

Application by Port of Tilbury London Limited for an Order Granting Development Consent for a Proposed Port Terminal at the Former Tilbury Power Station ('Tilbury2')

Issue Specific Hearing on the Applicant's Draft Development Consent Order (dDCO) – Highways England Response

28 June 2018, 10.00am

Thurrock Hotel, Ship Lane, Aveley, RM19 1YN

Overview

1. Highways England has been in discussion with the Applicant and its advisors since Deadline 4 and has made further progress in progressing outstanding issues. HE has entered into an updated SoCG (which has been presented to the Panel) to reflect the status of progress.
2. In particular, the parties are in agreement as to the application of otherwise wide powers available to the Applicant in respect of ASDA Roundabout, details of which HE is happy to provide further clarification as part of the specific questions asked by the Panel in Annex A.
3. Those discussions also suggest that the Applicant now expects to reach some agreement with HE on the wording of replacement protective provisions (PPs) to appear in the dDCO. By agreement with the Applicant, details of the wording of those PPs has not been submitted to the Examination at this time as it is expected that the Parties will very shortly be in a position to present a common ground position on the replacement wording.

4. At this time it is understood that it will not be possible for the Parties to agree in respect of the application of all elements of HE's required PPs but that the very majority of provisions are able to be agreed. The intention is for the Parties to submit final detailed submissions on any elements of difference as part of an updated statement of common ground following further discussion and review of the pending updated dDCO. HE will also be available to further appear as required by the Panel in respect of those elements.
5. The SoCG records that HE has now received enough information from the Applicant to be satisfied that the mitigation proposed in respect of ASDA roundabout is acceptable in principle and is now subject to Stage 1 RSA. HE ordinarily requires satisfaction of Stage 1 RSA at planning stage.
6. Discussions continue in respect of J30 M25. Some progress has been made and HE remains willing to work with the Applicant whilst the Applicant seeks to satisfy the requirement to demonstrate that its proposals will not result in a material exacerbation of queuing impacts on the approach to this junction.
7. At Deadline 4, in the interests of being helpful to the Examination, HE put forward a proposal to address concerns relating to J30 M25, namely the imposition of a requirement limiting the amount of through traffic at this junction arising from the development. HE has adopted this approach on another consented scheme. It has been put forward here given concerns that HE has raised that it may not be possible to conclude assessment of the effects on the junction in the time left for Examination. This is strongly resisted by the Applicant as unacceptable and unworkable. HE's understanding is that Applicant considers that it still intends to seek to demonstrate the extent of impact and the requirement for any mitigation. At this time, HE understands that the Applicant does not expect to conclude that mitigation is necessary. That proposition cannot be accepted by HE at this time.
8. HE keeps an open mind and will work with the Applicant on its further demonstration of the extent of impact. HE is equally willing to continue to explore solutions with the Applicant and the Panel for the grant of dDCO including the imposition of a suitably worded requirement that requires mitigation to be agreed and carried out.

Abbreviations used

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|---------------|---------------------------------|-------------|---|
| AW | Anglian Water | NE | Natural England |
| CGL | Cadent Gas Limited | NG | National Grid |
| DCO | Development Consent Order | NSIP | Nationally Significant Infrastructure Project |
| dDCO | draft Development Consent Order | PD | Permitted Development |
| DML | Deemed Marine Licence | PLA | Port of London Authority |
| EA | Environment Agency | RWE | RWE Generation UK |
| ExA | Examining Authority | SWQ | Second Written Questions |
| HE | Highways England | TC | Thurrock Council |
| Hist E | Historic England | TP | Temporary Possession |
| MMO | Marine Management Organisation | WSI | Written Scheme of Investigation |

