Date: 24 October 2012

Our ref: PGRC/29691.00001

Your ref: 020 3400 4478

e-mail: Paul.Grace@blplaw.com

Mr Tom Carpen
National Infrastructure Directorate
Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Mr Carpen


I write further to the site visit and a discussion regarding the Landscape and Ecological Management Strategy Plan (LEMSP).

I understand two points were raised by a member of the Panel:

1. Plot 72 - it was queried whether the triangle of land to the north of Wellhead Compound 1 was shown in error as an area for planting. Halite confirm that this area of planting is shown in error.

2. It was queried whether the LEMSP should show a proposed section of bunding along the south part of the access road following consultation with Mr K Penswick. Halite confirm it has committed to providing this bunding and this is indeed shown on Drawing No. MMD-27763-D-DR-00-XX-0100 (Proposed Access Road). This is an application drawing for approval which shows the indicative layout of the proposed access road.

We have considered how best to respond to the comments made. Bearing in mind that the Examination ends on 25 October, we do not consider it is appropriate to submit a unilaterally revised LEMSP at this stage. The LEMSP has been agreed with various consultees and forms the subject matter of numerous statements of common ground. There is insufficient time to obtain comments from those consultees on a revised LEMSP.

However, we consider that the mechanics of Schedule 9 of the DCO provide sufficient latitude for the above matters to be addressed through the eventual discharge of planning requirements. Requirements 9 and 10 (Schedule 9 of the DCO) impose an obligation on Halite to submit to Wyre Borough Council (WBC) for approval (a) Ecological Management Schemes (EMS) and (b) Landscape Management Schemes (LMS). Such EMSs and LMSs are required to “give effect to the LEMSP” but will contain significantly more detail than the LEMSP.

The LEMSP is therefore not set in stone and its implementation will be subject to further consideration when the detailed ecological and landscaping works are eventually submitted to WBC for approval. The mechanics of requirements 9 & 10 will allow the points identified by the Panel set out above to be incorporated into the relevant EMS and LMS when they are submitted to WBC for approval.
To: Mr Tom Carpen  
Date: 24 October 2012  
Page: 2

We have copied this letter to WBC and Natural England so that they are aware of the position and indeed this letter can be taken fully into account by WBC when exercising their function in approving the EMS and LMS should the DCO be granted.

We trust this is satisfactory. If you require any further information on this issue, please do not hesitate to contact us.

Yours sincerely

[Signature]

Paul Grace

cc  David Thow, Wyre Borough Council  
cc  Stuart Perigo, Lancashire County Council  
cc  Janet Belfield, Natural England  

kl\27260789.1