



Department for  
Business, Energy  
& Industrial Strategy

Wrexham Power Limited/Pinsent Masons, Wales and West  
Utilities & Osborne Clarke (BY E-MAIL)

**Department for Business, Energy &  
Industrial Strategy**

1 Victoria Street,

London SW1H 0ET

T: +44(0)300 068 5770

E: giles.scott@beis.gov.uk

**[www.gov.uk/beis](http://www.gov.uk/beis)**

8 June 2017

Our ref: EN010055

Dear Sir/Madam,

**Planning Act 2008 and The Infrastructure Planning (Examination  
Procedure) Rules 2010**

**Application by Wrexham Power Limited (“the Applicant”) for an Order  
granting Development Consent for the Wrexham Energy Centre project**

**REQUEST FOR COMMENTS FROM THE APPLICANT AND OTHER  
ADDRESSEES ON THE APPLICATION FOR THE PROPOSED WREXHAM  
ENERGY CENTRE PROJECT**

I refer to the Secretary of State’s letter of 8 May 2017 seeking further clarification  
and information from parties including the Applicant and Wales and West Utilities  
(WWU).

The Secretary of State is grateful for the representations received from the  
Applicant’s representatives, Pinsent Masons, WWU and also its representatives,  
Osborne Clarke in respect of its objection and proposed DCO Protective  
Provisions

(see [https://infrastructure.planninginspectorate.gov.uk/projects/wales/wrexham-  
energy-centre/?ipcsection=docs](https://infrastructure.planninginspectorate.gov.uk/projects/wales/wrexham-energy-centre/?ipcsection=docs) )

The Secretary of State notes that both Pinsent Masons and Osborne Clarke  
have confirmed that protective provisions to protect WWU’s interests have been  
agreed. However, WWU has also written separately to confirm the wording of the

protective provisions have been agreed save for some amendments as a result of the Housing and Planning Act 2017. WWU has also confirmed that no material amendments to the previously presented plan and specification of works are envisaged and the works on the proposed security fence to encompass the 4 metre strip are proposed to start in January 2018. In respect of the commercial lease agreement, its representation confirms that representatives have been appointed and are close to providing the Applicant with detailed Heads of Terms (subject to contract) for consideration. WWU's representation confirms that the outstanding objection can be treated as withdrawn once (i) the final agreed version of the protective provisions is circulated by the Applicant and ii) completion of the lease agreement has been completed, but that its objection remains in place until then.

In view of the conflicting information received in the three representations, it is unclear whether the statutory undertaker's objection is still outstanding. The Secretary of State should be grateful therefore if **all parties** would provide confirmation of their current understanding of the position and in particular whether the outstanding objection has been withdrawn.

**The deadline for responses is Thursday 15 June 2017.**

Response should be submitted by email to: [WrexhamEnergy@pins.gsi.gov.uk](mailto:WrexhamEnergy@pins.gsi.gov.uk)

Please also send any hard copy response to the Wrexham Energy Centre Project Team, Secretary of State for Business, Energy and Industrial Strategy, c/o the Planning Inspectorate, 3D Eagle Wing, Temple Quay House, Temple Quay, Bristol, BS1 6PN. If you will have difficulty in submitting a response by the consultation deadline, please inform the Project Team as soon as possible.

Responses will be published on the Wrexham Energy Centre project page of the National Infrastructure Planning website as soon as possible after 15 June 2017.

This letter is without prejudice to the Secretary of State's decision whether or not to grant development consent for the Wrexham Energy Centre project, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully

**Giles Scott**

Giles Scott  
Head of Energy Infrastructure Planning and Coal Liabilities