Annex A: Specific questions from the Examining Authority (ExA) Panel (relates to agenda item 4)

| Q No. | Part of DCO | Directed to | Question | HE Response |
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| 3.8.1. | Art 3: Disapplication of legislation, etc | <i>Applicant</i> | <p>With reference to RWE Generation's response at deadline 4 [REP4-004] to ExA's SWQs [PD-010], Q2.8.2 ...</p> <p>i. What is the Applicant's response to RWE's deadline 4 response?</p> | |
| 3.8.2. | Art 4: Application of enactments relating to the Port of Tilbury | <i>Applicant</i> | <p>With reference to the Applicant's and Port of London Authority (PLA)'s responses at deadline 4 [REP4-020, REP4-007] to ExA's SWQs [PD-010], Q2.8.3:</p> <p>i. Would the Applicant give its response to the PLA's deadline 4 response?</p> <p>ii. Re item iv, would the Applicant please note that a weblink is unsuitable for inclusion in a DCO, since it may change or be removed;</p> <p>iii. Re item iv, under what power are the General Trading Regulations made, and should this be stated in the DCO?</p> <p>iv. Re item iv, would the Applicant state whether provision should be made for variation of the Regulations, eg "as varied from time to time by the Company ..."?</p> <p>v. Can the Applicant explain the position with regard to s85 of the 1968 Act</p> | |

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| | | | (the Applicant's response [REP4 020] to SWQ 2.8.3(i) merely refers to the PLA response, but that does not deal with s85)? | |
| 3.8.3. | Art 6: Development consent granted by the Order | <i>Applicant</i> | <p>With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs [PD-010], Q2.8.5, the Applicant states the intention of Art 6(2), but ...</p> <ul style="list-style-type: none"> i. While this may be the intention, this is not the apparent effect of the article. Art 6(2) applies as soon as the Order comes into force, not on completion of the authorised development; ii. There is still doubt as to why the wide ranging maintenance powers in Art 41 (Operation and maintenance of the authorised development) are needed as well as the permitted development rights as a consequence of the site being port operational land. | |
| 3.8.4. | Art 10: Construction and maintenance | <i>Applicant, Thurrock Council (TC)</i> | <p>With reference to the Applicant's and TC's response at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.8.8 ...</p> <ul style="list-style-type: none"> i. Would the Applicant and TC update the Examination on their discussions | |

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| | <i>of new, altered or diverted streets</i> | | with regard to Art 10, highlighting any areas still to be resolved? | |
| 3.8.5. | Art 11: Classification of roads | <i>Applicant, Thurrock Council (TC)</i> | With reference to the Applicant's and TC's responses at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.8.9 ... ii. Would the Applicant and TC update the Examination on their discussions with regard to the classification of roads, highlighting any areas still to be resolved? | |
| 3.8.6. | Art 12: Permanent stopping up and restriction of use of highways and private means of access | <i>Applicant/ Highways England (HE)</i> | With reference to the Applicant's and HE's responses at deadline 4 [REP4-020, REP4-002] to ExA's SWQs [PD-010], Q2.8.10 ... i. Would the Applicant and HE update the Examination on the status of their discussions with regard to Art 12, highlighting any areas still to be resolved? | The proposed permanent stoppings up and restrictions in Article 12 do not affect the SRN. HE reserves its position in respect of any new permanent stoppings up that might be proposed by the Applicant. |
| 3.8.7. | Art 17: Level crossings | <i>Applicant</i> | With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs [PD-010], Q2.8.13, the Applicant's response is noted, but ... i. Is there not a tautology in Art 17, | |

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| | | | since it only applies once Footpath 144 has been stopped up under Art 12(1), so by the time it comes into effect the Public Right of Way will already have been extinguished? | |
| 3.8.8. | Art 18: Discharge of water | <i>Applicant, Environment Agency (EA)</i> | With reference to the Applicant's and EA's responses at deadline 4 [REP4-020, REP4-001] to ExA's SWQs [PD-010], Q2.8.14 ... i. Would the Applicant and EA update the Examination on the status of their discussions with regard to the discharge of water, highlighting any areas still to be resolved? | |
| 3.8.9. | Art 22: Works in the river Thames - conditions | <i>Applicant</i> | With reference to the Port of London Authority (PLA)'s response at deadline 4 [REP4-007] to ExA's SWQs [PD-010], Q2.8.17 ... i. What is the Applicant's response to PLA's deadline 4 response? ii. The point is simply to be consistent throughout the Order. | |
| 3.8.10. | Art 32: Temporary use of land for | <i>Applicant</i> | With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs [PD-010], Q2.8.20, the Applicant's response | |

