



Hornsea Project Four

Position Statement between Hornsea Project Four and Network Rail Infrastructure [DRAFT]

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Revision Summary

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Revision Change Log

<i>Rev</i>	<i>Page</i>	<i>Section</i>	<i>Description</i>
01	-	-	Prepared for submission at deadline 1.

This is a first draft being submitted at Deadline 1, to be reviewed by both parties and signed by a later deadline.

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Draft

1 Parties

- 1.1 Hornsea Project Four Limited ("the Applicant") and Network Rail Infrastructure Limited ("Network Rail")

2 Introduction

- 2.1 This Position Statement between the Applicant and Network Rail in relation to Hornsea Project Four Offshore Wind Farm ("Hornsea Four") has been prepared for submission of the application for DCO consent of Hornsea Four. The matters on which the parties remain in discussion are limited in scope and so this Position Statement is considered an appropriate way to inform the Examiners of the outstanding issues and proposed route to conclude a commercial agreement between the Parties.
- 2.2 The Hornsea Four onshore cable route is expected to cross Network Rail's Hull to Scarborough line at Arram (Plot 176) and Hornsea Four onshore construction traffic will also make use of level crossings on public roads along and around the cable route.
- 2.3 The Applicant and Network Rail have been engaged in discussions over a suite of voluntary agreements which includes a Land Agreement, Asset Protection Agreement and Framework Agreement since April 2019.
- 2.4 Business and Technical Clearance was granted by Network Rail in July 2020 and this was subsequently extended until 21st February 2022.

3 Current Position

- 3.1 Network Rail Business and Technical Clearance expired on 21st February but Network Rail has confirmed that a new clearance has been applied for. This could take up to 4 months to be granted but both parties are committed to the process.
- 3.2 Discussions between the Applicant and Network Rail are ongoing in relation to a voluntary land agreement over Plot 176.
- 3.3 The legal representatives for both parties have been in discussions over a Framework Agreement and Protective Provisions which will safeguard Network Rail's infrastructure and protect their statutory undertaking. These are largely in agreed form subject to completion of the land agreement and clarification of Network Rail's position on the Applicant's use of the level crossings which may result in additional amendments to the Framework Agreement and Protective Provisions.
- 3.4 Meetings and discussions have been taking place between the Applicant's Consents team and Network Rail regarding the use of the level crossings and protection of Network Rail's infrastructure and further information is to be provided by both parties in due course.

4 Outstanding Actions

- 4.1 The Applicant's Consents Team and Network Rail are to provide further information on the use of the level crossings and expected impacts on them by construction traffic with a view

to reaching an agreement on protection, maintenance and repairs at the earliest opportunity.

- 4.2 The Applicant and Network Rail are in ongoing constructive commercial negotiations to finalise a suite of voluntary agreements which includes a Land Agreement, Asset Protection Agreement and Framework Agreement that will apply in addition to the protective provisions included in the draft DCO. Both parties are confident that these agreements can be entered into shortly subject to confirmation of the renewed Business and Technical Clearance from Network Rail.

5 Signatories

Network Rail confirms that they have been consulted and accept the positions as outlined in this Position Statement.

Signed on behalf of Network Rail Infrastructure Limited:

Signed on behalf of Hornsea Project Four Limited: