

Application by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd for an Order granting Development Consent for two Offshore Wind Farms

Update submitted on behalf of Network Rail Infrastructure Limited following the Compulsory Hearing on 7 April 2025

Planning Inspectorate Reference Number: EN010125

This update is in response to the action points following the Compulsory Hearing on 7 April 2025.

1 Applicant's response to Network Rail's relevant representation [PDA-013]

- 1.1 Network Rail have reviewed the Applicant's response to its relevant representation and its position remains the same.

2 Update on the Property Agreement

- 2.1 There has been no progress on the property agreement since CAH2. Network Rail are currently waiting for comments from the Applicant following an all parties call on 6 March 2025.

- 2.2 There are several outstanding provisions yet to be agreed, however two of the main contentious points are in respect of:

- a) a right to terminate the option agreement on 12 months' written notice in favour of Network Rail; and
- b) an obligation on the Applicants in the Deed of Easement to cease operating / cut off supply should Network Rail require in the event of an emergency or if Network Rail are undertaking works to the railway.

- 2.3 These provisions are reflective of Network Rail's standard requirements. It was discussed that the Applicant would provide further details on the design of the HDD which Network Rail could discuss with its asset protection department. Subject to those discussions, the Applicant would then propose alternative drafting acceptable to the Applicant. These details and the updated drafting are yet to be provided.

- 2.4 Discussions are ongoing with the Applicant and both parties are keen to work through the outstanding issues and complete the property agreement as soon as possible.

3 General Update

- 3.1 Negotiations are still ongoing with the Applicant in respect of the protective provisions and framework agreement. An all-parties call is in the process of being arranged to iron out any issues in order for the agreements to be finalised prior to close of Examination.

Dentons
25 April 2025