

-----Original Message-----

From: EVANS Nicholas <NicholasEvans@bdbpitmans.com>

Sent: 18 October 2019 15:33

To: 'Abigail Walters' <abigail.walters@bclplaw.com>; M42 Junction 6
<M42Junction6@planninginspectorate.gov.uk>

Cc: NELSON Aaron <AaronNELSON@bdbpitmans.com>; 'Parmar, Jagdeep - UK Legal'
<Jagdeep.Parmar@nationalgrid.com>

Subject: RE: Highways England/National Grid M42 J6 Protective Provisions [BCLP-
Legal.2026502.000297] [BDB-BDB1.FID10542416]

Dear Sirs

I can confirm on behalf of Highways England that the protective provisions attached to Ms Walters' email are agreed for the purposes of this scheme.

Kind regards

Nick Evans

Nicholas Evans Partner and Parliamentary Agent T +44 (0)20 7783 3416

W www.bdbpitmans.com

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For and on behalf of BDB Pitmans LLP
50 Broadway London SW1H 0BL

From: Abigail Walters [<mailto:abigail.walters@bclplaw.com>]

Sent: 18 October 2019 13:48

To: 'M42 Junction 6' <M42Junction6@planninginspectorate.gov.uk>

Cc: NELSON Aaron <AaronNELSON@bdbpitmans.com>; 'Parmar, Jagdeep - UK Legal'
<Jagdeep.Parmar@nationalgrid.com>; EVANS Nicholas <NicholasEvans@bdbpitmans.com>

Subject: RE: Highways England/National Grid M42 J6 Protective Provisions [BDB-BDB1.FID10542416]
[BCLP-Legal.2026502.000297]

Dear Sirs,

Further to the promoter's e-mail yesterday, we had largely agreed the set of protective provisions appended to Mr Evan's e-mail below. We have now finally agreed a version which contains just two small changes as against those provided yesterday. Accordingly, please find attached a neat final set of protective provisions for the benefit of National Grid for inclusion on the face of the Order and a tracked version, showing the changes as against the version provided by Mr Evans yesterday.

I understand that these protective provisions for inclusion on the face of the Order are agreed with Highways England for the purposes of this scheme. I understand that the Promoter will also confirm this to be the position by e-mail.

Given the above National Grid will no longer need to appear at the Issue Specific Hearing on the 23rd October.

We are resolving all other matters beyond the protective provisions in conjunction with the Promoter and will keep PINS updated in respect of the withdrawal of National Grid objection in the near future.

Kind regards

Abigail

ABIGAIL WALTERS
Associate Director
BRYAN CAVE LEIGHTON PAISNER LLP - London, UK abigail.walters@bclplaw.com
<<mailto:abigail.walters@bclplaw.com>>
T: +44 (0) 20 3400 4720 [REDACTED]

From: EVANS Nicholas [<mailto:NicholasEvans@bdbpitmans.com>]
Sent: 17 October 2019 12:00
To: 'M42 Junction 6'; Abigail Walters
Cc: NELSON Aaron; 'Parmar, Jagdeep - UK Legal'
Subject: Highways England/National Grid M42 J6 Protective Provisions [BDB-BDB1.FID10542416]

Dear Sirs

Further to your correspondence with BCLP for National Grid, please find attached the Applicant's proposed protective provisions for the benefit of National Grid Electricity Transmission Plc. If accepted by the ExA, we proposed that this would form a new Part 3 of Schedule 10 the dDCO, and it is numbered accordingly.

I acknowledge that this is slightly later than we had anticipated. This is because the Applicant has taken the opportunity to discuss the drafting of these proposed protective provisions with National Grid, and to seek to reach agreement where possible.

