



3D
Temple Quay House
2 The Square
Bristol
BS1 6PN

Customer Services: 0303 444 5000
e-mail: EggboroughCCGT@pins.gsi.gov.uk

Robert Tams
The Conifers
Heck Lane, Hensall
North Yorkshire
DN14 0RD

Your Ref:

Our Ref: EN010081

Date: 3 October 2017

Dear Mr Tams

Planning Act 2008 (as amended) – section 87 and section 102A

Application by Eggborough Power Limited for an Order Granting Development Consent for the Eggborough CCGT Project

Request to become an interested party

On 28 September 2017 we received an application from you to become an interested party under s102A of the Planning Act 2008 (PA2008). The application included information about your address and the fact that you have lived in the area since 1986.

The PA2008 only allows requests to be an Interested Party to be accepted where they meet the requirements of s102B. I have set these out for your convenience in Annex A of my letter. As the appointed Examining Authority I am required to make a decision as to whether, as a result of the information provided, your interest would fall within one or more of the categories in s102B of the PA2008. On the basis of the information provided with your application, I am unable to come to a conclusive decision.

I therefore request from you the following information in order to assist my decision:

- Official copies of the title register and title plan (from Land Registry) detailing your interest in the land which you believe qualifies you to be a person within one or more of the categories in s102B of the PA2008.
- Confirmation that you give the Planning Inspectorate permission to share your address details with the Applicant should I decide to seek its views in respect of your application.

This information should be sent to Planning Inspectorate using the details provided at the top of this letter, and marked for the attention of Ms Kay Sully, Case Manager within 7 days of the date of this letter.

Following receipt of the requested information, I will make a procedural decision providing notice of the decision I have made. Please be aware that this letter and any response(s) received about it will be published to the Planning Inspectorate's website and entered into the examination of the application.

Please be assured that you will be able to participate in the examination process and attend the hearings even if it is deemed that you do not hold an interest in land as required by s102B of the PA2008. You will also be able to stay informed of the progress of the Examination of the proposal by visiting the relevant project page on the National Infrastructure Planning website [Eggborough CCGT](#) .

If you have any queries on the contents of this letter please contact Ms Kay Sully, the Case Manager.

Yours sincerely

Richard Allen

Richard Allen
Examining Authority

ANNEX A

s102B of the PA2008 states:

102B Categories for the purposes of section 102A

- (1) A person is within Category 1 if the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.*
- (2) A person is within Category 2 if the person—*
 - (a) is interested in the land, or*
 - (b) has power—*
 - (i) to sell and convey the land, or*
 - (ii) to release the land.*
- (3) An expression, other than "the land", that appears in subsection (2) of this section and also in section 5(1) of the Compulsory Purchase Act 1965 has in subsection (2) the meaning that it has in section 5(1) of that Act.*
- (4) A person is within Category 3 if, should the order sought by the application be made and fully implemented, the person would or might be entitled—*
 - (a) as a result of the implementing of the order,*
 - (b) as a result of the order having been implemented, or*
 - (c) as a result of use of the land once the order has been implemented, to make a relevant claim.*
- (5) In subsection (4) "relevant claim" means—*
 - (a) a claim under section 10 of the Compulsory Purchase Act 1965 (compensation where satisfaction not made for the taking, or injurious affection, of land subject to compulsory purchase);*
 - (b) a claim under Part 1 of the Land Compensation Act 1973 (compensation for depreciation of land value by physical factors caused by use of public works);*
 - (c) a claim under section 152(3).*
- (6) In this section "the land" means the land to which the application relates or any part of that land.*

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 National Infrastructure Planning 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.