historic England on 7 July 2016.						
8.4.8	Kent Downs AONB Unit	Final Signed SoCG, all matters agreed SoCG signed by Kent Downs AONB Unit on 6 June 2016.						
8.4.9(C)	Marine Management Organisation (MMO)	Signed SoCG with matters outstanding SoCG signed by the MMO on 13 July 2016.	Position as at Deadline 2	Signed SoCG with matters outstanding Updated SoCG signed by the MMO on 6 September 2016.	Position as at Deadline 4	Signed SoCG with matters outstanding Updated SoCG signed by the MMO on 26 October 2016.	Final Signed SoCG with matter outstanding Final SoCG signed by the MMO on 16 November 2016.	Position as at Deadline 7 See Section 4.2.

Document Reference	Party	Position at Deadline 2 (14 July 2016)	Position at Deadline 3 (4 August 2016)	Position at Deadline 4 (8 September 2016)	Position at Deadline 5 (7 October 2016)	Position at Deadline 6 (26 October 2016)	Position at Deadline 7 (16 November 2016)	Position at Deadline 8 (24 November 2016)
Statutory Undertakers								
8.4.10	Network Rail	SoCG requested National Grid is in the process of preparing a SoCG with Network Rail.	Position as at Deadline 2	Final Signed SoCG, with matters outstanding SoCG signed by Network Rail on 4 August 2016.	Position as at Deadline 4	Position as at Deadline 5	Position as at Deadline 6	Position as at Deadline 7 See Section 4.2.
8.4.11	South East Water (SEW)	Agreed SoCG with matters outstanding Latest position agreed with SEW 13 July 2016.	Final Signed SoCG, with matters outstanding SoCG signed by SEW on 29 July 2016.	Position as at Deadline 3	Position as at Deadline 4	Position as at Deadline 5	Position as at Deadline 6	Position as at Deadline 7 See Section 4.2.
8.4.11.1(A)	South East Water (SEW) – Topic Specific SoCG			Draft Document submitted	Final Signed SoCG, with matters outstanding	Position as at Deadline 5	Position as at Deadline 6	Position as at Deadline 7 See Section 4.2.
8.4.12	Southern Water	SoCG in draft Final version comments received.	Position as at Deadline 2	Position as at Deadline 3	Position as at Deadline 4	Position as at Deadline 5	Position as at Deadline 6	Position as at Deadline 7 See Section 4.2.

Document Reference	Party	Position at Deadline 2 (14 July 2016)	Position at Deadline 3 (4 August 2016)	Position at Deadline 4 (8 September 2016)	Position at Deadline 5 (7 October 2016)	Position at Deadline 6 (26 October 2016)	Position at Deadline 7 (16 November 2016)	Position at Deadline 8 (24 November 2016)
8.4.13	Southern Gas Networks	SoCG in draft Latest version issued for comment 13 June 2016.	Position as at Deadline 2	Position as at Deadline 3 Latest draft version was issued for comment on 26 August 2016.	Position as at Deadline 4	Position as at Deadline 5	Position as at Deadline 6	Position as at Deadline 7 See Section 4.2.
8.4.14(A)	UK Power Networks (UKPN)	SoCG with other party for signature Latest version issued to UKPN 12 July 2016.	Position as at Deadline 2	Final Signed SoCG, all matters agreed SoCG signed by UKPN on 1 September 2016.				
Interested Party								
8.4.15(B)	Woodland Trust					Agreed SoCG with matters outstanding SoCG agreed by the Woodland Trust on 26 October 2016 (signature not available at this time).	Signed SoCG with matter outstanding SoCG signed on 26 October 2016.	Final Signed SoCG, all matters agreed Final SoCG submitted at Deadline 8. See Section 4.2.

4 COMMONALITY

4.1 Summary

4.1.1 This section of the report provides a summary of principal issues covered in the SoCGs and demonstrates where there is commonality in the topics or matters being discussed with the various parties at Deadline 8.

4.1.2 The summary in **Table 4.1** has been produced following a request from the ExA within the Rule 6 letter dated 11 May 2016 and relates to those SoCG being progressed, as summarised in **Section 3**.

