

**FAO:** [REDACTED]

Government Legal Department  
Litigation Group  
102 Petty France  
Westminster  
London  
SW1H 9GL

Direct Dial: 020 3780 0474

Email:

Your Ref: Z2007535/NUT/JD3

Our Ref: RWS/JEK/00239263/2

Date: 15 January 2021

By email only:

Dear [REDACTED],

**Re: National Policy Statement for National Network (the "NPS")**

1. Thank you for your letter dated 14 January 2021. However, we seek the following clarification.
2. Your letter is ambiguous, in that you say the Secretary of State is merely "minded to" make a fresh decision, but then go on to say he "will" make a fresh decision (based on new submissions made to him by Ministers). It is surely one or the other. Accordingly, please confirm that the Secretary will make a fresh decision (expected by the end of February 2021) that replaces the decision currently under challenge.
3. Given the deadline you requested us to respond by in respect of the proposed draft order, please kindly first respond to this letter by 4pm today (i.e. 15 January 2021).
4. Please be reminded that, until the Secretary of State withdraws the decision under challenge, we will continue to incur costs, including in preparing a reply to the summary grounds of defence.

Yours faithfully,

  
Leigh Day