

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 7th August 2018

Thurrock Council (TC) response

Deadline 7 – 16th August 2018

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

			<p>TC notes the Applicant's response to the Examining Authority under item no. 5.8.30 of the Deadline 6 submission '<i>Response to the Examining Authority's Comments on DCO and Related Interested Parties Deadline 5 Submissions</i>' (REP6-036). TC acknowledges that Revision 5 of the draft DCO captures some of the points raised by TC.</p> <p>The Applicant and TC participated in a conference call to discuss these protective provisions on 9th August 2018. TC considers that the main issues which need to be addressed through revisions to Schedule 10, Part 7 are (in summary):</p> <ul style="list-style-type: none"> i. 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. <p>A further conference call was held on 16th 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</p>
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			Examination on 20th August 2018. If there are matters outstanding at this point then TC will advise the ExA.
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