

Hornsea Offshore Wind Farm

Project Two

Section 135 Consent from Highways England Historical Railways Estate

Appendix J to the Response submitted for Deadline IIA
Application Reference: EN010053

25 August 2015

smartwind.co.uk

Our ref:
Your ref:

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19 August 2015

Dear Ms Hartfield

Hornsea Two Offshore Wind Farm Order (the "DCO")
Request for approval pursuant to Section 135 of the Planning Act 2008

Highways England Historical Railways Estate ("HRE"), on behalf of the Secretary of State for Transport, has control of certain interests within land included in the proposed DCO, specifically plot 168, as referenced within Part 4 of the Book of Reference.

HRE has received a request from SMart Wind Limited ("SMart Wind") for certain approvals under section 135 of the Planning Act 2008 (the "2008 Act") in relation to this land.

HRE notes that Article 39 of the DCO, entitled "Crown Rights", contains wording which is protective to the interests of Crown authorities affected by the proposals in the DCO.

HRE confirms, on behalf of the Secretary of State for Transport, that in accordance with section 135(2) of the 2008 Act it is satisfied with the inclusion of the provisions contained in the DCO.

HRE is aware that interests in land which are held by or on behalf of the Crown cannot be compulsory acquired, and therefore the interests of HRE (held by the Secretary of State for Transport) will be excluded from the scope of any compulsory acquisition powers sought under the DCO.

However, interests in Crown land proposed for compulsory acquisition which are not held by or on behalf of the Crown may be purchased compulsorily with the consent of the relevant crown authority.

In this regard, HRE confirms that consent is provided, on behalf of the Secretary of State for Transport, pursuant to section 135(1) of the 2008 Act to the proposed compulsory acquisition of interests other than those held by or on behalf of the Crown in the land referred to above (being the land included within the DCO for which HRE (on behalf of the Secretary of State for Transport) has control).

Yours sincerely



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