

To Planning Inspectorate - Kingsferry

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From Addleshaw Goddard LLP

Date 30 April 2024

Subject Kingsferry – Outback / Knauf Option Agreement dated 26 April 2024

Client Southern Gas Networks Plc

To facilitate the withdrawal of their objections, Southern Gas Networks Plc (**SGN**) exchanged an option agreement with Knauf (UK) GMBH (**Knauf**) and Outback UK Propco I A Ltd (**Outback**) on 26 April 2024.

In relation to SGN's works on Knauf and Outback's property the agreement provides as follows:

- SGN may not serve an "Entry Notice" giving one month's notice before they can commence their works to install their gas main until the "Highway Works" (being works to the highway due to be undertaken by Kent County Council and its contractors to the A249 slip road, B2006 roundabout and Swale Way) have been completed and the aforementioned roads are reopened to traffic.
- Once SGN serves its "Entry Notice" it is granted:
 - the right to install its gas main within an option area;
 - the right to access that option area from the public highway with or without vehicles at all reasonable times to carry out its works; and
 - the right to lay, use and maintain conducting media that is ancillary to its works within the option area.
- There is no specific reference to stopping up the highway in the agreement when SGN is carrying out its works to install the gas main however Knauf and Outback covenant not to hinder the progress of or do anything that would (or might) prejudice the CPO or any other consent in connection with the Kingsferry Project.
- There is a covenant that SGN shall not close any part of Knauf / Outback's land that offers vehicular access to carry out its "Preparatory Works" (which include surveys, non-intrusive environmental and ecological measures, designation and construction of working areas and compounds, such works to be agreed between the parties acting reasonably at least 5 working days prior to commencement) without the consent of Outback and Knauf in their absolute discretion. This covenant relates solely to the "Preparatory Works" which SGN is permitted to carry out from the date of the agreement.