



11 April 2013

Dear 

Wrexham Power Limited - Proposed Application for Wrexham Energy Centre and Connections

I am writing in response to your letter dated 26 March 2013 (received by us on 2 April 2013) regarding Wrexham Power Limited's (WPL) proposed application for the Wrexham Energy Centre (WEC) and its electrical and gas connections and our requests for information and permission to access your land to undertake non-intrusive environmental studies.

Firstly, I would like to outline the planning system within which WPL is proposing to make its application, and the importance of the above mentioned environmental studies to the application and design process.

Secondly, I would like to clarify the content and purpose of the letters sent to yourself and 

1. The Planning Process

The WEC and connections proposals constitute a nationally significant infrastructure project (NSIP) under the Planning Act 2008. WPL is working to a statutory process as prescribed by the Planning Act 2008 and is required to apply to the Secretary of State for Energy and Climate Change for a Development Consent Order in order to construct the WEC and connections.

The Planning Act 2008 also states how formal consultation should be undertaken, including with landowners, the local authority, government agencies, statutory undertakers and the local community.

The Regulations governing this process set out what information WPL is legally required to present at formal statutory consultation and at submission of an application to the Secretary of State.

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The studies we are seeking permission to undertake on your land are for the purposes of producing the environmental assessments that we are required to include in any application to the Secretary of State.

Informal pre-application consultation

Before undertaking the formal, statutory consultation in accordance with the Planning Act 2008, WPL voluntarily undertook an additional informal non-statutory stage of consultation between 11 June 2012 and 5 August 2012. This consultation programme was agreed with Wrexham County Borough Council and documented in a Consultation Plan, which is published on our website www.wrexham-power.com.

The purpose of this informal consultation was to announce the proposals and allow initial views and feedback on the concept of WEC to be received prior to WPL carrying out the detailed assessments and studies necessary to enable the formal, statutory consultation to be carried out. Feedback received during the informal consultation has been published in a Stage One Feedback Report and we will produce an addendum to this report, detailing subsequent feedback, including your March 2013 representation, that will be published when we begin our formal, statutory consultation.

We took significant steps to ensure that our informal consultation was well publicised. Our proposals received significant local media coverage, including a front-page article in the Wrexham Leader and details of the consultation were advertised in local papers. We wrote to local MPs and AMs, and all members of Wrexham County Borough Council. We also gave a presentation to which all elected members of Wrexham County Borough Council were invited. Between 2 and 6 July 2012, we held five public exhibition events in the Wrexham area, including one in Marchwiel. We also delivered a project leaflet to 6,000 homes and businesses in the vicinity of the proposed site for WEC and its connections. This leaflet was delivered by an experienced, locally based distribution company within a consultation zone that was agreed by the Council and was included within the Consultation Plan.

Formal, statutory pre-application consultation

One of the most important stages in the planning process is formal, statutory consultation. This is the next stage that the WEC project will reach prior to submitting an application to the Secretary of State for a Development Consent Order.

This consultation, which has to be carried out in accordance with the Planning Act 2008, will provide the community, as well as other consultees, with the opportunity to view and provide feedback on the WEC, the electrical

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connection (including the siting and size of pylons) and gas pipeline route. At the end of this formal, statutory consultation, WPL will review and have regard to the responses received (as required by the Planning Act 2008), following which an application to the Secretary of State may be submitted.

This is the point at which the information we provide will be similar to that provided by the "North Wales Connection" and "Legacy to Oswestry" projects.

This brings me to our correspondence with you.

2. Our correspondence with yourself and [REDACTED]

The purpose of our correspondence with you has been to identify all parties who have an interest in land within the proposed route corridors, which are illustrative only and subject to consultation, so they can be included in the formal consultation and to seek your agreement for us to access your land to undertake surveys that will allow us to produce the environmental assessments that are required to be included in any application to the Secretary of State. These environmental assessments would analyse any likely significant effects of the project and would be a key part of the Secretary of State's decision making process.

As part of this process, we need to make sure that you are indeed the owner/occupier of the land that we would like to survey and, of course, to provide you with information about the surveys we wish to undertake and why they are required.

We sent two separate letters to you dated **7 December 2012** (copies enclosed) and again with our notification letter to you dated 2 April 2013.

The first of these letters was sent as part of our Land Referencing exercise. It also provided background information on the WEC and connections project and on the informal consultation undertaken to date. The letter also included a standard request for land related information that will, of course, be treated in strictest confidence.

The second of these letters, which contained our initial request for access to your land to undertake non-intrusive surveys, made reference to the fact that 'you will recently have received a letter from us regarding our proposals to develop Wrexham Energy Centre...'. This was referring to the first of the two letters sent to you on the same day and I apologise for the confusion this might have caused.

Following these letters and subsequent telephone messages (3rd, 10th, 16th January, 13th February 2012), telephone conversation (22nd January 2012) and email (8th March 2012), WPL wrote to you on **19 March 2013** (copy enclosed) to confirm the necessity of access to enable ecological survey work to be undertaken in order to inform the design and environmental impact

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assessment process so that the surveys could be carried out within the ecological survey seasons. The letter and enclosures detailed further terms and commitments by WPL to protect your rights as a landowner/occupier.

These letters and our other communications were all attempts to agree access arrangements with you voluntarily before, reluctantly, resorting to a formal application to the Secretary of State requesting access so that we can undertake the necessary surveys. Unfortunately, you failed to respond to all of our attempts to contact you except on one occasion when my colleague, Simon Keefe, telephoned and was able to speak with you. In that conversation you confirmed that you would not provide us with access.

Regrettably, since we have not been able to agree access with you voluntarily, as you will be aware from our letter of **2nd April 2013**, it has been necessary for WPL to submit an application for access under S53 of the Planning Act 2008. This application will now be considered by the Planning Inspectorate on behalf of the Secretary of State for Energy and Climate Change.

Despite this application, WPL remains keen to work with you to obtain information and agree access on a voluntary basis and would welcome the opportunity to discuss the requests outlined in our previous correspondence and discuss arrangements for you to participate in the forthcoming formal, statutory pre-application consultation which WPL intends to undertake shortly.

For completeness, I enclose a copy of the WEC and connections project update (March 2013) which was produced and sent to the CLA Wales prior to a land owner consultation event held in Wrexham on 5 March 2013.

Also attached is the Planning Inspectorate's Advice Note 8.1 which provides a summary of how the Planning Act process works and guidance on how interested parties, such as yourself, can become involved in the process. This Advice Note along with others are available on both the Wrexham Energy Centre website: www.wrexham-power.com and the Planning Inspectorate's National Infrastructure Planning website: <http://infrastructure.planningportal.gov.uk>

Yours sincerely,



Daniel Chapman
Wrexham Power Ltd

Enc.

WPL's 'Request for Information' letter of 7 December 2012

WPL's 'Access Request' letter of 7 December 2012

WPL's letter of 15 March 2013

WEC and connections project update (March 2013) to the CLA

Planning Inspectorate's Advice Note 8.1: Nationally Significant Infrastructure:
how to get involved in the planning process

CC.

Councillor Neil Rogers (Leader Wrexham County Borough Council)

Dr Helen Paterson (Chief Executive Wrexham County Borough Council)

Mrs Tracey Williams (Planning Inspectorate)

Mrs Susan Elan Jones MP (Clwyd South)

Mr Ian Lucas MP (Wrexham)

Mr J Wild (Erbistock Community Council)

Mr J Pritchard (Marchwiell Community Council)

Mrs V Jones (Marchwiell Community Council)

Mr Charles de Winton (CLA)