

23rd June 2010

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Dear Richard

Hinkley Point C – Pre application Consultation

Thank you for your letter of 22nd June regarding the above. I thought it would be useful to provide an explanation of why we have consulted some of the bodies that you refer to in your letter.

The Commission must consult with the consultation bodies as set out under the Planning Act 2008 and in the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (APFP). In addition, the Commission has taken a precautionary approach to the identification of such bodies. Taking each of the bodies identified in the EDF letter in turn, I set out the following comments:

Parish (and town) councils are listed in the APFP Regs which identify the 'relevant parish council' as applying in all cases and explains the meaning of relevant at the end of Schedule 1. Details about how we identify such bodies are set out in the Commission's Advice Note 3, which is available on our web site.

APFP, Schedule 1 identifies AONB Conservation Boards ie proposed applications likely to affect an AONB that is managed by a Conservation Board. There are only a few AONB Conservation Boards and neither the Quantock Hills nor the Mendip Hills AONB has such a board. Comments should have been forwarded to us from such bodies through the relevant Local Authority.

First Great Western and British Telecom do not fall within the definitions. The Rail Passenger Council is contacted for applications likely to affect rail passenger transport, as well as the Office of Rail Regulation.

The Local Authorities have been identified in accordance with s43 of the Act.

Only in special circumstances has the Commission identified additional bodies out-with the statutory list. To date this has involved only bodies in Wales. However, potential applicants may wish to consult more widely and there is nothing in the legislation to advise against such an approach.

Yours sincerely

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Case Leader

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