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**To:** [York Potash Harbour](#); [Robert Ranger](#)  
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**Subject:** 151222 TR030002 York Potash Ltd - Response to Tata Steel and RBT submission for D6  
**Date:** 22 December 2015 13:54:15  
**Attachments:** [image001.jpg](#)  
**Importance:** High

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Robert

I refer to the submissions for Deadline 6 made on behalf of Tata Steel UK Ltd and Redcar Bulk Terminal by DLA.

In paragraph 4 a. DLA made reference to an issue which they had raised with us too late for us to address in advance of Deadline 6, relating to security protocols for plots 9 and 10.

We have been in discussion with DLA and their clients and have agreed revised wording to Part 2 of Schedule 10 to cover the issue. That revised wording is set out at the end of this e mail and is agreed. The opportunity has been taken to pick up two typographical errors also (in the heading and in 23(2)).

In addition, we can also confirm that the revised plan relating to access arrangements for the RBT conveyor (PB1586-SK181 Rev D) which we submitted for Deadline 6 has also been agreed.

It is our understanding that there are now no unresolved issues between the Applicant and Tata Steel UK Limited/RBT. The Applicant will restate the position in the 30 December submission but thought it might be helpful for the Examining Authority to be aware in advance.

This e mail has been copied to DLA in order that the position may be separately confirmed.

Kind regards

Morag

## PART 2

### FOR THE PROTECTION OF ~~RED~~CAR BULK TERMINAL

**22.** The following provisions of this part of this Schedule shall have effect for the benefit of any owner of the Redcar Bulk Terminal.

**23.—(1)** The undertaker shall not commence the construction of any part of Works No.4 within the conveyor route (northern) or any part of Works No.5 which are to be situated within or above plots 9 and/or 10 identified on the land plans without first agreeing (and thereafter implementing) with the owners of the Redcar Bulk Terminal a protocols to:

- (a) govern access for the undertaker and the owners of the Redcar Bulk Terminal to the area shown on Document 3.16 which protocol shall have due regard to proper security and operational requirements of the Redcar Bulk Terminal and the undertaker; and
- (b) ensure that the construction and use of the authorised development within the said plots 9 and 10 incorporates the appropriate health, safety and security requirements of the owner or occupier of Redcar Bulk terminal and the undertaker; and
- (c) locate, protect and (to the extent required to ensure continuation of supply) replace, relocate and reconnect any services/service media within the said plots 9 and 10.

(2) In the event that the undertaker considers that the owner of the Redcar Bulk Terminal ~~owner~~ has unreasonably withheld its agreement under sub-paragraph (1), the undertaker may refer the matter to arbitration for determination under article 40(1) and paragraph 21 of Part 1 of this Schedule.

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