

Your reference

Our reference HENSM/43283-3578

5 September 2022

BY EMAIL TO: colin.dunn@dft.gov.uk

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sirs

DCO Scheme: M25 Junction 28 Improvement Scheme

Our client: Network Rail Infrastructure Limited

Applicant: Highways England

Subject: Network Rail Infrastructure Limited's Response to the Consultation Letter dated 19 August 2022

This Firm is instructed by Network Rail Infrastructure Limited (**NR**) in relation to the DCO Scheme and we write in response to the Consultation Letter dated 19 August 2022 which requests at paragraph 2:

*The Secretary of State notes that at the end of the examination Protective Provisions had not been agreed between the **Applicant** and **Network Rail**. Can both parties update the Secretary of State on the current position and confirm whether agreement has been reached.*

The Applicant and NR have been in discussions as to the form of Protective Provisions (**PPs**) which are to be included in the Development Consent Order authorising the DCO Scheme. The process of agreeing the PPs has been protracted due to delays on the part of both parties and the need to simultaneously conclude separate agreements to facilitate the obligations of the parties in respect of the DCO Scheme. More recently, the matter has been delayed as a result of NR's instructing surveyor being on unexpected long-term sick leave.

Notwithstanding the previous delays, NR has now appointed cover for the surveyor who has taken leave and so agreement on the form of the PPs is expected to be reached with the Applicant within the next **10 working days**. We will provide a further update by **14 September 2022** as to the expected timescales for reaching an agreed position (if not already agreed by that date).

10-49776492-2/43283-3228

Addleshaw Goddard LLP, 3 Sovereign Square, Sovereign Street, Leeds LS1 4ER

Should you have any queries, please don't hesitate to contact us on the details below.

Yours faithfully

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Addleshaw Goddard LLP

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