

From: [Eifion Bibby](#)
To: [Mona Offshore Wind Project](#)
Subject: RE: Deadline 7 -Closing Statements - Mona Offshore Wind Project - Affected Party/ Our Client: Jennings Building & Civil Engineering Limited - (JEN8/11) Our Ref:- Mon Jen .B-1-C
Date: 14 January 2025 10:00:26

AFFECTED PARTY REGISTRATION IDENTIFICATION NUMBER: 20048010
OUR REGISTRATION IDENTIFICATION NUMBER:- 20047783

Dear Sirs ,

Following on from our previous submissions including ,most recently on 20th December (at Deadline 6),we have received draft updated Heads of Terms on 10th January 2025 and have replied to the same with suggested modifications (with the aim of being able to approach consensus, subject to contract) earlier today . Unfortunately ,whilst is considered there has been some progress (e.g. in respect of the Applicant's perceived willingness for temporary access during the intended works to be granted by means of proposed licence) , concerns relating to adverse impact of the Applicant's intended apparatus, regarding the future potential alternative use of the subject land, remain (as they have not been comprehensively addressed) .

Accordingly for completeness, given the understanding of-;

- i)the significant depth below ground of the intended cables under the Affected Party's land ,and
 - ii)the intention by the Applicant to only use trenchless installation techniques including (but not limited to) directional drilling, and
 - iii)the associated impracticality of excavating via the ground surface above the same for future repairs and maintenance etc, and
 - iv) to avoid unnecessarily adversely impacting the future potential development of the Affected party's land
- we reaffirm the requirement ,please -:

A.For Schedule 8 of the draft Development Consent Order - to allocate the following amended **Rights and Restrictive Covenants** in respect of plot Nos 02-023 (i.e. the part applicable to our client's ownership) & 02-024 -:

1. Cable rights under existing infrastructure

Rights for the purposes of the construction, installation, operation, maintenance and decommissioning of the authorised project to-:

- a)lay down, install, retain, adjust, alter, construct, operate, erect, use, maintain, repair, renew, upgrade, inspect, remove and replace the electricity cables (including the removal of materials including spoil) in or under the land, together with such telemetry and fibre-optic lines, ducting, jointing bays and other apparatus, protection measures, cable, cable clamping and other subterranean equipment which is ancillary to the purposes of

transmitting electricity along such electricity cables (the “cables”), and in doing so, to use or resort to trenchless installation techniques only including (but not limited to) directional drilling;

b) fell, lop, cut or remove or coppice wood, uproot trees or hedges or shrubs which now or hereafter may be standing on the land or other land which would if not felled, lopped, cut or removed would obstruct or interfere with the installation or operation of the cables;

c) to excavate materials below ground level, including soils, and re-use or dispose of the same, and in so excavating to undertake any works, including works of protection or removal of archaeological remains as may be required by any written scheme of investigation approved under this Order;

2. Restrictive Covenants

A restrictive covenant over the land for the benefit of the remainder of the subject Order land (confined to the cable route corridor):

a) to prevent anything being done which may interfere with free flow and passage of electricity or telecommunications through the cables or support for the authorised project; and

b) to prevent the carrying out of operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt, or interfere with the exercise of the rights or damage the authorised project ;**but not** preventing the installation of hardstanding and utility service apparatus together with the erection of buildings and static caravans ,cabins (or similar) and/or construction, erection of works (including the foundations or footings thereto) .

c) to prevent the planting or growing within the land of any trees, shrubs or underwood without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed provided that the proposed trees, shrubs or underwood would not cause damage to the relevant part of the authorised project nor make it materially more difficult or expensive to access and maintain the relevant part of the authorised project).

B. For temporary rights to only be permitted where approved subject to a voluntary agreement with the Affected Party (such agreement not to be unreasonably withheld or delayed) for access to undertake surveys in advance of the proposed scheme operations on the following plots numbers as applicable to the Affected Party’s ownership -:

- 02-016
- 02-017(in part)
- 02-018
- 02-019(in part)
- 02-020 (in part)
- 02-021(in part)

**Yours faithfully ,
Eifion Bibby**

J Eifion Bibby MRICS FAAV

Director & RICS Registered Valuer

For and on behalf of :

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