



Your reference

Our reference HENSM/43283-4122

20 September 2022

BY EMAIL TO:

DraxBECCS@planninginspectorate.gov.uk

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sirs

DCO Scheme: Drax Bioenergy with Carbon Capture and Storage Project

Our client: Network Rail Infrastructure Limited

Applicant: Drax Power Limited

Subject: Request for acceptance of the late submission of a Relevant Representation

This Firm is instructed by Network Rail Infrastructure Limited (**NR**) in relation to the DCO Scheme and we write in connection with the registration of interested parties and the submission of relevant representations in respect of the DCO Scheme.

We are aware that the period for the registration of interested parties closed on Monday 5 September 2022. However, and with our sincere apologies for the delay, we write to respectfully request if the Examination Authority would be willing exercise its discretion to accept the enclosed late submission of NR's Relevant Representations in respect of the DCO Scheme.

The reason for the late submission is due to NR's instructing surveyor being on unexpected long-term sick leave and the resulting difficulty in being able to progress this matter in the absence of instructions. A new instructing surveyor for the relevant region has recently been appointed and our instructions have now been clarified somewhat.

As set out in the Relevant Representations enclosed, NR is concerned that the proposed DCO Scheme works might interfere with the safe and efficient operation of its operational railway in the absence of certain protective provisions and/or requirements included within the Order. NR is committed to reaching agreement with the Promoter to ensure that the DCO Scheme is carried out in a regulated manner to prevent any adverse impacts to the railway and is reviewing the application documents to

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Addleshaw Goddard LLP, 3 Sovereign Square, Sovereign Street, Leeds LS1 4ER

DX 12004 Leeds

www.addleshawgoddard.com

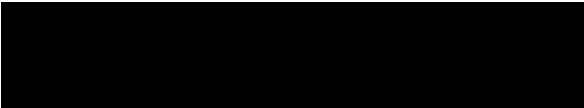
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fully assess the impacts. Whilst NR has no wish to prolong its involvement in the Examination process, the Examining Authority and the Secretary of State will need to be satisfied that railway safety and operations will not be compromised by the making of the Order and NR will endeavour to work with the Applicant to ensure its concerns are adequately addressed and provide the necessary confirmations to the Examining Authority.

We hope the Examining Authority will consider exercising its discretion to accept this late submission of NR's Relevant Representations and its registration as an interested party to the DCO Scheme in light of the circumstances highlighted above.

Please don't hesitate to contact us on the details below should you have any queries.

Yours faithfully



Addleshaw Goddard LLP



APPLICATION BY DRAX POWER LIMITED FOR THE DRAX BIOENERGY WITH CARBON CAPTURE AND STORAGE PROJECT DEVELOPMENT CONSENT ORDER 202[X]

SECTION 56 PLANNING ACT 2008: RELEVANT REPRESENTATION OF NETWORK RAIL INFRASTRUCTURE LIMITED

This is the section 56 representation of Network Rail Infrastructure Limited (Network Rail) provided in respect of Drax Power Limited's (Promoter) application for a development consent order (Order) for the Drax Bioenergy with Carbon Capture and Storage Project (Scheme). Network Rail is a statutory undertaker and owns, operates and maintains the majority of the rail infrastructure of Great Britain, including the Goole and Selby Railway (Railway).

The Order sought by the Promoter includes consent and powers to install post combustion carbon capture technology to capture carbon dioxide from up to two existing 660-megawatt electrical ('MWe') biomass power generating units at the Drax Power Station.

As the Promoter proposes as part of the Scheme to carry out works in close proximity to the Railway, Network Rail wishes to object to the making of the Order on the ground that the proposed works might interfere with the safe and efficient operation of the Railway.

In order for Network Rail to be in a position to withdraw its objection Network Rail will require adequate protective provisions and/or requirements to be included within the Order and an agreement with the Promoter to ensure that the works for the Scheme are carried out in regulated manner to prevent adverse impacts to the Railway.

Network Rail is continuing to review the Promoter's plans, draft Order and application documents to assess the impacts on the Railway, and will continue to work constructively with the Promoter to clarify any issues raised. The Examining Authority and the Secretary of State will need to be satisfied that railway safety and operations will not be compromised by the making of the Order.

Network Rail requests that the Examining Authority treats Network Rail as an Interested Party for the purposes of the Examination, and reserves the right to produce additional and further grounds of concern when further details of the Scheme and its effects on Network Rail's assets are available.