Date: 5 October 2012
Our ref: PGRC/29691/1
Your ref:
DOT: 020 3400 4478
e-mail: Paul.Grace@blplaw.com

Tom Carpen
Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
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Dear Mr Carpen

Planning Act 2008
The Infrastructure Planning (Examination Procedure) Rules 2010
Proposed Underground Gas Storage Facility at Preesall, Lancashire
Halite Energy Group Limited
Reference EN030001
Statutory Undertaker Land
Halite Examination Document – H19

Thank you for your letter of 3 October 2012 which we have considered.

I agree with your interpretation of section 128(1) Planning Act 2008. This is essentially the same issue that was covered in our response to the Panel’s letter of 2 August 2012 (Question 3) – see paragraph 6.6 of Halite Document H5. I agree that section 128(2) does apply due to the definition of “land” contained in section 159 Planning Act 2008 which encompasses “rights”.

Halite, therefore, proposes that Part 5 of the Book of Reference in this respect should be in accordance with the original version submitted with the DCO application (Document 7.3) and include statutory undertaker land which is subject to the proposed compulsory acquisition of rights.

I trust this deals with the point satisfactorily.

Yours sincerely

Paul Grace

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