

Department for Energy Security & Net Zero
3-8 Whitehall Place
London
SW1A 2AW

Date: 13 February 2024

Our ref: 41915/05/JG/MKR/29741178v1

Dear Sir/Madam

Encirc Limited: Response to the Secretary of State's Request for Further Information

Lichfields is instructed by Encirc Limited ('Encirc') to respond to the Secretary of State's request for further information. In the letter sent on behalf of the Secretary of State, dated 31 January 2024, Encirc is asked to provide an update as to whether Side Agreement(s) and Protective Provisions at Schedule 10, Part 15 of the DCO have been agreed and whether it can now withdraw its objection.

Lines of communication remain open between Encirc and the applicant in connection with the terms of agreement between the two parties and the Protective Provisions submitted by both to the Examination. Encirc hopes to convene with the applicant's technical team soon to understand if there is a solution that will allow for a single trenchless crossing under the existing rail line and proposed new Encirc rail sidings, to reflect the preferred Protective Provisions of Encirc and the other matters contained therein.

The Protective Provisions in favour of Encirc have not yet been agreed and so Encirc is not currently able to withdraw its objection. It is hoped that Protective Provisions that accord with those submitted by Encirc to Deadline 7 (ref. REP7-321) will be agreed by the applicant, which would then enable Encirc to withdraw its objection.

Yours faithfully



Justin Gartland
Chairman
BA (Hons) BPI MRTPI