

ExQ1 Q5.0.15 Protective Provisions

Anglian Water Position in respect of Protective Provisions

Anglian Water's Relevant Representation [RR-003] raised a limited objection to the draft Protective Provisions contained within Part 8 of Schedule 15 to the draft Development Consent Order (DCO) [APP-018], including in relation to the additional wording introduced at paragraph 95 (Acquisition of land).

The concern related to the potential effect of this wording on the established framework governing the removal and protection of statutory undertaker apparatus. In particular, Anglian Water considered that the provision, as drafted, could give rise to uncertainty in respect of the interaction with existing provisions concerning the removal of apparatus and the statutory position regarding the transfer of water and sewerage infrastructure.

Following engagement with the Applicant, the parties have discussed the intent and operation of the relevant drafting. Through these discussions, it has been clarified that the wording in question is intended to operate as a limited and administrative provision, addressing circumstances where land acquisition may be required to give effect to works approved under the Protective Provisions. It has also been confirmed that the provision does not override or displace the detailed mechanisms relating to the protection, removal or alteration of apparatus.

In addition, it has been noted that the approach reflects drafting previously agreed between the parties in the context of a comparable Development Consent Order.

On the basis of this clarification, Anglian Water is satisfied that its concerns have been appropriately addressed.

Accordingly:

- Anglian Water withdraws its objection to the Protective Provisions [Part 8 of Schedule 15]; and
- Anglian Water confirms that the Protective Provisions for the Protection of Anglian Water, as currently drafted, do not require amendment.