

NETWORK RAIL RESPONSE TO QUESTION Q5.1.21

Network Rail does not object to the Project in principle and discussions with the Applicant on both elements of the Project (Morgan Offshore Wind and Morecambe Offshore Wind) are constructive.

Network Rail acknowledge the Protective Provisions in the Order but note that this version has omitted provision for the protection of operation Network Rail assets from electromagnetic interference arising from the authorised works, as well as an obligation on the Applicant to enter into an Asset Protection Agreements with Network Rail for the protection of Network Rail assets in the construction and operation of the authorised works. The inclusion of these provisions in the Protective Provisions is paramount to protect Network Rail's role as statutory undertaker and to fulfil its statutory obligations. Network Rail has provided the Applicant with a copy of the Standard Protective Provisions on 2 June 2025, and has been clear that its concerns to a significant degree will be addressed by this standard form being included on the face of the DCO. Comments to this effect were made to the Applicant on 27 June.

Network Rail requires that in addition to the Protective Provisions, the Applicant enters into a Framework Agreement to manage the direct interface that the Project has with the operational railway. Network Rail will also require an Asset Protection Agreement to ensure the appropriate and necessary technical, engineering and safety requirements for working on, over or near Network Rail's operational railway are applied to the Project. Due to the location of the Applicant's proposed works, Network Rail requires an Asset Protection Agreement in order to carry out its statutory duty. Network's position is that any acquisition of permanent rights should only be granted with Network Rail's consent and would require a Deed of Easement agreed with Network Rail. Network Rail and the Applicant are in very early discussions in relation to such a Framework Agreement and related agreements. Given that the Application relates two separate windfarms, Network Rail seeks to agree an appropriate Framework Agreement in respect of each and has sent drafts to the Applicant in order to further progress on 18 June 2025 (in respect of the Morgan Offshore Wind element) and 26 June 2025 (in respect of the Morecambe Offshore Wind element) respectively.

The Applicant will also be aware that any acquisition of permanent rights should only be granted with Network Rail's consent and will require going through Network Rail's land clearance process as required by Network Rail's Network Licence and any regulatory consents, again discussions on this point are at a very early stage. Network Rail continues to engage with the Applicant in order to address Network Rail's concerns and ensure that agreement can be reached, Network Rail is hopeful that both parties reach an agreement before Close of Examination.