

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') Ref: TR030003

Examining Authority's Request for Information (Rule 17) dated 7<sup>th</sup> August 2018

Thurrock Council (TC) response

Deadline 7 – 16<sup>th</sup> August 2018



ANNEX A			
No.	Request to	Further Information Requested	TC Response
19	Thurrock Council (TC)	The Panel notes TC's submission at deadline 6, in which TC states that it is content with the wording of articles 11 and 52, but believes that	Schedule 10, Part 5 – For the Protection of Thurrock Council (as Drainage Board):
		the necessary powers already exist.	Item no. 5.8.28 of TC's Deadline 6 Submission
		We note the Applicant's submission Response	summarises the comments and suggestions previously raised with the Applicant. TC notes
		to ExA Comments on DCO and Related	the Applicant's response to these comments as
		Interested Parties' Deadline 5 Submissions at	set out in the 'Response to the Examining
		deadline 6, and a number of instances where it believes responses are awaited from TC.	Authority's Comments on DCO and Related Interested Parties Deadline 5 Submissions' (REP6-036). Following the submission of
		We also note items 5.8.28 and 5.8.30 in the same document.	Revision 5 of the draft DCO at Deadline 6, TC provided further comment on the drafting of
		Would TC please confirm by deadline 7 (16	Schedule 10, Part 5 to the Applicant on 14 <sup>th</sup> August 2018. TC has arranged a further
		August 2018) whether it is content with the	conference call with the Applicant on 20 <sup>th</sup> August
		form of protective provisions included in	2018 and it is intended that the Applicant will
		Schedule 10 Parts 5 and 7 of the draft DCO in	submit the final dDCO with those matters agreed
		the latest version: Revision 5 at deadline 6. If	between the parties prior to the close of the
		not, would TC state whether agreement has	Examination on 20th August 2018. If there are
		been reached between the Applicant and TC about the form of protective provisions to be	matters outstanding at this point then TC will advise the ExA.
		included in the final draft of the DCO to be	advise the EXA.
		submitted by the Applicant at deadline 7, and	Schedule 10, Part 7 – For the Protection of
		the draft DCO as whole, and again if not, what	Thurrock Council (as Highway Authority):
		precise amendments TC would be seeking.	

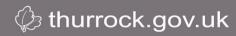


TC notes the Applicant's response to the Examining Authority under item no. 5.8.30 of the Deadline 6 submission 'Response to the Examining Authority's Comments on DCO and Related Interested Parties Deadline 5 Submissions' (REP6-036). TC acknowledges that Revision 5 of the draft DCO captures some of the points raised by TC.

The Applicant and TC participated in a conference call to discuss these protective provisions on 9<sup>th</sup> August 2018. TC considers that the main issues which need to be addressed though revisions to Schedule 10, Part 7 are (in summary):

- the mechanisms for the recovery of costs, fees and charges associated with the approval of plans and the inspection / supervision of works (para. 87);
- ii. the length of notice period (para. 92); and
- iii. the potential addition of a provision referring to a commuted sum for maintenance.

A further conference call was held on 16<sup>th</sup>
August 2018 and TC has arranged a further conference call with the Applicant on 20th
August 2018. The Applicant intends to submit the final dDCO with those matters agreed between the parties prior to the close of the



	Examination on 20th August 2018. If there are matters outstanding at this point then TC will advise the ExA.
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