

**COMPULSORY ACQUISITION HEARING IN RELATION TO THE COMPULSORY ACQUISITION OF RIGHTS AND THE  
IMPOSITION OF RESTRICTIONS OVER LAND IN RELATION TO OPTION A (THE ORIGINAL APPLICATION)  
TO BE HELD ON 9 DECEMBER 2015**

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**NRW ADDITIONAL SUBMISSION ON AGENDA ITEM 4.3 REGARDING CROWN LAND**

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Further to NRW's note issued on 8 December 2015, NRW would like to clarify the following points:

1. NRW agrees with the applicant that section 135(1) of the Planning Act 2008 does not apply in this case as the development consent order, as drafted, would not include any Crown land in which there is a third party interest.
2. NRW notes that the first sentence of the second paragraph under (a) could be considered confusing. We wish to clarify that NRW provides its consent to SP Manweb in respect of the development consent order for the North Wales Wind Farms Connection Project under section 135(2) of the Planning Act 2008. This consent is in respect of two options currently before the Examining Authority, known as "Option A" and "Option B" and indeed any "hybrid" scenario should the Examining Authority wish to make a recommendation for a development consent order that includes part of Option A and part of Option B. This is on the basis of the current draft DCO – should any amendments be made which affect Crown land then the further consent of NRW under section 135(2) of the Planning Act 2008 should be sought. This is also on the basis that the draft DCO includes the following article which we understand the applicant has agreed to include:

*Crown rights*

*(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular, nothing in this Order authorises the undertaker or any licensee—*

*(a) to take, use, enter upon or in any manner interfere with any land or rights of any description—*

*(i) belonging to Her Majesty in right of the Crown and forming part of The Crown Estate without the consent in writing of the Crown Estate Commissioners;*

*(ii) belonging to Her Majesty in right of the Crown and not forming part of The Crown Estate without the consent in writing of the government department having the management of that land;*

*(iii) belonging to a government department or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that government department; or*

*(b) to exercise any right under this Order compulsorily to acquire an interest in any land which is Crown Land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown without the consent in writing of the appropriate Crown authority (as defined in the 2008 Act).*

*(2) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions; and is deemed to have been given in writing where it is sent electronically. "*

**NATURAL RESOURCES WALES**

9th December 2015