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# Chronology of contact with GAL in respect of the NRP DCO

24.01.2020	GAL provide initial environmental survey results on plan with no
	commentary and request access for further surveys
28.01.2020	GGL request the commentary to accompany the plans to fulfil the
	agreement that the survey results would be share before agreeing to
40.00.0000	access to GGL land for further surveys
12.02.2020	GAL provide full survey results as they relate to GGL land
19.03.2020	GGL advised by an unrelated 3 <sup>rd</sup> party that they had been told by GAL that
00.07.0004	they were 'suspending all expansion plans at the current time'
02.07.2021	Letter from GAL to GGL chasing details requested in a letter from May 2021
06.07.2024	sent by Dalcour MacLaren to GGL but not received by GGL
06.07.2021	GGL request Dalcour MacLaren forward a copy of their letter
	Dalcour MacLaren forward a copy of their letter dated 28 <sup>th</sup> May 2021 with
12.07.2021	a Confirmation Schedule
13.07.2021	GGL's lawyers submit Confirmation Schedule online GGL submit reps to the GAL consultation on the Northern Runway Project
01.12.2021 28.04.2022	
28.04.2022	Dalcour MacLaren request access to GGL land for ecological surveys
29.04.2022	GLL request details of extent of land to be surveyed, access requirements –
03.05.2022	one off or multiple visits Dalcour MacLaren provide details of land area to be surveyed
03.05.2022	GGL confirm access consent to Dalcour MacLaren
13.06.2022	Letter from GAL to GGL confirming dates of non-statutory consultation
18.07.2022	Letter from GGL to GAL requesting larger scale plans to enable proper
10.07.2022	assessment of the revised proposals on GGL land
27.07.2022	GGL submit reps to the GAL non-statutory consultation
14.10.2022	Letter from Dalcour Maclaren to GGL requesting a meeting to commence
14.10.2022	commercial discussions
19.10.2022	Letter from GGL to Dalcour MacLaren to advise that as there has been no
	response to GGL's letter to GAL dated 18.07.2022 and until larger scale
	more detailed plans are available to enable proper assessment of impact, a
	meeting cannot take place
	Dalcour MacLaren advised that they did not have more detailed drawings
	but were expecting them shortly
09.11.2022	Dalcour MacLaren provide more detailed plans
12.11.2022	Dalcour MacLaren advised that Savills will act for GGL in any commercial
	discussions
23.11.2022	Letter from Dalcour MacLaren requesting Savills confirm that their fees
	accord with the DM Fee Note
	Letter from Savills to Dalcour MacLaren requesting clarification on 10
	points covering detailed design, proposals in respect of temporary
	occupation, solutions to loss of agricultural access, traffic studies & PRoW
	diversion. Objection to attempt to cap fees.
29.11.2022	Dalcour MacLaren contact Savills requesting a meeting
	Savills reply requesting confirmation that the requests in their letter of
	23.11.2022 have been actioned
08.12.2022	Savills chase Dalcour MacLaren for a response to letter dated 23.11.2022
	and/or a timetable for response

24.01.2020	GAL provide initial environmental survey results on plan with no
	commentary and request access for further surveys
28.01.2020	GGL request the commentary to accompany the plans to fulfil the
	agreement that the survey results would be share before agreeing to
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03.05.2022	one off or multiple visits Dalcour MacLaren provide details of land area to be surveyed
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	response to GGL's letter to GAL dated 18.07.2022 and until larger scale
	more detailed plans are available to enable proper assessment of impact, a
	meeting cannot take place
	Dalcour MacLaren advised that they did not have more detailed drawings
	but were expecting them shortly
09.11.2022	Dalcour MacLaren provide more detailed plans
12.11.2022	Dalcour MacLaren advised that Savills will act for GGL in any commercial
	discussions
23.11.2022	Letter from Dalcour MacLaren requesting Savills confirm that their fees
	accord with the DM Fee Note
	Letter from Savills to Dalcour MacLaren requesting clarification on 10
	points covering detailed design, proposals in respect of temporary
	occupation, solutions to loss of agricultural access, traffic studies & PRoW
	diversion. Objection to attempt to cap fees.
29.11.2022	Dalcour MacLaren contact Savills requesting a meeting
	Savills reply requesting confirmation that the requests in their letter of
	23.11.2022 have been actioned
08.12.2022	Savills chase Dalcour MacLaren for a response to letter dated 23.11.2022
	and/or a timetable for response

