

## **Pridham Robert (Energy Development)**

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**Subject:** FW: Brechfa Forest West - Grid (WPD)  
**Attachments:** Redacted Agreement.pdf

**From:** Williams, Kay [<mailto:Kay.Williams@cyfoethnaturiolcymru.gov.uk>]  
**Sent:** 06 September 2016 12:55  
**To:** Scott Giles (Energy Development)  
**Cc:** Baird, Gordon; Pocock, Steven; Watkins, David; Sibley, Mari; ED Brechfa  
**Subject:** Brechfa Forest West - Grid (WPD)

**Our Ref: SSA G**  
**Your Ref: EN020016**

FAO: Giles Scott

Dear Sir

**Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010  
Application by Western Power Distribution (South Wales) plc ("the Applicant") for an Order  
granting Development Consent for the Brechfa Forest Connection project**

**REQUEST FOR COMMENTS FROM THE APPLICANT, NATURAL RESOURCES WALES AND THE  
CROWN ESTATE COMMISSIONERS ON THE APPLICATION FOR THE PROPOSED BRECHFA  
FOREST CONNECTION PROJECT**

I refer to your letter dated 25<sup>th</sup> August in respect of the above, with particular reference to plots C216-C227.

*"If compulsory acquisition power are sought in relation to these plots, the Secretary of State requests confirmation from Natural Resources Wales of the Crown authority's consent to acquisition for the purposes of section 135(1) of the Planning Act 2008".*

Please note that by virtue of the S135 schedule attached to an agreement executed 10<sup>th</sup> June 2016 between Welsh Ministers (acting through natural Resources Wales) and Western Power I can confirm Crown authority's consent to acquisition for the purposes of section 135(1) of the Planning Act 2008.

I have attached the appropriate extract from the agreement for information.

Please contact me directly should you require further information

Yours Sincerely

Kay Williams  
Asiant Tir Cynorthwyol Darparu Ynni /Assistant Land Agent Energy Delivery  
Cyfoeth Naturiol Cymru / Natural Resources Wales  
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Gwefan / Website:  
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**diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio yn gynaliadwy, yn awr ac yn y dyfodol.**

**Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.**

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg - Correspondence welcomed in Welsh and English

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DATED 10 JUNE 2016

**Wales - Welsh Ministers**

**and**

**Western Power Distribution (South Wales) Plc**

**AGREEMENT**

**relating to the treatment of electric lines crossing land managed by Natural Resources Wales for the purpose of the Brechfa Forest Connection Project**

**28. Law and Jurisdiction**

This Agreement shall be an agreement made in England and shall be governed by and construed in accordance with the laws of England and the parties submit to the non exclusive jurisdiction of the English Courts.

Note: Scottish law may affect this clause references.

**IN WITNESS** whereof the parties hereto have executed this deed the day of

10 JUNE 2016

~~THE OFFICIAL SEAL of the  
Welsh Ministers hereunto affixed  
is authenticated by the signature of :-~~

~~Authorised by the Welsh Ministers~~

THE COMMON SEAL of Western Power Distribution (South Wales) Plc  
has hereunto been affixed in the presence of :-

Authorised Signatory



Authorised Signatory



DATED 10 JUNE 2016



Executed as a Deed by applying  
The Seal of the WELSH MINISTERS

The application of the seal of the  
Welsh Ministers is AUTHENTICATED

by



who is duly authorised for that  
purpose by the Director of Legal  
Services by authority of the Welsh  
Ministers under section 90(2) of the



## SCHEDULE

### Consents pursuant to Sections 135(1) & 135(2) Planning Act 2008

1. In this Schedule the term "Order" shall mean the Western Power Distribution (Brechfa Forest Connection) Development Consent Order once made by the Secretary of State and the term "book of reference" shall have the meaning given to it in the Order.
2. The Welsh Ministers acting through Natural Resources Wales (NRW) consents to Western Power Distribution (South Wales) Plc (the Company) acquiring such interests pursuant to Article 20(1) and 20(3) and such rights pursuant to Article 28 of the Order and described in plot numbers C216, C217, C218, C219, C220, C221, C222, C223, C224, C225, C226, C227 of the book of reference which are interests held for the time being otherwise than by or on behalf of NRW. The purpose of this consent is to satisfy Section 135(1)(b) of the Planning Act 2008.
3. NRW consents to the provisions of the Order applying in relation to NRW managed land and confirms that this consent is made to satisfy the provisions of Section 135(2) Planning Act 2008.
4. The particular provisions that apply under this Schedule are those listed in paragraph 5 below but the Company confirms that in the event that any other provisions of the Order apply in relation to NRW managed land or create rights benefiting the Company this consent shall apply equally to those additional provisions
5. The provisions of the Order referred to in paragraph 3 above are 3,4,5,6,7,8,16,17,18,19,20,21,22,23,24,25,28,29,32,33,34,35,36 & 37.

