

THE A122 (LOWER THAMES CROSSING) DEVELOPMENT CONSENT ORDER

Deadline 3 Submission

Interested Party	Northumbrian Water Limited (operating as Essex & Suffolk Water)
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Author	Winckworth Sherwood LLP
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3_submiss~ 4142-0073-5305
v.3.docxMinerva 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**

1. Northumbrian Water Limited operating as Essex & Suffolk Water (“ESW”) and the Applicant have very recently held constructive meetings to discuss the matters of disagreement as set out in ESW’s Written Representations (REP1-265). The parties made progress in relation to these matters and ESW awaits receipt of revised versions of the Side Agreement and Works Funding Agreement. Based on the discussions in principle during the most recent meeting, ESW is hopeful that the revised agreements will contain binding legal commitments sufficient to provide ESW with the reassurances it requires in order to protect its statutory undertaking but will need to carefully review the wording when received.
2. Both ESW and the Applicant are mindful, in light of the recent meetings and awaited revisions, that it would not be the best use of resources (of either party) or of benefit to the Examining Authority for revised versions of the Statement of Common Ground and Principal Areas of Disagreement Summary to be produced and submitted at this stage as they would not yet be able properly to reflect the outcome of discussions. The parties therefore intend to submit updated versions of these documents at a more appropriate deadline later in the Examination timetable.
3. ESW is aware of Compulsory Acquisition Hearing 1 (“CAH1”) which is scheduled to take place on Friday 15 September. Again, based on discussions at the recent meeting and expected wording in the revised Side Agreement in relation to the restriction of the use of compulsory acquisition powers over plot 24-133, ESW considers it would be premature to attend CAH1 to put forward its position in relation to the powers the Applicant is currently proposing to take through the DCO. It would, however, reserve its position to review the transcript of CAH1 and provide any comments it considers necessary in writing after the event, as well as to attend future Compulsory Acquisition Hearings in order to present its case, if the expected legal commitments are not forthcoming.

Winckworth Sherwood LLP