

Q16.1.17

National Highways (NH)

Statement of Common Ground

The Initial Statement of Common Ground (SoCG) between the applicants and NH [REP1-054] suggests that all issues raised by NH in [RR-1599 and PDA-042] are close to being resolved. Provide comments, highlighting areas where significant disagreement between the parties remains.

Response

NH and the Applicant are working collaboratively to resolve any outstanding areas of disagreement and have agreed on a number of points which have been provided in an agreed updated SoCG between both parties to be submitted by the Applicant end of deadline 3 Monday 7 July. A number of issues have been resolved and NH are confident that any other outstanding points can be resolved as the examination progresses. Updated information was provided on 1 July and this is being considered by NH and are confident this can be resolved and agreed as the examination progresses and by the next SoCG deadline response date.

Q16.1.18

Articles 13 and 14 of the dDCO

In [RR-1599] NH requested amendments to articles 13 and 14 of the dDCO [AS-004]. The applicants maintained that a change to article 13 was not necessary but agreed to amend article 14. The initial SoCG [REP1-054] suggests that NH is now content with the wording of the dDCO apart from having one outstanding comment on a single article. Confirm that this is correct. If so, highlight which article NH still has issues with, and provide suggested amendments.

Response

National Highways Legal representative and M and M Legal representative have a meeting arranged to discuss the final agreement of wording currently outstanding for article 15 and 17 a further update can be provided on the outcomes of this meeting by the next deadline 4.

Q16.1.19

Protective provisions

Does NH require the inclusion of protective provisions in the dDCO? If so, please provide a copy and outline any discussions on them with the applicants to date.

Response

National Highways does not require any protective provisions in the dDCO other than the minor amendments to the articles which are ongoing with Legal and these NH are confident these will be resolved by the next deadline.