

Our reference HENSM/43283-4238

16 January 2024

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

Dear Sirs

**DCO Scheme: Heckington Fen Solar Park**

**Our client: Network Rail Infrastructure Limited**

**Applicant: Ecotricity (Heck Fen Solar)**

**Subject: Network Rail Infrastructure Limited's Response to the Second Written Questions dated 19 December 2023**

This Firm is instructed by Network Rail Infrastructure Limited (**NR**) in relation to the DCO Scheme and we write in response to the Second Written Questions dated 19 December 2023.

### **1. Q2.4 Development Consent Order**

*The Applicant's response [Table 8, REP3-025] to Network Rail [REP2-095] indicates that the parties are close to agreement on the Protective Provisions in Schedule 13 Part 8 of the draft DCO [REP3-004]. The Applicant makes reference to the safety of directional drilling under the railway as evidenced by the construction of the Triton Knoll and Viking Link connections. It states that CA is needed in order to ensure the deliverability of the project and paragraph 85 of the Protective Provisions cannot be removed unless agreement is reached.*

*Could Network Rail provide an update on any outstanding matters and confirm if the Protective Provisions in Schedule 13 Part 8 of the dDCO [REP3-004] are agreed at D4, and confirmation of agreement by D6.*

#### **NR Response:**

The Protective Provisions in Schedule 13, part 8 can not be removed unless an agreement is reached; therefore, the Protective Provisions are not agreed.

There are ongoing discussions regarding the Compulsory Acquisition point, but an agreement has not been reached as of this Deadline 4. The Parties are actively engaging in negotiations and are hopeful that an agreement will be reached by Deadline 6.

We acknowledge the Applicants response in table 8 of the "APPLICANTS RESPONSE TO DEADLINE 2 SUBMISSIONS" in respect of the inclusion of paragraph 85 of the Protective Provisions, and we will provide a substantive response to this at Deadline 5.

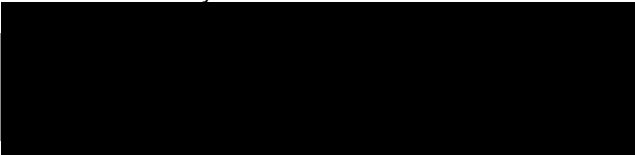
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Should you have any queries, please don't hesitate to contact us on the details below.

Yours faithfully



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