

BY EMAIL

The Planning Inspectorate  
Temple Quay House  
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Bristol  
BS1 6PN

sizewellc@planninginspectorate.gov.uk



30 September 2021

Dear Ms McKay,

**NUCLEAR DECOMMISSIONING AUTHORITY AND MAGNOX LIMITED: WITHDRAWAL OF OBJECTION TO THE SIZEWELL C PROJECT DEVELOPMENT CONSENT ORDER (“DCO”) REF: EN010012**

We act on behalf of the Nuclear Decommissioning Authority (“**NDA**”) and Magnox Limited (“**Magnox**”), “affected persons” whose land interests are affected under the Compulsory Acquisition proposals for the Sizewell C Project.

On 22 September 2021, the ONR confirmed (as enclosed) that it agrees with NDA and Magnox that no land within the licence boundary (being plots MDS 05/06 and MDS 05/07) should be subject to compulsory acquisition and that instead the transfer of licensed land should only be pursued on a voluntary basis, in accordance with the regulatory framework and only after all necessary regulatory approvals have been obtained. This reinforces the position that the NDA and Magnox have been taking throughout the Examination.

Following recent discussions between the Applicant and the NDA and Magnox, we can confirm that NDA and Magnox’s objections have been addressed as follows:

- The Protective Provisions for the protection of NDA and Magnox have now been agreed (as set out in Part 9 of Schedule 18 of the DCO (revision 10)).
- Article 26(2) of the DCO (revision 10) has been amended, as agreed, to provide that compulsory acquisition is subject to the Protective Provisions. This ensures clarity on the face of the Order that protection is provided to NDA and Magnox and that compulsory acquisition of NDA and Magnox’s interest must be by agreement.
- The Book of Reference (revision 7) has been amended as follows (i) a new paragraph 1.1.13 has been inserted expressly stating that by virtue of Part 9 of Schedule 18 of the DCO the undertaker must not exercise any compulsory acquisition power over the NDA or Magnox’s interests within the Order limits other than by agreement and (ii) for each plot where NDA and Magnox have existing rights, the description of land now excludes interests held by NDA and Magnox.

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On this basis, we can confirm that NDA and Magnox withdraw their objections to the Development Consent Order, set out in the Relevant Representations (RR-0991 and RR-0992) and Written Representation (REP2-410), and withdraw the in principle objection to the compulsory acquisition of plots MDS 05/06 and MDS 05/07 set out in the Oral Summary of the Compulsory Acquisition Hearing (REP7-237). This is on the basis that the made Development Consent Order (should it be made by the Secretary of State) includes the protections for the NDA/Magnox as set out in the draft DCO (Rev 10).

I would be grateful if you could please acknowledge receipt of this letter.

Yours sincerely



**Pinsent Masons LLP**

*Enclosure: Email confirmation from ONR*

**From:** Nick Cooper <[REDACTED]>  
**Sent:** 22 September 2021 12:05  
**To:** Hughes, Michael <[REDACTED]>  
**Subject:** RE: [OFFICIAL] ONR / NDA Property Catch Up

**CAUTION:** This email originated from outside the NDA.

Hi Michael,

Apologies for the delay in replying, IT problems have left me out of contact for a couple of days. I confirm ONR is content for you to include a statement confirming we agree with your position regarding compulsory powers on the Sizewell A site.

Regards

Nick