

Prior to the close of the examination we are instructed to clarify the position in relation to our clients C.RO and C.GEN.

It should be noted that neither of our clients have withdrawn their representations/objections. This is because inter alia Able has not agreed to the inclusion of the full protection they seek. Their concerns in relation to the drafting of the DCO and other matters (not least the Railway) remain.

Therefore, as set out in their Summaries of the DCO ISH, without prejudice to that position should the Secretary of State determine to make the DCO, the minimum protection they require is in the form of protective provisions appended to their Summaries, and on the basis explained in those

Summaries.

We hope that clarifies the position.