4.1.3 The table is presented in such a way to show topics covered within the various SoCGs (✓) and how these are relevant to each party and a position for each topic as follows:

	Matter agreed
	Matter subject to further discussion
	Matter not agreed

4.1.4 Where a matter is not relevant to a party, it is not included within the SoCG and therefore not covered in **Table 4.1** and shown as a blank.

4.1.5 Following the table, **Section 4.2** provides a summary of the final position between National Grid and each party.

Table 4.1 Table of Commonality at Deadline 8

SoCG Ref	Party	Topics																
		Draft DCO	Protective Provisions	Other Consents and licences	CEMP and associated documents	Design and Engineering	Planning Policy	Landscape & Visual	Historic Environment	Biodiversity (including Arboriculture)	Traffic and Transport	Air Quality	Noise and Vibration (including EMF)	Water Environment	Geology, Soils and Agriculture	Socio-economic and Recreation	Cumulative effects	Broad Oak
8.4.1(C)	Environment Agency	✓		✓	✓	✓				✓				✓				✓
8.4.2(B)	River Stour (Kent) Internal Drainage Board	✓		✓		✓								✓				
8.4.3(A)	Natural England	✓				✓		✓		✓					✓			✓
8.4.4	Kent Wildlife Trust	✓		✓	✓	✓	✓			✓								
8.4.5(A)	Kent County Council – Highways & Public Rights of Way	✓									✓					✓		
8.4.6(B)	The Councils	✓		✓	✓	✓ ²	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓

² This relates to KCC's objection to the use of overhead lines across the entirety of the Richborough Connection project only.

SoCG Ref	Party	Topics																
		Draft DCO	Protective Provisions	Other Consents and licences	CEMP and associated documents	Design and Engineering	Planning Policy	Landscape & Visual	Historic Environment	Biodiversity (including Arboriculture)	Traffic and Transport	Air Quality	Noise and Vibration (including EMF)	Water Environment	Geology, Soils and Agriculture	Socio-economic and Recreation	Cumulative effects	Broad Oak
8.4.7	Historic England	✓						✓										
8.4.8	Kent Downs AONB Unit							✓								✓		
8.4.9(C)	Marine Management Organisation	✓		✓	✓	✓							✓					
8.4.10	Network Rail		✓															
8.4.11	South East Water	✓	✓			✓	✓											✓
8.4.11.1(A)	South East Water – Topic Specific			✓		✓	✓	✓		✓						✓	✓	✓
8.4.12	Southern Water		✓			✓												
8.4.13	Southern Gas Networks		✓			✓												
8.4.14(A)	UK Power Networks	✓	✓		✓	✓	✓		✓									
8.4.15(B)	Woodland Trust				✓	✓	✓	✓	✓									

4.2 Final position

4.2.1 The following section provides a summary of the final position between National Grid and each party where there are matters outstanding. The individual SoCGs should be referred to for the full detail on specific matters.

Environment Agency (Doc 8.4.1(C))

4.2.2 The Deadline 7 version of the SoCG with the Environment Agency is the final signed version of the SoCG (**Doc 8.4.1(C)**). There was an issue with the formatting of a table within the version submitted at Deadline 7, this has been corrected and re-submitted at Deadline 8.

River Stour (Kent) IDB (Doc 8.4.2(B))

4.2.3 The Deadline 5 version of the SoCG with the River Stour IDB is the final signed version of the SoCG (**Doc 8.4.2(B)**). National Grid and the River Stour IDB have agreed that the SoCG sets out the final position on matters agreed and matters outstanding relating to the Richborough Connection project.

Kent Wildlife Trust (Doc 8.4.4)

4.2.4 The Deadline 2 version of the SoCG with KWT is the final signed version of the SoCG (**Doc 8.4.4**).

4.2.5 National Grid continued to engage with KWT in relation to matters currently outstanding with a view of providing a final SoCG. However, given that KWT do not feel that it would significantly move the Trust's position any further forward with respect to remaining matters, and due to resource constraints at KWT as a charitable organisation, an updated SoCG has not been submitted.