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| | carrying out the authorised development | | <p>is noted, but ...</p> <ul style="list-style-type: none"> i. Re items i and ii, double recovery is expressly precluded by Art 40: <i>No double recovery</i>; questions (i) and (ii) are repeated as the answers given do not fully address them; ii. Re item iii, the explanation given is fine for the works taking place on land of the owners mentioned, but the article is not limited to those areas but is of general application, including the ancillary works in Schedule 1 which may take place anywhere within the site. Instead of "... construct any works on that land as are mentioned in Schedule 1..." in Art 32(1)(d), should this subparagraph of this article be limited to specific works in Schedule 1? | |
| 3.8.11. | Art 32(2): Temporary use of land for carrying out the authorised development - Notice | <i>Applicant, Thurrock Council (TC), Highways England (HE)</i> | <p>With reference to the Applicant's, TC's, HE's and PLA's responses at deadline 4 [REP4-020, REP4-005, REP4-002, REP4-007] to ExA's SWQs [PD-010], Q2.8.21 ...</p> <ul style="list-style-type: none"> i. Re item i, would the Applicant, TC and HE update the Examination on their positions on the notice period and related matters? ii. Re item ii, the Applicant's response is | <p>i) The Applicant and HE have provided a general update on the use of temporary possession powers in respect of ASDA Roundabout in the updated SoCG.</p> <p>For temporary possession to be taken of highway land the highway must first be temporarily stopped up and this requires the consent of the street authority under Art 13</p> |

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| | <i>Period</i> | | <p>noted, but would the Applicant clarify the special circumstances cited here? Does this mean that Temporary Possession (TP) is only required of land owned by a highway authority, the Port of London Authority, the Crown Estate or of special category land as noted in REP1-015, who would not want the option of Compulsory Acquisition (CA) instead of TP? It is noted that A32(1)(a) enables TP of any Order land, not only that specified in Schedule 6 (TP only).</p> | <p>(4) and Protective Provisions.</p> <p>HE is content that the requirement to obtain the consent of HE enables HE to make reasonable requirements in respect of temporary possession of former highway land.</p> <p>HE has explained to the Applicant that there are practical and cost implications of the Applicant seeking to exercise any such rights with the minimum periods of notice for both taking possession and returning the land to HE, not least because of the Operation and Maintenance arrangements for this section of the SRN under the M25 DBFO contract. HE will need to be satisfied that this can be managed appropriately and will be a matter for determination as part of the Applicant's seeking of consent under the requirement of Article 13(4) and Protective Provisions. At present HE anticipates that construction under temporary possession/stopping up would require the A1089 between Marshfoot interchange and the dock entrance to operate as a PoT private road for a period of 4-5 years.</p> |

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| 3.8.12. | Art 33: Temporary use of land for maintaining the authorised development | <i>Applicant, Thurrock Council (TC), Highways England (HE)</i> | <p>With reference to the Applicant's, TC's, HE's and PLA's responses at deadline 4 [REP4-020, REP4-005, REP4-002, REP4-007] to ExA's SWQs [PD-010], Q2.8.22 ...</p> <ul style="list-style-type: none"> i. Re item i, would the Applicant, TC and HE update the Examination on their positions on this matter? ii. Re item ii, can the Applicant give a logical justification for a 14 day notice period for construction but a 28 day period for maintenance? Just because it has appeared in previous DCOs does not necessarily justify it on the merits in this particular case. Also, although TP for construction may be limited to specific owners, the TP power for maintenance applies to any Order land; iii. Re item iii, an owner would no doubt prefer to have some idea of how long he was to be excluded from his land, otherwise he would not be able to plan for its future. Can the Applicant justify why such an indication should not be given? | i) HE's response to 3.8.11 equally applies. |
| 3.8.13. | Art 35: Apparatus and rights of | <i>Applicant</i> | With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs [PD-010], Q2.8.24, the Applicant's response | |

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| | statutory undertakers in stopped-up streets | | <p>is noted, as is the Applicant's <i>Summary of Case Given at DCO Hearing</i> [REP1-015] in which the Applicant states why certain undertakers were excluded from this provision (due to the limited definition of "statutory utility") and draws a distinction between undertakers that would be protected by Protective Provisions in the DCO and "statutory utilities" that would not.</p> <ul style="list-style-type: none"> i. However, "statutory utility" as defined includes a public communications provider", but it is noted that Schedule 10 does include Protective Provisions for the protection of electronic communications code networks. Is there not a degree of overlap here? ii. Similarly the definition of "statutory utility" includes a railway undertaking but there are Protective Provisions for Network Rail. Should the Applicant revisit the necessity for Art 35 given the existence of these PPs and the potential "undesirable overlap"? Are there any other "statutory utilities" as defined that would require the protection of Art 35? | |
| 3.8.14. | Art 41: Operation and | <i>Applicant</i> | With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs | |

