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M20 Junction 10a Case Team  
The Planning Inspectorate  
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BS1 6PN

9 October 2017

Dear M20 Junction 10a Case Team

**Planning Act 2008 (as amended)**

**Application by Highways England (HE) (“the Applicant”) for an Order granting Development Consent for the M20 Junction 10a.**

**Request for further comments from the applicant Friends Life Limited (FLL) and Southern Gas Networks (SGN).**

Further to the letter dated 28 September 2017 from Robert J Fox, please see SGN’s response below:

1. The side agreement dated 25 May 2017 is in place. The terms of that side agreement adequately address any concerns that SGN had in relation to the proposed Protective Provisions at Part 1 of Schedule 9 to the draft Order and no amendments to the draft Order are required as a result of the agreement.
2. The Applicant has entered into an agreement with FLL dated 24 July 2017. In that agreement, FLL agrees in principle that it authorises the route of the SGN gas main diversion over land owned by FLL (N.B. the pipeline itself will be within the Order limits). FLL also agrees that it will grant all rights and restrictions reasonably requested by SGN over the 9-metre strip to SGN. This is subject to: (a) the provision of SGN's standard indemnities in favour of FLL; (b) the provision of a schedule of condition of land owned by FLL in the vicinity of the SGN gas main diversion to FLL both pre and post the SGN gas main diversion works; and (c) SGN restoring the land to a condition satisfactory to FLL (acting reasonably) post the SGN gas main diversion works. The Applicant is to be responsible for the reasonable costs of FLL incurred in relation to the diversion works.

The Applicant is entitled to give written notice to FLL at any time after the making of the Order (for a period up to 5 years from the date the Order is made) calling upon FLL to grant the rights and restrictions reasonably requested by SGN over the 9-metre strip in accordance with SGN’s standard requirements. Such rights and restrictions will, subject to agreement of a formal deed of easement and/or licence, be granted within 20 working days of receipt of the written notice from the Applicant.



Accordingly, satisfactory arrangements are now in place between the three parties in respect of the 9-metre strip of land.

A copy of this letter has been sent by email to [M20Junction10a@pins.gsi.gov.uk](mailto:M20Junction10a@pins.gsi.gov.uk).

Yours sincerely

Kim Miller  
Easement Officer