

Mr B Temple Pediani  
KTI Energy Limited  
16 Titan Court  
Laporte Way  
Luton  
Bedfordshire  
LU4 8EF

24 December 2010

Dear Mr Temple Pediani

I refer to your email to Mr Robert Ranger on 7 December which has been passed to me for reply. I have considered carefully the matters which you raise.

Firstly let me make it absolutely clear that the IPC is charged with considering applications which fall clearly within the remit of the schedules in the 2008 Planning act. It makes no pre-judgement of whether any particular project is, or is not, in the national interest.

Similarly, whilst not wishing to be unhelpful, I have to say it is inappropriate for the IPC to comment on your views in relation to the sites or issues to which you refer in your email other than to advise that the IPC is responsible for discharging the very particular and specific requirements of the 2008 Planning Act.

Separately I note that you have made representations in relation to the Covanta application and these are matters which the appointed Examining Authority will consider in due course and comment on these views are also inappropriate at this stage.

With regard to the project which you wish to pursue adjacent to Junction 13 from the information in your email and in the earlier information communicated to Mr Perepelov, it would appear that your proposals for the site are aspirational rather than actual proposals at the current time.

I have had separate correspondence from Savills (copy attached) on behalf of the landowner and from Milton Keynes Council advising that they are not related to your project in any way. Savills in particular have stated that the KTI proposals are not capable of delivery given the South East Milton Keynes Consortiums formal interest in the land.

You need to be aware that there are significant requirements on any promoter in relation to a Nationally Significant Infrastructure Project in respect of frontloading consultation with communities about schemes coming forward in particular in relation to the pre-application procedure as laid down in Sections 41 to 54 of the Act and considerable work needs to be done. If your company has a clear NSIP proposal to pursue I would be grateful if you would distil down a clearer project description of what the proposal will entail and forward a map showing the land area to which this proposal relates. I would also be grateful if you would outline your intended plans for consultation.

I note that your email refers to an EIA scoping by yourselves and the Rail Freight Terminal developer in January 2011. If you intend to pursue this I would request that you clarify who this developer is and what the land area is that the proposal will relate to. In order that preparation for the scoping report can take place if possible we normally request that a plan relating to the scoping request is forwarded 14 days before the formal scoping request is to be submitted (this is to enable the necessary information for consultation at this stage to be prepared).

In conclusion and in the light of the above comments until such times as the above matters referred to are clarified it is considered inappropriate for the proposal to be listed as a forthcoming project.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Janet Wilson', with a large loop at the end of the name.

Janet Wilson  
Head of Casework Management

The IPC gives advice about applying for an order granting development consent or making representations about an application (or a proposed application). The IPC takes care to ensure that the advice we provide is accurate. This communication/message does not however constitute legal advice upon which you can rely and you should note that IPC lawyers are not covered by the compulsory professional indemnity insurance scheme. You should obtain your own legal advice and professional advice as required.

We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

You should note that we have a Policy Commitment to Openness and Transparency and you should not provide us with confidential or commercial information which you do not wish to be put in the public domain.

4 November 2010

IPC  
~ 5 NOV 2010



Nikita Perepelov  
Assistant Case Officer  
Infrastructure Planning Commission  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

REF:

David Jackson  
E: djackson@savills.com  
DL: +44 (0) 1865 269 008  
F: +44 (0) 1865 269 001

Wytham Court  
11 West Way  
Oxford OX2 0QL  
DX 96205 - Oxford West  
T: +44 (0) 1865 269 000  
savills.com



Dear Ms Perepelov,

**Re: Preliminary Notification of a forthcoming Nationally Significant Infrastructure Project  
Land adjacent to Junction 13 of the M1 Motorway**

Savills acts on behalf of the South East Milton Keynes (SEMK) Consortium in relation to the land that it controls to the south east of Milton Keynes, extending from Cranfield Road in the west to junction 13 in the east (see plan). The Consortium has over the last several years promoted this area as a sustainable extension of the Milton Keynes urban area to establish a new community of some 7,000 dwellings incorporating new schools, employment uses, open space and new jobs. This proposal was incorporated into the South East Plan when it was published in May 2009; the proposal being referred to as the South East Strategic Development Area (SDA). With the recent revocation of Regional Strategies by the Coalition Government that regional policy context no longer exists.

It has come to the attention of the Consortium that on 21 October 2010, Dr Temple-Pediani of KTI Energy Ltd wrote to the Infrastructure Planning Commission identifying some 270 ha of land to the west of M1 Junction 13 and proposing it as the location of a 'Rail-Linked Low Carbon Employment Area', including a combined heat and power (CHP) station of 90MWe. You will see that the land which the Consortium has promoted corresponds very closely with that identified by Dr Temple-Pediani. The Consortium has therefore asked that I write to you to advise that it has in place agreements with landowners in the area, including a significant portion controlled by St John's College Oxford, such that it has substantial control of the land in question. In contrast we are not aware of any interest that KTI Energy has in the area. Equally KTI is not any part of the formal Consortium that exists to promote the subject area of land for development. Of course the lack of any interest in the land does not prevent KTI Energy from promoting it for development; however, it is material to the deliverability of any proposals even in the event that they should achieve the necessary planning and other consents.

Furthermore, Dr Temple-Pediani has no role within the Consortium and has no instructions to speak on behalf of the Consortium. Indeed the Consortium has not had a meeting with KTI Energy and indeed one has never been requested. KTI Energy's proposals for the area of land are not consistent with that of the Consortium's. The Consortium is very concerned that there is a risk that confusion arises between the Consortium's proposals for the land and that of KTI Energy's and that this could be damaging to the prospects of the Consortium's intentions for the land. The Consortium's intention is to continue to promote the land as the location of a new city neighbourhood for Milton Keynes, albeit that this may include employment uses and renewable forms of on-site energy generation as part of sustainable mix of proposals.

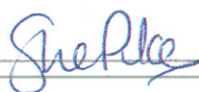
Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (L&P) Limited, Chartered Surveyors. A subsidiary of Savills plc. Registered in England No. 2605138.  
Registered office: 20 Grosvenor Hill, London W1K 3HQ

I trust that this letter makes clear the controlling interest and careful planning strategy that the Consortium has for the land to the south east of Milton Keynes. Also that KTI Energy's proposals are not related to that of the Consortium nor are they capable of delivery given the Consortium's formal interest in the land.

I have copied this letter to other key parties who have similarly received correspondence from KTI Energy on the same matter in recent weeks so that there can be a common understanding of the position. However, should you (or other parties) have any questions or require further information then please do not hesitate to contact me.

Yours sincerely

PP 

**David Jackson MA MRTPI**  
Director

cc: Consortium Principals  
Neil McKillen - Government Office for the East of England  
Rt. Hon. Gavin Shaker M - MP for Luton South  
Gary Alderson - Director of Sustainable Communities, Central Bedfordshire Council