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| | <p><i>maintenance of the authorised development</i></p> | | <p>[PD-010], Q2.8.28, the Applicant's response is noted.</p> <p>The DCO provides statutory authority for the works that it authorises. Insofar as development consent is required for those works, s33(1) PA 2008 states that planning permission is not required for them (Permitted Development (PD) rights are of course a form of planning permission). It may be that the works/development referred to in A41 are wholly considered to be 'associated development' and therefore not within s33(1) (if they are not 'required' for the NSIP development) but if that is the case the Applicant should make that clear.</p> <p>Similar considerations apply to the extensive works at the end of Schedule 1. There does seem to be considerable overlap between the development that could be brought forward under the PD rights of a harbour undertaking and the specific powers available under Schedule 1. Art 6 of the dDCO grants development consent for the authorised development which is defined in A2(1) as not only the Schedule 1 development (itself very widely defined) but also "any other development within the meaning of the 2008 Act authorised by this Order". Art 41(2) includes various activities which are clearly development within that definition.</p> | |

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| | | | <p>i. In that context, noting that Art 41(1) provides general statutory authority to operate and maintain the authorised development, the Panel asks the Applicant to identify which of the works in Art 42(2) would not benefit from PD rights and therefore need to be specifically provided for in the dDCO?</p> <p>ii. If the reference to Art 3(2) in Art 41(1) is correct (Art 3(2) refers to the extinguishment of licences for existing structures), why should this dDCO authorise their operation and maintenance?</p> | |
| 3.8.15. | Art 51: Consent to transfer benefit of Order | <i>Applicant</i> | <p>With reference to PLA's response at deadline 4 [REP4-007] to ExA's SWQs [PD-010], Q2.8.32 ...</p> <p>i. What is the Applicant's response to PLA's deadline 4 response?</p> | |
| 3.8.16. | Art 52: Traffic Regulation Measures | <i>Applicant, Highways England (HE), Thurrock</i> | <p>With reference to TC's and HE's responses at deadline 4 [REP4-005, REP4-002] to ExA's SWQs [PD-010], Q2.8.33 ...</p> <p>i. Would the Applicant, TC and HE update the Examination on their positions re traffic regulation</p> | <p><i>HE represents that:</i></p> <ul style="list-style-type: none"> Article 52 permits the Applicant to introduce other traffic regulation order measures with the approval of HE as traffic authority. |

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| | | <i>Council (TC)</i> | measures? | <ul style="list-style-type: none"> • A reasonable condition of HE's consent to the final design of proposed works and mitigation to the SRN may require additional traffic regulation measures to those identified in Schedule 8. HE's expectation is that Article 52(3) would be available to the Applicant at HE's request in such circumstances and at the Applicant's expense. • HE would expect any Traffic Regulation Orders that are not expressly secured in Schedule 8 of the dDCO to be subject to the normal processes of advertisement, consultation and consideration, as a condition of its approval as traffic authority. HE would expect the outcome of any consultations to be taken into account and notes that its consent is required prior to any TRO being made on any of its roads. |
| 3.8.17. | Art 57: Consents, agreements and approvals | <i>Applicant</i> | <p>With reference to Thurrock Council (TC)'s, Port of London Authority's, Marine Management Organisation's and the Environment Agency (EA)'s responses at deadline 4 [REP4-005, REP4-007, REP4-003, REP4-001] to ExA's SWQs [PD-010], Q2.8.34 ...</p> <p>i. Would the Applicant state whether</p> | |

