

From: [Mawdsley, Edwin](#)
To: [Cook, Robert](#); [Barrowman, Spencer](#)
Cc: [Gate Burton Solar Project](#); [Ali Leeder](#); [Amy Stirling](#)
Subject: Statement with TCE
Date: 21 August 2023 15:03:10
Attachments: [image001.png](#)

Hi both,

Ahead of Compulsory Acquisition Hearing 1 (CAH1) this week, the Applicant submits the following statement in respect of Agenda Item 5 (Crown Estate):

CAH1 Agenda Item 5 (Crown Estate)

It is understood that the agenda item refers to consent pursuant to section 135 of the Planning Act 2008 which provides that an order granting development consent may only include (1) provision authorising the compulsory acquisition of Crown land if it is an interest which is for the time being held otherwise than by or on behalf of the Crown if the appropriate Crown authority consents to the acquisition and (2) any other provision applying in relation to Crown land, or rights benefiting the Crown, if the appropriate Crown authority consents to inclusion of the provision.

*The Applicant is engaged with solicitors acting for The Crown Estate Commissioners in relation to obtaining the necessary Crown consents pursuant to s135(1) and (2). The Applicant set out the nature of the consent sought in the response to **FWQ Q1.5.3**. The Crown Estate Commissioners are currently reviewing the request for s135(1) consent in respect of the compulsory acquisition of third party interests in Plot 13/4 and the request for s135(2) consent in respect of the proposed application of certain articles in the draft DCO in relation to Crown land.*

The Crown Estate Commissioners note that the Examination is in the early stages and, in relation to section 135(2) consent in particular, the articles in the draft DCO are liable to change as the Examination progresses. For this reason, they note that it is prudent for any consent to be granted at a later stage in the Examination once the draft DCO is in close to final form; the ExA will be aware that this is ordinarily the case.

The parties will aim to reach agreement in a timely fashion and before the close of the Examination. This statement has been agreed by both parties.

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