Kind regards

Nick Evans

Nicholas Evans Partner and Parliamentary Agent T +44 (0)20 7783 3416

W www.bdbpitmans.com

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For and on behalf of BDB Pitmans LLP
50 Broadway London SW1H 0BL

From: M42 Junction 6 [<mailto:M42Junction6@planninginspectorate.gov.uk>]
Sent: 16 October 2019 11:07
To: Abigail Walters <abigail.walters@bclplaw.com <<mailto:abigail.walters@bclplaw.com>> >
Cc: EVANS Nicholas <NicholasEvans@bdbpitmans.com <<mailto:NicholasEvans@bdbpitmans.com>> >;
NELSON Aaron <AaronNELSON@bdbpitmans.com <<mailto:AaronNELSON@bdbpitmans.com>> >;
'Parmar, Jagdeep - UK Legal' <Jagdeep.Parmar@nationalgrid.com
<<mailto:Jagdeep.Parmar@nationalgrid.com>> >
Subject: RE: Highways England/National Grid M42 J6 - Without Prejudice [BDB-BDB1.FID10542416]
[BCLP-Legal.2026502.000297]

Hi Abigail,

The suggested arrangements should work reasonably well. We will be holding hearings with Highways England on 22 & 23 October, the agendas for which will be published on the National Infrastructure website today. For the Issue Specific Hearing into the draft Development Consent Order (DCO 4), you will see that National Grid are specifically asked to participate and issues relating to the relevant protective provisions can be explored then. Further written submissions may be made (if necessary) at Deadline 7 on 29 October 2019.

Yours faithfully

M42J6 Project Team

3/18 Eagle Wing

The Planning Inspectorate

Temple Quay House

Temple Quay

Bristol

BS1 6PN

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(Planning Inspectorate casework and appeals)

Web: www.planningportal.gov.uk/infrastructure

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(Planning Inspectorate's National Infrastructure Planning portal)

Twitter: @PINSgov

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information to the Planning Inspectorate.

From: Abigail Walters <abigail.walters@bclplaw.com <<mailto:abigail.walters@bclplaw.com>>>

Sent: 11 October 2019 13:23

To: M42 Junction 6 <M42Junction6@planninginspectorate.gov.uk

<<mailto:M42Junction6@planninginspectorate.gov.uk>>>

Cc: 'EVANS Nicholas' <NicholasEvans@bdbpitmans.com <<mailto:NicholasEvans@bdbpitmans.com>>

>; NELSON Aaron <AaronNELSON@bdbpitmans.com <<mailto:AaronNELSON@bdbpitmans.com>>

>; 'Parmar, Jagdeep - UK Legal' <Jagdeep.Parmar@nationalgrid.com

<<mailto:Jagdeep.Parmar@nationalgrid.com>>>

Subject: FW: Highways England/National Grid M42 J6 - Without Prejudice [BDB-BDB1.FID10542416]

[BCLP-Legal.2026502.000297]

Dear Sirs,

We have tried to telephone to discuss this but customer support was unable to put us through to anyone in the M42 Team.

We act for National Grid in respect of the above DCO. National Grid require adequate protective provisions/protective provisions for their benefit on the face of the DCO. National Grid are not happy with the current version of the Protective Provisions for the benefit of utilities within the dDCO and accordingly would have made representations to PINS providing their required wording by the 11th October. However we are trying to work in conjunction with the promoter and reach an agreed position. The promoter has today indicated that they intend to provide updated protective provisions/an updated position as to what they will include on the face of the order by 16th October.

Without seeing their proposed approach on the 16th October, it is obviously difficult to know whether this will be acceptable to NG or not. Accordingly it seems sensible to delay National Grid's submission until after we have had the opportunity to review the position HE are taking on this particular scheme. As you will see from the e-mail below the Promoter has suggested we submit a written response by the 21st October in response to their 16th October submission.

Accordingly we would like PINS approval to the timescale proposed by the Promoter. This is in effect to ask for an extension to the deadline of the 11th October until 21st October since the promoters deadline 5 dDCO is likely to be superseded in respect of the Protective Provisions by the Promoter on 16th October. We understand that the promoter agrees with this approach and will confirm the same by return.

Please can you also just confirm the time and venue for the ISH on the 23rd October?

Kind regards

Abigail

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Bryan Cave Leighton Paisner LLP

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