| Q No. | Part of DCO | Directed to | Question | HE Response |
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| | | | <p>TC's response requires any amendment to Art 57?</p> <p>ii. Would the Applicant state whether it concurs with EA's comment that it does not consider Art 18 and 57 to cover Environmental Permits under the Environmental Permitting (England and Wales) Regulation 2016?</p> | |
| 3.8.18. | Schedule 1: Authorised development | <i>Applicant, Thurrock Council (TC), Highways England (HE)</i> | <p>With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs [PD-010], Q2.8.35, the Applicant's response is noted, but ...</p> <p>i. Re items i and ii, the Panel is not convinced by the Applicant's statement that "to include" (merely) relates to the ancillary works. Insofar as the extent of the ancillary works is undefined - and as the Applicant says, they can take place within the numbered Works, would the Applicant state why the definitions of the numbered Works are open-ended? Also, if "port facilities" is intended to be as all-encompassing as the Applicant suggests, what is the significance of "port surfacing" and "port infrastructure" as well in various Works, and in the context of the ancillary works?</p> | |

| Q No. | Part of DCO | Directed to | Question | HE Response |
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| | | | <p>ii. Can the Applicant explain why the use of the term "to include" here and in the Works descriptions does not give excessive flexibility?</p> <p>iii. Re item viii, which asked why Ancillary Works (a) to (d) are needed given Arts 8 and 10, would TC and HE state their positions on this point?</p> <p>iv. Re item ix, the Panel notes that the issue of ancillary works was only briefly referred to in the recommendation report for the Silvertown Tunnel Order 2018 (paragraph 2.1.26) and not at all in the decision letter, and so was not raised as an issue in relation to that decision. It would in any case relate to the circumstances of that particular case. The Panel repeats its question – are works (v) and (x) necessary in this case, and if they are, can they not be more tightly constrained?</p> | <p>iii HE agrees that the powers in Ancillary Works (a) to (d) are required for the Company to be able carry out works on the Strategic Road Network. However in respect of Work No 11 (ASDA Roundabout) highway works are fundamental to Work 11 not ancillary to it.</p> |
| 3.8.19. | <p>Schedule 2: Requirements R1 Interpretation</p> | <p><i>Applicant</i></p> | <p>With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs [PD-010], Q2.8.36, the Applicant's response, including its reference to paragraphs 2.5 and 2.6 of the Ecology Note [REP3-017], is noted, but ...</p> <p>i. There is no reference to the</p> | |

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| | | | Ecological Mitigation and Compensation Plan in the dDCO except in the definitions in R1, so how is it intended to be 'finalised' and what is it intended to do, as it is not mentioned in any article or other requirement? | |
| 3.8.20. | Schedule 2: Requirements R3 External appearance and height of authorised development | <i>Applicant, Historic England</i> | With reference to Historic England's response at deadline 4 [REP4-009] to ExA's SWQs [PD-010], Q2.8.37 ... i. Would the Applicant and Historic England update the Examination on progress with their discussions? | |
| 3.8.21. | Schedule 2: Requirements R6 Terrestrial written scheme of archaeological investigation | <i>Historic England</i> | With reference to the revised Terrestrial Written Scheme of Investigation (WSI) submitted by the Applicant at Deadline 4 [REP4-023] ... i. Would Hist E confirm that it is content with the revised WSI? | |
| 3.8.22. | Schedule 2: Requirements R13 | <i>Thurrock Council (TC)</i> | With reference to Schedule 2 Part 2, Procedure for discharge of requirements ... i. Is TC content that appeals against s61 notices should be dealt with by | |

| Q No. | Part of DCO | Directed to | Question | HE Response |
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| | Interpretation and R14 Applications made under requirements | | the bespoke procedure in Requirements 13 and 14 in the dDCO, rather than the way in which they would normally be dealt with? | |
| 3.8.23. | Schedule 3: Classification of Roads etc | <i>Applicant, Thurrock Council (TC)</i> | With reference to the Applicant's and TC's responses at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.8.43 ... i. Would the Applicant and TC update the Examination on the status of Schedule 3, highlighting any areas still to be resolved? | |
| 3.8.24. | Schedule 4: Permanent Stopping up of Highways and Private Means of Access and Provision of New Highways and Private Means of Access | <i>Applicant, Thurrock Council (TC), Highways England (HE)</i> | With reference to the Applicant's, TC's and HE's responses at deadline 4 [REP4-020, REP4-005, REP4-002] to ExA's SWQs [PD-010], Q2.8.44 ... i. Would the Applicant, TC and HE update the Examination on the status of Schedule 4, highlighting any areas still to be resolved? | i The proposed permanent stoppings up and restrictions in Article 12 and Schedule 4 do not affect the SRN. HE reserves its position in respect of any new permanent stoppings up that might be proposed by the Applicant. |
| 3.8.25. | Schedule 7: | <i>Applicant,</i> | With reference to the Applicant's and Port of | |