The Councils (Doc 8.4.6(B))

4.2.6 An updated final signed version of the SoCG with the Councils (**Doc 8.4.6(B)**) has been submitted at Deadline 8.

4.2.7 Since the last version of the SoCG, which was submitted at Deadline 6, the following matters have been updated:

- Landscape (SoCG ID 4.3.7): Position on the Additional Viewpoint from Sandwich Church Tower requested by DDC updated and agreed.
- Noise and Vibration (SoCG ID 4.7.7 and 4.7.12): Minor text edits to matters agreed on noise to reflect ongoing discussions and points discussed at Hearings.
- Draft DCO (Section 4.12 – 4.22): Amends to references to the Articles and Schedules in final draft DCO.
- Draft DCO – Schedule 4 Discharge of Requirements (new SoCG ID 4.21.5): Service Level Agreement (schedule to s.106 Agreement) now agreed with all Councils.
- Other Consents / Lead Local Flood Authority (SoCG ID 4.30.1): Updates to the references to KCC as Lead Local Flood Authority in the draft DCO based on second round of questions and Hearings held on 9 – 10 November 2016.
- Cumulative Impact Assessment (SoCG ID 4.31.2): An ES Addendum submitted at Deadline 6 (**Doc 5.2.2**) and Deadline 7 (**Doc 5.2.3**), to include an updated

cumulative impact assessment to include the applications for the two Communication Masts and the proposed development at Manston Airport.

4.2.8 Section 106 Agreement (SoCG ID 4.32.1): National Grid has now received confirmation from DDC, CCC, KCC and TDC of agreement with the final proposed section 106 agreement (**Doc 8.56**). Final tweaks to accommodate three minor amends suggested by KCC have been made. The final version of the section 106 agreement including the amends from KCC was provided to the Councils on 18 November 2016 and has been submitted at Deadline 8 (**Doc 8.61**). National Grid is progressing the execution of the s.106 Agreement.

4.2.9 In terms of the matters outstanding a number are historic matters where it has been made clear that it represents the final position of each party and will not change. The following matters outstanding have been updated:

- SoCG ID 5.12.1 (Article 38 – Defence to proceedings in respect of statutory nuisance) – updates to the Noise and Vibration Management Plan and the use of section 61 Agreements have been provided to EHOs. National Grid does not consider this matter to be outstanding.
- SoCG ID 5.13.3 (Requirement 8 – Mitigation Planting) – updates have been made to this requirement to reflect comments made by KCC. National Grid does not consider this matter to be outstanding.

4.2.10 The Deadline 8 version of the SoCG with the Councils is the final signed version (**Doc 8.4.6(B)**).

Marine Management Organisation (Doc 8.4.9(C))

4.2.11 The Deadline 7 version of the SoCG with the MMO (**Doc 8.4.9(C)**) is the final version of the SoCG. National Grid and the MMO have agreed that this SoCG sets out the final position on matters agreed and the one matter outstanding relating to the Richborough Connection project.

Network Rail (Doc 8.4.10)

4.2.12 The Deadline 4 version of the SoCG with Network Rail (**Doc 8.4.10**) is the final version of the SoCG. An updated position regarding protective provisions with Network Rail is provided in **Section 4.3** of this document.

South East Water (Doc 8.4.11) and Topic Specific SoCG (Doc 8.4.11.1(A))

4.2.13 The Deadline 3 version of the SoCG with South East Water (**Doc 8.4.11**) is the final version of the SoCG. The Deadline 5 version of the Topic Specific SoCG with South East Water (**Doc 8.4.11.1(A)**) is the final version of the SoCG. An updated position regarding protective provisions with South East Water is provided in **Section 4.3** of this document.

Southern Water (Doc 8.4.12)

4.2.14 No changes have occurred since the Deadline 2 version of the SoCG with Southern Water (**Doc 8.4.12**). An updated position regarding protective provisions with Southern Water is provided in **Section 4.3** of this document.

Southern Gas Networks (Doc 8.4.13)

- 4.2.15 No changes have occurred since the Deadline 2 version of the SoCG with Southern Gas Networks (SGN) (**Doc 8.4.12**). An updated position regarding protective provisions with SGN is provided in **Section 4.3** of this document.

