

The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

Five Estuaries Wind Farm Project proposed provision for the compulsory acquisition of additional land

Regulation 6(1)			
Within 28 days (starting the day after receipt) the Secretary of State must decide whether or not to accept the proposed provision as part of the application.	Date received	28-day due date	Date of decision
	10 October 2024	7 November 2024	22 October 2024
Regulation 6(2)	Planning Inspectorate Comments		
Regulation 4 - Prescribed procedure for compulsory acquisition of land			
Regulations 5 to 19 prescribe the procedure for the purposes of the condition in subsection (4) of section 123 (land to which authorisation of compulsory acquisition can relate) and apply where—			
(a) it is proposed to include in an order granting development consent a provision authorising the compulsory acquisition of additional land;	The Report on Proposed Changes (AS-058) which also explains the extent to which the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 are engaged in respect of some of the changes, and the Applicant’s proposals for ensuring that the procedural requirements under those Regulations can be accommodated within the examination timetable		
(b) a person with an interest in the additional land does not consent to the inclusion of the provision	No confirmation from those persons with an interest in the additional land (including those affected persons where there is a potential increase in interference with landowners’ rights), that they consent to the inclusion of the provision, has been provided in the Applicant’s Change Request Application.		
Summary – Regulation 4	The proposed provision is one to which regulations 5 to 9 of the infrastructure planning (Compulsory Acquisition) Regulations 2010 apply.		

Regulation 5 - Proposed Provision	
The applicant must send to the Secretary of State details of the proposed provision which must—	
(a) be in the form of a book of reference or, where a book of reference has been submitted to the Secretary of State, a supplement to that book;	An updated Book of Reference (AS-035) was submitted with the Change Application together with a track changed version of Revision D of the Book of Reference.
(b) be accompanied by— (i) land plan identifying the land required as additional land, or affected by the proposed provision; and (ii) a statement of reasons as to why the additional land is required and a statement to indicate how an order that contains the authorisation of the compulsory acquisition of the additional land is proposed to be funded.	(i) A revised Land Plans (AS-019) was submitted with Change Application. (ii) A revised Statement of Reason (AS-037) was submitted with the Change Application.
Summary – Regulation 5	The Book of Reference is, as permitted by Regulation, supplemental to that already submitted. However, the Land Plans, Statement of Reasons and Funding Statement are also provided as supplemental to the DCO application. This is not strictly in accordance with Regulation 5(b), but is sufficient to explain the proposed provision.

Case Manager

Karl-Jonas Johansson

Karl-Jonas Johansson

Signed

Date: 6 November 2024

**Lead member of the
Examining Authority**

Grahame Gould

Grahame Gould

Signed

Date: 6 November 2024
