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10 January 2024

Dear Mr Wheadon,

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”).

Response to Request for Information from Secretary of State of 19 December 2023

I write in response to your letter dated 19th December 2023 in respect of the above application for a Development Consent Order. As requested, I am writing to provide you with an update on discussions between the Applicant, Northern Gas Networks Limited (“NGN”), East Riding of Yorkshire Council (“ERoY”) and Investors in Court House Farm/Delta Enterprise Park (“the Consortium”), together “the Other Parties”.

I set the latest position between the Applicant and the Other Parties in Table 1 below.

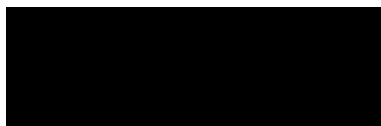
Table 1: Position between the Applicant and the Other Parties

Other Party	Position
NGN	The Applicant continues to be engaged in discussions with the representatives of NGN with a view to agreeing Protective Provisions and an Asset Protection Deed. These discussions are well progressed, and it continues to be the Applicant's expectation that an agreement with NGN can be reached shortly, which will enable NGN to withdraw its objection to the Proposed Development. The latest update is that the Applicant sent its comments on the two outstanding matters in the agreement, having accepted the majority of NGN's remaining requests in an attempt to reach agreement, to NGN's representatives on 20 December 2023, but has not received a response despite multiple chasers. The Applicant feels that the outstanding points in the agreement can be resolved quickly and looks forward to the final stages of engagement with NGN's representatives on these remaining two matters. In any event, the Applicant notes that the standard protective provisions in Part 1 of Schedule 12 to the DCO afford protection to NGN, in the absence of other specified protections.
ERoY	At this time, the Applicant and ERoY have not yet completed the Heads of Terms or licence. The Applicant will formalise the property arrangements with the Council following the receipt of the Secretary of State's decision.

Other Party	Position												
	<p>The previous concerns raised in respect of the impacts to the Council's landholdings were addressed by the commitments made in the Register of Environmental Actions and Commitments (REAC, Document Reference REP9-019) as set out in the table below:</p> <table border="1" data-bbox="416 551 1075 981"> <thead> <tr> <th data-bbox="416 551 746 607">ERoY Concern</th> <th data-bbox="746 551 1075 607">REAC Item</th> </tr> </thead> <tbody> <tr> <td data-bbox="416 607 746 685">Cable Route and Depth</td> <td data-bbox="746 607 1075 685">WE19, PH3 and PH4</td> </tr> <tr> <td data-bbox="416 685 746 719">Soil Management</td> <td data-bbox="746 685 1075 719">GC2</td> </tr> <tr> <td data-bbox="416 719 746 752">Field Drainage</td> <td data-bbox="746 719 1075 752">Item WE20</td> </tr> <tr> <td data-bbox="416 752 746 864">Future Rights, Works Compound and Access</td> <td data-bbox="746 752 1075 864">PH3 and PH4</td> </tr> <tr> <td data-bbox="416 864 746 981">Impacts of undergrounding Telecoms line</td> <td data-bbox="746 864 1075 981">PH3, T4 and T5</td> </tr> </tbody> </table> <p>Schedule 2, Requirement 14 of the DCO ensures the CEMP will be approved by the LPA in consultation with the EA.</p> <p>The Council's agreement to this is noted in the SoCG (Document Reference REP10-016) at item 4.3.1.</p> <p>The Applicant notes that as the aforementioned key substantive issues are resolved, the remaining negotiation of these arrangements is focussed on the commercial position between the parties, not whether the use of the land is acceptable or not.</p>	ERoY Concern	REAC Item	Cable Route and Depth	WE19, PH3 and PH4	Soil Management	GC2	Field Drainage	Item WE20	Future Rights, Works Compound and Access	PH3 and PH4	Impacts of undergrounding Telecoms line	PH3, T4 and T5
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Impacts of undergrounding Telecoms line	PH3, T4 and T5												
The Consortium	The Heads of Terms has been agreed and signed by both parties.												

I trust the above is helpful. However, please do not hesitate to contact me should you have any queries regarding any of these matters.

Yours sincerely



Jenny Blyth MAPM
Development Manager

