

Principle Areas of Disagreement Statement

Cadent Gas Limited

The principle issue in question	The brief concern held by Cadent which will be reported on in full in Written Representation	What needs to; <ul style="list-style-type: none"> • change, or • be included, or • amended so as to overcome the disagreement 	Likelihood of the concern being addressed during Examination
Protective Provisions included in the DCO for the benefit of Cadent	Cadent requires an adequate form of Protective Provisions (PPs) to be included within the DCO to ensure that its assets and interests are appropriately protected and to ensure compliance with relevant safety standards during construction and, where the DCO includes provisions relating to maintenance during the maintenance period.	<p>Cadent has no statutory right to construct, retain or maintain apparatus in third party land. The PPs need to provide that where third party land is acquired which is subject to any right of Cadent notice of Cadent's rights need to be retained or included on the title unless Cadent's apparatus are being removed or diverted.</p> <p>The PPs must also provide that where apparatus is to be removed or diverted existing apparatus must not be decommissioned or removed and Cadent's rights to maintain that apparatus must not be extinguished until alternative apparatus has been constructed, is in operation, and the associated rights and facilities have been provided to Cadent so as to ensure continuity of supply.</p> <p>Due to the potential serious consequences and associated damages and losses that could be caused if Cadent's apparatus were to be damaged, coupled with the ability for the powers in the DCO to be transferred, Cadent do require that insurance is in place prior to works commencing near Cadent's apparatus. Cadent also need to ensure that the undertaker has acceptable security to meet the cost of the potential damages and losses.</p>	Parties are engaged and discussing a form of Protective Provisions with the intention of agreeing the form during Examination. Should this position change, Cadent will inform the ExA.