



Department for Transport

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To the parties listed below

Date: 7 January 2019

Dear Sir/Madam

Planning Act 2008 (as amended)

Application by Port of Tilbury London Limited ("the Applicant") for an Order granting Development Consent for a new port facility acting alongside the existing Port of Tilbury.

REQUEST FOR COMMENTS FROM THE APPLICANT, NETWORK RAIL, ENVIRONMENT AGENCY and THURROCK COUNCIL

Following my letter dated 7 December 2018, in relation to the Report and Recommendations submitted by the Examining Authority on 20 November 2018 in respect of its findings and conclusions on the above application to the Secretary of State for Transport, I am writing in relation to further matters on which we would appreciate updated information before determining the application.

Objection by Network Rail

The Secretary of State notes that at the end of the examination an objection remained outstanding by Network Rail in relation to the compulsory acquisition and temporary possession of their land interests.

Please could **Network Rail** provide an update as to whether this objection is maintained or withdrawn?

Disapplication of Legislation

The Secretary of State notes from Examination Document [REP7-041](#) that at the end of the Examination agreement had not been reached in relation to the disapplication of section 24 of the Water Resources Act 1991 (abstraction licencing).

Please could the **Applicant** and **Environment Agency** confirm to the Secretary of State whether an agreement has now been reached?

Section 106 Agreement

The Secretary of State notes that at the end of the examination [the Heads of Terms for a draft Development Consent Obligation](#) made pursuant to section 106 of the Town and Country Planning Act 1990 between the Applicant and Thurrock Council had not been signed.

Please could the Applicant and Thurrock Council confirm whether this agreement has now been signed.

Protective Provisions

The Secretary of State notes that in response to his letter of 7 December 2018 the Applicant has provided a revised set of protective provisions for the protection of Thurrock Council as Lead Local Flood Authority (Part 5 of Schedule 10 to the draft Order). A copy of these can be found at the following link:
<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/tilbury2/>.

Please could **Thurrock Council** confirm whether they have any comments on these?

The deadline for any response is 15 January 2019

Responses to the matters outlined in this letter should be submitted by email to tilbury2@pins.gsi.gov.uk. Please send any hard copy response to Tilbury2 Case Team, The Planning Inspectorate, Eagle Wing 3/18, Temple Quay House, Temple Quay, Bristol, BS1 6PN. If you will have difficulty in submitting a response by the consultation deadline please inform the Project Team.

Your response will be published on the project page for the Tilbury2 on the Planning Inspectorate website as soon as possible after the above deadline for response at:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/tilbury2/>

This letter is without prejudice to the Secretary of State's decision whether or not to grant development consent for the Tilbury2 scheme, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully

Natasha Kopala