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Your Ref:

Mr Beaumont and Mrs Lazenby,  
By email

Our Ref: EN010021

Date: 13 May 2014

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Dear Mr Beaumont and Mrs Lazenby,

## **Planning Act 2008 (as amended)**

### **Application by Forewind for an Order granting Development Consent for the Dogger Bank Creyke Beck Offshore Wind Farm**

#### **Advice under s51 concerning an issue raised in representations**

Thank you for your email of 24 April setting out your disagreement with the manner in which the applicant Forewind Ltd has accessed your land in order to carry out surveys. We also note that we have received previous correspondence concerning this issue, including within your relevant representation and written representation. These representations have been accepted into the examination and published to our website.

Your email below has been accepted into the examination by the Examining Authority and will be published in the same manner. You should note however that when making their recommendation to the Secretary of State about this application, the Examining Authority are concerned amongst other matters with whether to authorise the compulsory acquisition of land. If you wish to see the conditions under which land or rights can be compulsorily acquired they are set out at Section 122(2) of the Planning Act 2008, which is available at the following link:

<http://www.legislation.gov.uk/ukpga/2008/29/section/122>

The issue you have raised concerning the manner in which Forewind Ltd has accessed your land, is not directly related to the above tests in s122, nor is it related to the merits of the proposed development. Therefore it may be the case that the Examining Authority is unable to give your representations about this matter any weight as a relevant and important matter when making their recommendation.

If you continue to have concerns regarding the manner in which the applicant carried out surveys or accessed your property it is recommended that you take professional

advice.

With regards to Point 3 of your email of 24 April, based on our records it is our understanding that you have not attended any oral hearings to date and we therefore have no record of any oral representations. However there are further Compulsory Acquisition hearings timetabled for the week commencing 30 June 2014 where you may wish to raise matters relating to compulsory acquisition of your interests. Further details of those hearings including an agenda will be published at least 7 days prior to the hearing.

I trust you found this of assistance, if you have any further queries please contact us using the details above.

*John Pingstone*

**John Pingstone**  
**Case Officer**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.