

Ms E Dunn
Burges Salmon
One Glass Warf
Bristol
BS2 0ZX

10 November 2011

Dear Ms Dunn,

**RE: Vattenfall Wind Power Ltd – proposed Kentish Flats Offshore Wind
Farm Extension;
Formal Request for Advice under s.51 of the Planning Act 2008**

Thank you for your letter dated the 24 October 2011, requesting confirmation from the IPC of the status of various prescribed bodies as listed in schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 for the purpose of notification under section 56(2) of the Planning Act 2008 ("the Act).

In answer to your queries:

We agree that the relevant police authority (Kent Police Authority) should be notified under section 56(2)(a) of the Act.

As of 1 April 2011 the Commission for Architecture and the Built Environment (CABE) have merged with the Design Council. However, they remain a prescribed body and should be notified under section 56(2)(a) of the Act. Their new general contact details are as follows:

CABE at Design Council
34 Bow Street
London
WC2E 7DL
tel: 020 7420 5200
CABE@designcouncil.org.uk

The Sustainable Development Commission (SDC) ceased operations on 31 March 2011. The Department for Environment, Food and Rural Affairs (Defra) has taken on a small number of the SDC's functions. However, the Sustainable Development Unit of Defra has not taken on the role of SDC as a prescribed consultee for the purposes of the Planning Act 2008. Therefore, SDC do not need to be notified under section 56(2).

The Commission for Rural Communities will be replaced with a “strengthened Rural Communities Policy Unit within Defra”. The forthcoming Public Bodies (Reform) Bill announced in the Queen’s Speech will provide the legislative vehicle under which the Commission for Rural Communities (CRC) will stop operating. However, no timeline has been indicated for the transition as yet. Therefore, in the mean time, they remain a prescribed consultee for the purposes of the Planning Act 2008 and should be notified under section 56(2)(a).

The Disabled Persons Transport Advisory Committee (DPATC) is proposed to be disbanded. The forthcoming Public Bodies (Reform) Bill would provide the legislative vehicle to do so, however, no timeline has been indicated for the abolition as yet. Therefore, in the mean time, DPTAC remains a prescribed consultee for the purposes of the Planning Act 2008 and should be notified under section 56(2)(a).

With regards to details of any further deletions or replacements identified from the enclosed list of prescribed consultees; we note that there appears to be an inconsistency between the list provided with your letter and the Consultation Report. Dartford Borough Council (as an ‘A’ local authority under section 43(2) of the Act) has not been listed in the Consultation Report, but should be notified under section 56(2) of the Act.

Furthermore, the following bodies have been added to OFGEM’s lists of public gas transporters and electricity distributors in March 2011. For this reason they did not appear on the IPC’s EIA Reg 9 list issued to Vattenfall in December 2010.

- LNG Portable Pipeline Services Limited
- UK Power Networks (IDNO) Limited
- South Eastern Power Networks plc
- TC Robin Rigg OFTO Limited

While these bodies only need to be notified ‘where relevant’ you may wish to consider notifying these on a precautionary basis (see IPC Advice Note 3 on applying the relevance test).

Finally, in line with the IPC’s Advice Note 3 (July 2011) you may wish to consider notifying the following non-prescribed bodies:

- Royal National Lifeboat Institution
- Colchester Borough Council
- Hoath Parish Council

We hope the above is of assistance to you.