Woodland Trust (Doc 8.4.15(B))

- 4.2.16 An updated version of the SoCG with the Woodland Trust (**Doc 8.4.15(B)**) has been submitted at Deadline 8 with all matters agreed.
- 4.2.17 A new requirement (**Requirement 20**) has been added to the DCO (**Doc 2.1(D)**) to provide for the operational management of easements through ancient woodland (an Ancient Woodland Easement Management Plan). This would be submitted for the approval of the local planning authority following consultation with Natural England, and the Woodland Trust. The wording for this new requirement was shared with the Woodland Trust for their review.
- 4.2.18 The Woodland Trust has confirmed that they are happy with the proposed wording and the outstanding matters from the previous version of the SoCG are now agreed.

4.3 Protective Provisions

- 4.3.1 The final position in relation to agreement on protective provisions with statutory undertakers is presented in **Table 4.2**.

Table 4.2 Protective Provisions at Deadline 8

Party	Deadline 8 summary position
Network Rail	<p>Not agreed</p> <p>National Grid and Network Rail currently do not agree on the form of the protective provisions.</p> <p>Both parties have presented their position which is summarised in the Position Paper (Doc 8.34, Appendix D) submitted at Deadline 5. Notwithstanding previous submissions made by both parties, National Grid and Network Rail remain unable to reach agreement to the matters currently outstanding.</p> <p>At Deadline 6, Network Rail submitted suggested amendments to the proposed protective provisions (REP6-034):</p> <ol style="list-style-type: none"> 1. Definition of 'Plans' <p>Network Rail has requested that the definition of 'plans' be revised to include the words 'dates of' before 'extent, timing and duration of any proposed occupation of any proposed occupation of railway property'.</p> <p>National Grid is willing to accept this amendment and the DCO submitted at Deadline 7 reflects this change.</p> 2. Paragraph 30(4) relating to plan approval <p>Network Rail has proposed additional wording relating to the definition of 'protective works'.</p> <p>Protective works is a term that is designed to relate to 'works' whereas the drafting Network Rail has proposed relates to timing and approval of access. Given that Network Rail already has powers to approve the timing of the works through its powers to approve plans, National Grid does not agree to the proposed additional wording.</p> 3. Paragraphs 31(1)(d) and (1)€ relating to the construction of specified works <p>It is proposed by Network Rail that this paragraph be split into two.</p> <p>National Grid is willing to accept this amendment and the DCO submitted at Deadline 7 reflects this change.</p>

Party	Deadline 8 summary position
South East Water	<p>Not agreed</p> <p>National Grid has included enhanced protective provisions for the benefit of South East Water within Schedule 14 of the draft DCO which it submitted at Deadline 7 (REP7-003). National Grid also included at that deadline a position statement setting out the reasons why it is not able to agree the additional provisions sought by South East Water (Appendix A to REP7-008). National Grid has included additional submissions at Deadline 8 in its position statement on South East Water (Doc 8.59). South East Water set out its position at Deadline 7 (REP7-036).</p> <p>Discussions between both parties are continuing.</p>
Southern Water	<p>Not agreed</p> <p>Southern Water has provided a copy of their preferred form of Protective Provisions which are based on what was agreed on a different DCO relating to an underground cable. National Grid does not agree with the form of the preferred protective provisions as they are not appropriate or proportionate to an overhead line project which has less interaction with below ground assets.</p> <p>To progress this matter, National Grid has issued a draft legal agreement containing protective provisions to Southern Water for review. National Grid is awaiting feedback from Southern Water on the legal agreement.</p>
Southern Gas Networks	<p>Agreed</p> <p>Southern Gas Networks (SGN) has not raised any objections to the form of the protective provisions included in Schedule 14 of the DCO.</p> <p>A separate legal agreement has been progressed with SGN. SGN confirmed on 15 November 2016 that they are waiting to execute the agreement and there are no matters outstanding. It is understood that once the agreement is executed, SGN will withdraw their Relevant Representation.</p>
UK Power Networks	<p>Agreed</p> <p>Both parties are agreed on the protective provisions.</p>