

**Your Ref: TR030002**  
**Our Ref: YPOT-AFP032**

Dear Sirs

In response to the Rule 8 letter dated 27 July 2015, I can confirm that Network Rail does not anticipate attending either the compulsory acquisition hearing or the specific draft DCO hearing. However, it reserves its position to make further written submissions in respect of those aspects of the DCO application.

By way of update, Network Rail is in discussions with the promoter regarding the other protections required for the railway which would enable it to withdraw its outstanding objections. The parties are currently working towards reaching agreement on those protections in advance of the compulsory acquisition hearing on 24 September 2015. We will update you should agreement be reached.

In relation to the first written questions from the Examining Authority, I have set out Network Rail's response to the first below. I am still seeking some clarification on the other two points and will forward information as soon as possible.

If the ExA has any questions in relation to these responses, or would like further information, please let me know.

Regards

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### **Network Rail's response to the First Written Questions**

#### **Question DCO 1.12**

"The Explanatory Memorandum (APP-004) states that the provisions for the protection of Network Rail Infrastructure Limited have been agreed. Please provide evidence of this agreement and of resolution of the CA objection from Network Rail. For the remainder of the schedules dealing with Protective Provisions, discussions are described as on-going. Please provide an update on progress to secure agreed Protective Provisions and an anticipated timetable for agreement where that has not yet been achieved, bearing in mind the desirability that the Examination should end before the statutory deadline if possible."

**Network Rail's response:** As stated in Network Rail's representation to this DCO application dated 9 July 2015, Network Rail was in contact with the promoter prior to the submission of the application and the form of protective provisions to be included in the draft Order were agreed. For the avoidance of doubt, Network Rail confirms that the protective provisions contained in the draft Order for its benefit are agreed by Network Rail and it does not object to the current drafting of the DCO. Its position is reserved in respect of any amendments to the draft DCO which may affect Network Rail property or interests, at which point, if required, additional written representations would be made.

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