

PD Ports Written Summary of Hearing  
Compulsory Acquisition Hearing 1 ("CAH 1")

John Webster, Partner of DWF Law LLP attended CAH 1 on behalf of PD Ports and clarified PD Ports comprised of its companies PD Ports Properties Limited, PD Port Services Limited and Associated Waterway Services Limited. It was confirmed that PD Ports was attending to respond to any submissions made by the Applicant at Agenda Item F on the updated land rights tracker [AS-019] and the status of negotiations between the parties.

On behalf of PD Ports it was confirmed that in morning of CAH 1 an outstanding costs proposal made by PD Ports to the Applicant was agreed and attention would now turn to settling other detail to agree Heads of Terms for a Management Agreement.

Two further points were made on behalf of PD Ports:

PD Ports are aware that the Examination is closing in June this year and that there is 5 months to conclude a Management Agreement. PD Ports intended that negotiations are now expedited to be able to complete a satisfactory Management Agreement prior the end of the Examination.

A point of clarification was made regarding the updated land rights tracker [AS-019]; which refers to "principles being agreed" between the parties. In PD Ports view, this meant that PD Ports is prepared to offer the commercial services requested by the Applicant, not that they are in agreement that rights or powers can be imposed over their interests by the DCO. As set out in PD Ports relevant representation [RR-019], PD Ports is maintaining an objection to the rights and powers sought under the DCO until a satisfactory Management Agreement is completed.

In response to the comment of the Inspector, it was agreed by PD Ports that the status and progress of negotiations towards the completion of a satisfactory Management Agreement would be updated through the Examination.