

Written summary of oral submissions made at Compulsory Acquisition Hearing 2 on behalf of Marathon Asset Management MCAP Global Finance (UK) LLP (“Marathon”)

1 INTRODUCTION

- 1.1 This document summarises the submissions advanced by Marathon Asset Management MCAP Global Finance (UK) (“Marathon”) at Compulsory Acquisition Hearing 2 on 30 July 2024.
- 1.2 The main items for discussion were the Applicant’s case for Compulsory Acquisition and temporary possession, acquisition of Statutory Undertakers’ land, Crown land and funding.
- 1.3 The hearing opened at 9.30am at the Sandman Signature London Gatwick Hotel, and closed at 1pm.

2 ATTENDEES ON BEHALF OF MARATHON

- 2.1 Rebecca Clutten, Counsel instructed by Bryan Cave Leighton Paisner LLP (“BCLP”), appeared on behalf of Marathon.

3 SUMMARY OF SUBMISSIONS

Agenda Item	Summary of oral submission
3	<p>As the ExA is aware, GAL and Marathon Asset Management (MAM) have been engaged in discussions regarding a commercial agreement to address the matters identified by MAM in their representations to date. Both parties are pleased to confirm that Heads of Terms have now been agreed and it is anticipated that the commercial agreement will be concluded in the coming weeks and prior to the close of the examination. As a result, and in anticipation of the agreement being reached, MAM would intend to submit written confirmation of the withdrawal of their representations upon conclusion of the commercial agreement. In circumstances where agreement is not reached prior to the end of the examination, MAM reserve the right to make further submissions, including the provision of proposed protective provisions and supporting justification, to supplement the representations made into the examination to date; however, both parties are committed to concluding the formal agreement based on the Heads of Terms and therefore hopeful that will not be necessary.</p> <p>We would propose to submit the draft Protective Provisions at Deadline 9 (21st August 2024) if this proves necessary.</p>

7 August 2024