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| | Port premises byelaws | <i>Thurrock Council (TC)</i> | <p>London Authority (PLA)'s responses at deadline 4 [REP4-020, REP4-007] to ExA's SWQs [PD-010], Q2.8.45 ...</p> <ul style="list-style-type: none"> i. Does the Applicant have any comment on PLA's deadline 4 response? ii. Under item ii, the Applicant states that the byelaws have been drafted specifically in relation to Tilbury2. Does TC have any comment? | |
| 3.8.26. | Schedule 8: Traffic Regulation Measures etc | <i>Applicant, Thurrock Council (TC), Highways England (HE)</i> | <p>With reference to the Applicant's, TC's and HE's responses at deadline 4 [REP4-020, REP4-005, REP4-002] to ExA's SWQs [PD-010], Q2.8.46 ...</p> <ul style="list-style-type: none"> i. Would the Applicant, TC and HE update the Examination on the status of Schedule 8, highlighting any areas still to be resolved? | See HE's answer to 3.8.16 |
| 3.8.27. | Schedule 9: Deemed Marine Licence (DML) | <i>Applicant, Environment Agency (EA), Historic England (Hist E),</i> | <p>With reference to the Applicant's, MMO's and Hist E's responses at deadline 4 [REP4-020, REP4-003, REP4-009] to ExA's SWQs [PD-010], Q2.8.47 ...</p> <ul style="list-style-type: none"> i. Would the Applicant and MMO update the Examination on the status of Schedule 9, highlighting any areas still to be resolved? | |

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| | | <i>Marine Management Organisation (MMO), Natural England (NE), Port of London Authority (PLA)</i> | <p>ii. In particular, would the Applicant and MMO state whether agreement has now been reached on maintenance dredging (item iii), the 14-hour non-piling window (item v), piling at weekends (item vi), boundaries for water injection dredging (item viii), and maximum dredging depths (item x)?</p> <p>iii. Re item xi, would Hist E state whether it is content with the Marine Written Scheme of Investigation (WSI) submitted by the Applicant at Deadline 4 [REP4-021]?</p> <p>iv. Would PLA, NE, MMO, Hist E and EA in particular give their views on the DML to be included in the Applicant's updated version of the dDCO requested to be submitted by 20 June 2018?</p> | |
| 3.8.28. | Schedule 10: Protective Provisions | <i>Applicant, Anglian Water (AW), Cadent Gas Ltd (CGL), Environment Agency</i> | <p>With reference to the Applicant's, CGL's, EA's, HE's, NG's, NR's, PLA's, RWE's and TC's responses at deadline 4 [REP4-020, REP4-010, REP4-001, REP4-002, REP4-012, REP4-006, REP4-007, REP4-004, REP4-005] to ExA's SWQs [PD-010] ...</p> <p>i. Re Q2.8.48, would the Applicant, AW, CGL, EA, HE, NG, NR, PLA, RWE and TC state their positions regarding the</p> | HE welcomes the inclusion of protective provisions solely for HE's benefit in the latest version of the dDCO. HE is reviewing these amendments. |

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| | | (EA), Highways England (HE), National Grid (NG), Network Rail (NR), Port of London Authority (PLA), RWE Generation UK (RWE), Thurrock Council (TC) | protective provisions? ii. Re Q2.8.50, in which the Panel asks the Applicant for its position on HE's proposal regarding a s278 agreement for works to the ASDA roundabout, and the Applicant states that its approach is "far from novel", would the Applicant supply example precedents? | |
| 3.8.29. | Updated dDCO at 20 June 2018 | Environment Agency (EA), Highways England (HE), Historic England (Hist E), | With reference to the Applicant's updated version of the draft DCO requested by ExA to be submitted by 20 June 2018 ... i. Would EA, HE, Hist E, MMO, NE, and PLA in particular give their initial views of the updated dDCO? | See HE's answer to Traffic ISH question 3.18.1 (ii)(a) |

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| | | <i>Marine Management Organisation (MMO), Natural England (NE), Port of London Authority (PLA)</i> | | |