19.12.2022	Dalcour MacLaren issue meeting invitation but no detailed information
	GGL decline the meeting
	Savills request answers to letter dated 23.11.2022
11.01.2023	Savills request answers to letter dated 23.11.2022 and reference a
	'disappointing lack of engagement'
16.01.2023	Savills receive an undated latter from Dalcour MacLaren providing
	responses to the queries raised on 23.11.2023 and additional plan
	information
14.02.2023	Dalcour MacLaren confirm that the will be issuing dates for a meeting and
	issuing a draft set of Heads of Terms for an Option Agreement
03.03.2023	Letter from GAL to GGL requesting completion of a Confirmation Schedule
10.03.2023	Initial meeting held with GAL
04.04.2023	Dalcour MacLaren issue initial Head of Terms for an Option Agreement and
	notes of meeting from 10.03.2023
19.07.2023	Savills request that Dalcour MacLaren amend the Heads of Terms
10.08.2023	Dalcour MacLaren confirm that they will arrange for their highways
	engineers to contact the GGL highways engineers to provide some of the
	technical detail requested in the Savills letter of 23.11.2023
	Dalcour MacLaren invite Savills to submit counter proposals to the Heads of
	Terms
05.09.2023	GAL write to GGL to advise of closing date for submission of Relevant
	Representations
11.10.2023	Savills submit revised Heads of Terms to Dalcour MacLaren
29.10.2023	GGL submit a Relevant Representation





# PART [TBC]

## FOR THE PROTECTION OF GATWICK GREEN LIMITED

1. For the protection of GGL, the following provisions have effect, unless otherwise agreed in writing between the undertaker and GGL.

2. In this Part of this Schedule-

"Gatwick Green" means [ADDRESS AND POSTCODE]

"GGL" means Gatwick Green Limited (Company number 013378751) whose registered address is Fetcham Park, Lower Road, Fetcham, Leatherhead, United Kingdom KT22 9HD

### Regulation of powers

2. The undertaker must not exercise the powers granted under this Order so as to hinder or

prevent access to Gatwick Green by GGL, its employees, contractors or sub-contractors, such access to be along the existing highway route at the M23 Junction 9 a spur road.

3. The undertaker must give to Gatwick Green not less than 28 days' written notice of its

intention to commence the construction of any part of the authorised development that uses the existing highway route at the M23 Junction 9a spur road.

# **Co-operation**

4. Insofar as the construction of any part of the authorised development and access to Gatwick Green would have an effect on each other, the undertaker and GGL must—

(a) co-operate with each other with a view to ensuring-

(i) that access for the purposes of constructing the authorised development is maintained

for the undertaker, its employees, contractors and sub-contractors; and

(ii) that access to Gatwick Green is maintained for GGL, its employees, contractors and subcontractors; and (b) use reasonable endeavours to avoid any conflict arising from the access to Gatwick Green and the construction of the authorised development.

Indemnity

5.—

(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the use of the

highway at the M23 spur road by the undertaker in connection with the construction or operation of the authorised development, there is any interruption of access to Gatwick Green the undertaker must make reasonable compensation to GGL for any expenses, loss, damages, penalty or costs incurred by GGL by reason or in consequence of any such interruption.

(2) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to—

(a) any damage or interruption to the extent that it is attributable to the act, neglect or default

of GGL, its officers, employees, servants, contractors or agents; or

(b) any indirect or consequential loss or loss of profits by GGL.

(3) GGL must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made without the consent of the undertaker which, if it

withholds such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

(4) GGL must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs, expenses, loss, demands, and penalties to which the indemnity under this paragraph 5 applies. If requested to do so by the undertaker, GGL must provide an explanation of how the claim has been minimised or details to substantiate any cost or compensation claimed pursuant to sub-paragraph (1). The undertaker shall only be liable under this paragraph 5 for claims reasonably incurred by GGL.

# Arbitration

6. Any difference or dispute arising between the undertaker and GGL under this Part

of this Schedule must, unless otherwise agreed in writing between the undertaker and GGL, be referred to and settled by arbitration in accordance with article [TBC] (arbitration).

### PROPOSED AMENDS TO DRAFT DCO REQUIREMENT 12

### Construction traffic management plan

12.—(1) No part of the authorised development is to commence until a construction traffic

management plan has been submitted to and approved in writing by the relevant highway