



Pinsent Masons

BY E-MAIL ONLY

The Examining Authority C/o Nicholas Coombes
Case manger
Planning Inspectorate
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9 October 2015

Dear Sirs

SP MANWEB PLC: NORTH WALES WIND FARMS CONNECTION ORDER OPTION B

1. We act on behalf of SP Manweb Plc ("SP Manweb") in respect of its application for development consent ("Application") for a 132 kV Overhead Line together with required pedestrian and vehicular access, temporary construction compound, construction lay areas, mitigation planting and other integral works ("Proposed Development")
2. We write in connection to the decision of the Examining Authority to accept the application made by SP Manweb on 16 September 2015, which is known as the Option B submission. This submission includes the following:
 - 2.1 An application to make non-material amendments to the Application to accommodate a series of amendments to the Proposed Development suggested by landowners;
 - 2.2 The proposed amendments to the Application requires 'additional land' under the terms of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ("CA Regs"). Therefore the Option B submission also includes a proposed provision in accordance with Regulation 5 of the CA Regs.
3. We have carefully considered the Examining Authority's letter dated 6 October 2015 ("Procedural Decision") and write to clarify the position in relation to a number of statements in that Procedural Decision.
4. SP Manweb is in the process of complying with the requirements of Regulation 7 and Regulation 8 of the CA Regs. This is consistent with its obligations under the CA Regs as well as the instructions provided in paragraph 4.5 of the Procedural Decision. In summary, its approach is as follows:
 - 4.1 It has already published a notice in accordance with Regulation 8 of the CA Regs. This was included in the Denbighshire Free Press, North Wales Weekly News and the Daily Post on the 7/8 October and the notice will be repeated on the 14/15th October. Further, the same notice will be placed in The Times and the London Gazette on 15

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October 2015. This notice is consistent with the notice considered by Nicholas Coombes and a copy is attached.

- 4.2 Letters enclosing a notice and maps showing the location of the additional land¹ are being sent on the 12/13 October 2015. They are being sent to those persons provided for in respect of Regulation 7(1) of the CA Regs. In light of paragraphs 3.3 and 4.5 of the Procedural Decision and to provide absolute clarity, SP Manweb is consulting the following persons under regulation 7(1)(c):
- 4.2.1 All persons in the book of reference in respect of the plots which fall within the definition of 'additional land' under the CA Regs;
 - 4.2.2 All persons in the book reference in respect of land where the class of rights that SP Manweb is seeking to acquire have changed between Option A and Option B; and
 - 4.2.3 No letter or notice will be sent to those persons in the book of reference which do not fall within the above categories.
- 4.3 It is considered that the above approach is consistent with the provisions of Regulations 7/8 of the CA Regs and is also consistent with the approach adopted in relation to the A14 in respect of its application under the CA Regs.
5. SP Manweb understands that there is no requirement for it to notify all Interested Parties or indeed more widely of the decision of the Examining Authority to accept the non material amendments to the Application. This step will be achieved by the Examining Authority notifying all Interested Parties of its Procedural Decision pursuant to Regulation 9 of the Infrastructure Planning (Examination Procedure) Regulations 2010.
6. Finally, we would like to seek clarity in respect of the comments in the second sentence of paragraph 4.2 of the Procedural Decision, which states the following:
- Option B will be considered both as a whole and as potential alternatives to individual sections of the alignment.*
7. Option A and Option B are presented as alternatives to the Examining Authority and the Secretary of State and the DCO to be made by the Secretary of State will be for either Option A or Option B and it will not be possible for the Examining Authority to choose discreet sections of Option B. This has to be the approach in a linear scheme of this nature because amendments on part of the overhead line has knock on effects further down the line. The Proposed Development has to therefore be considered in its totality.
8. If the Examining Authority has any comment on the approach being adopted by SP Manweb we should be grateful if these comments could be passed to Pinsent Masons at the earliest opportunity so that they may be considered.

Yours faithfully

Pinsent Masons LLP

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¹ The comparison plans submitted with the Option B application have been used and each landowner will receive a full suite of these plans.