

The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

North Wales Wind Farms Connection 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
	15 September 2015	13 October 2015	2 October 2015
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;	<p>In SP MANWEB's (the applicant) document 'Option B CA Document 1', paragraph 1.8 states:</p> <p>'This submission comprises SP Manweb's 'proposed provision' under Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010'</p>		
(b) a person with an interest in the additional land does not consent to the inclusion of the provision	<p>The applicant states in paragraph 4.2 of 'Option B CA Document 1' that:</p> <p>'At the present time, notwithstanding SP Manweb's negotiations with land owners with an interest in the proposed additional land, Regulations 4(a) and 4(b) apply, in that ... it has not been possible to secure the consent of all relevant landowners to the inclusion in the draft DCO of such a provision.'</p>		
Summary – Regulation 4		The applicant proposes to include a proposed provision authorising the compulsory acquisition of additional land and it has not yet been possible to secure the consent of the persons with an interest in this land; therefore 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;	<p>A Book of Reference has been submitted for Option B (Document 4.3).</p> <p>In addition, a tracked change version of the book of reference has been submitted showing changes between version 2 of the application document and Option B. A schedule of changes document has also been submitted.</p>
(b) be accompanied by— <ul style="list-style-type: none"> (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. 	<ul style="list-style-type: none"> (i) A full set of land plans for Option B have been submitted, including a key plan; Document reference 2.2.0 to 2.2.13 Option B V0. The Land Plans show the whole scheme as amended, so it is not possible to use these to identify the additional land directly. However, the applicant has also provided Comparison Plans ‘Option B CP’ which can be used to locate the additional land. (ii) A Statement of Reasons has been submitted; document reference 4.1 version 2. <p>No Funding Statement has been provided. The table at paragraph 4.3 of the Option B CA Document 1 states:</p> <p>‘SP Manweb considers that the Funding Statement submitted in March 2015 applies equally to the proposed provision and therefore this document should be read to apply to the proposed provision.’</p>
Summary – Regulation 5	The tracked change Book of Reference and Comparison Land Plans meet the requirements of the Regulation, as does the detailed Statement of Reasons. Use of the existing Funding Statement, while not in strict accordance with Regulation 5, is acceptable.

Case Leader

Nicholas Coombes

Nicholas Coombes

Signed

Date:

2 October 2015

**Lead member of the
Examining Authority**

Lillian Harrison

Lillian Harrison

Signed

Date:

2 October 2015
