

## A66 Northern Trans-Pennine Project

### Preliminary Meeting - Tuesday 29 November 2022

<b>Name and Unique Reference Number</b>	Katie Moffatt, Senior Associate at Eversheds Sutherland LLP on behalf of Network Rail Infrastructure Limited - URN 20032019
<b>Email address and contact number</b>	██████████@eversheds-sutherland.com ██████████
<b>Name and unique reference number of any person/organisation that you are representing</b>	Network Rail Infrastructure Limited - URN 20032019
<b>Confirmation of hearing you wish to participate in</b>	Preliminary Meeting on Tuesday 29 November 2022
<b>Confirmation of whether you will participate virtually or in person</b>	Virtually
<b>Agenda items on which you wish to speak</b>	Agenda Item 3 - Initial Assessment of Principal Issues
<b>List of the points you wish to make</b>	This is set out in Paragraph 1 of this Document

#### 1. List of points Network Rail wish to make

##### 1.1 Network Rail wish to make the following points in relation to Agenda Item 3

- *To confirm Network Rail's status and statutory responsibilities* - Network Rail is the statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns and operates Great Britain's railway network and has statutory and regulatory obligations in respect of it. Network Rail aims to protect and enhance the railway infrastructure and therefore any proposed development on, over or under the railway network or which is adjacent to and interfaces with the railway network or potentially affects Network Rail's land interest will be carefully considered.
- *To confirm Network Rail's Principal Issues with the application* - Network Rail's principal issues with the application relate to:-
  - the proposed operation of powers contained in the draft DCO authorising the Promoter to construct, operate and maintain works on, across, under, above or adjacent to Network Rail's operational railway which may impede Network Rail's ability to ensure the safe, efficient and economical operation of the railway network;
  - the proposed operation of powers contained in the draft DCO authorising the Promoter to compulsorily acquire land, to compulsorily acquire rights in or over land, extinguish rights in land or take temporary possession of land which forms part of Network Rail's operational railway land and which Network Rail relies upon for the carrying out of its statutory undertaking; and
  - the absence in the draft DCO of protective provisions for the protection of Network Rail and Network Rail's operational railway and associated railway infrastructure.
- *To confirm Network Rail's principal requests* - Network Rail's principle requests relate to:-
  - a requirement for the draft Order to include Network Rail's standard form of its Protective Provisions for the protection of Network Rail and its operational

railway and associated railway infrastructure and to manage the interface between the proposed development and Network Rail's operational land;

- a requirement for the draft Order to include Network Rail's standard form of its Protective Provisions for the protection of Network Rail in relation to the operation of powers contained in the draft Order authorising the Promoter to compulsorily acquire land, to compulsorily acquire rights in or over land, extinguish rights in land or take temporary possession of land which forms part of Network Rail's operational railway land; and
- a requirement for the Promoter to engage with Network Rail for the purposes of entering into such agreements as are required by Network Rail to manage and regulate the construction, operation and maintenance of works affecting the operational railway and the use of operational railway land for such purposes.

1.2 Network Rail reserves its position to raise any other matters in relation to this Agenda Item which may arise in consequence of ongoing discussions with the Promoter.