



Department for
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& Net Zero

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Web:

www.gov.uk/government/organisations/department-for-energy-security-and-net-zero

To:

Drax Power Limited
National Grid Electricity Transmission
Northern Gas Networks Limited
East Riding of Yorkshire Council
Investors in Court House Farm/Delta Enterprise Park

Our Ref: EN010120

Date: 14 November
2023

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Drax Power Limited (“the Applicant”) for an Order granting Development Consent for the Drax Bioenergy with Carbon Capture and Storage Project (“the Proposed Development”).

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 17 July 2023, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 17 October 2023. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application.
2. There are issues on which the Secretary of State requests the **Applicant, National Grid Electricity Transmission (“NGET”), Northern Gas Networks Limited (“NGN”), East Riding of Yorkshire Council (“ERoY”) and Investors in Court House Farm/Delta Enterprise Park (“The Consortium”)** to provide updates or information as appropriate.

Protected Provisions and Side Agreement – the Applicant and NGET

3. **NGET** is requested to update whether a side agreement has been agreed and signed by Drax Power Limited and whether its outstanding representation regarding Protected Provisions can now be withdrawn. The **Applicant** is also requested to comment.

Protected Provisions and Asset Protection Deed – the Applicant and NGN

4. **NGN** is requested to update whether an Asset Protection Deed has been agreed and signed with Drax Power Limited and whether its outstanding representation regarding Protected Provisions can now be withdrawn. The **Applicant** is also requested to comment.

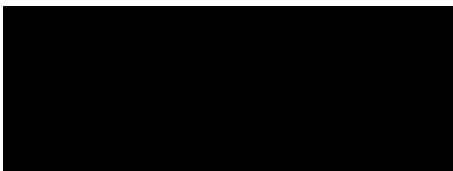
Heads of Terms or Licence – the Applicant and ERoY

5. **ERoY** council is requested to update whether Heads of Terms or licence have been completed with Drax Power Limited, including the appropriate protection and compensation for agricultural land holdings as well as whether wording is agreed for a potential licence. The **Applicant** is also requested to comment.

Heads of Terms – the Applicant and the Consortium

6. **The Consortium** are requested to provide further information regarding whether Heads of Terms have been completed with Drax Power Limited. The **Applicant** is also requested to comment.
7. **Responses to the requested information should be submitted by email only to: draxbeccs@planninginspectorate.gov.uk by 23.59 on 28 November 2023.**
8. Responses will be published on the Drax Bioenergy with Carbon Capture and Storage Project page of the National Infrastructure Planning website: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/drax-bioenergy-with-carbon-capture-and-storage-project/> as soon as possible after 28 November 2023.
9. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Drax Bioenergy with Carbon Capture and Storage Project or any part of the project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,



John Wheadon

Head of Energy Infrastructure Planning Delivery