



Department
for Transport



Department for
Business, Energy
& Industrial Strategy

Your Ref: TR010044 & TR010032

DATE 30 July 2021

Sarah Richards
Chief Executive
Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

Dear Ms Richards

TRANSPORT DEVELOPMENT CONSENT ORDERS THAT INCLUDE ENERGY ELEMENTS ABOVE THE PLANNING ACT 2008 THRESHOLD

We are writing to confirm the decision making process that has been agreed by our respective Secretaries of State, in relation to applications for Development Consent Orders under the Planning Act 2008, for schemes that include both transport and energy elements that are significant enough to be Nationally Significant Infrastructure Projects (NSIPs) in their own right. This covers applications where transport is the main NSIP but where energy diversions are proposed which meet the thresholds laid out in the Planning Act 2008 to also be an NSIP.

It has been agreed that for such applications, the Secretary of State for Transport will be the sole decision maker. The Secretary of State for Business, Energy and Industrial Strategy (BEIS) will however be consulted on the recommendations made by the Examining Authority in relation to the energy NSIP(s) and his comments will be taken into account when the Secretary of State for Transport takes the final decision. The purpose of this consultation will

be to ensure the decision on the energy NSIP(s) aligns with energy policy, as the Secretary of State for BEIS is best placed to advise on this.

Both Secretaries of State reserve the right to change this position in the future or become more or less involved in decisions as may be required to ensure applications are decided in an efficient and robust way.

Yours sincerely

Natasha Kopala

Natasha Kopala
Department for Transport

Gareth Leigh

Gareth Leigh
Department for Business, Energy &
Industrial Strategy