

Appendix 7.2

Section 42 and 48 notice issued to Secretary of State

Sections 42 and 48 Planning Act 2008

Regulation 3 Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Regulation 11 Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

NOTICE OF A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER

**TO: The Secretary of State for Energy and Climate Change
The National Infrastructure Directorate
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN**

Notice is hereby given to you that Tidal Lagoon Swansea Bay plc (the "Applicant") of The Lypiatts, 15 Lansdown Road, Cheltenham, Gloucestershire GL50 2JA proposes to apply to the Secretary of State for Energy and Climate Change under section 37 of the Planning Act 2008 for a development consent order (the "Application").

The Applicant has commenced pre-application consultation under section 42 of the Planning Act 2008. You are being served with this notice and the preliminary environmental information enclosed with this notice pursuant to section 46 of the Planning Act 2008 as if the Applicant were required to consult you about the Applications, and consequently Regulation 11 Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The proposed Application relates to the construction and operation of a tidal powered generating station on the seabed south of and connecting to Swansea Docks between the dredged channels of the Rivers Tawe and Neath (the "Project"). The Project is a Nationally Significant Infrastructure Project under section 14 of the Planning Act 2008.

The proposed development consent order will authorise:

- construction and operation of hydro turbines and their housing with a nominal generating capacity of 240MW;
- construction and dredging for a lagoon including around 9.5km of new sea wall and related facilities impounding around 11.5km² of seabed/foreshore;
- electricity transmission infrastructure required for the export of electrical power via Baglan Substation in the County Borough of Neath Port Talbot including cables laid offshore and onshore, electricity step-up facilities and other electricity transmission facilities;
- the compulsory acquisition of land including rights in or over land required for the purposes of the Project, or to facilitate or incidental to the Project; and
- development including plant, equipment and buildings comprised in the Project including:
 - construction sites, lay-down areas, working areas and temporary works and structures;

- site access, internal site roads, vehicle parking;
- landscaping;
- tourism, recreation, sporting and visitor amenities and facilities comprised in the Project;
- navigational lighting and safety warning systems;
- operation and control facilities;
- foul drainage provision and surface water management systems;
- permanent and/or temporary changes to the highway network for the Project and other access facilities;
- the application and/or disapplication of legislation relevant to the Project including inter alia legislation relating to the compulsory acquisition of land; and
- such ancillary, incidental and consequential provisions, permits or consents as are necessary and/or convenient.

The Project is an environmental impact assessment development. Accordingly, the Applicant has made preliminary environmental information available in the form of the enclosed Preliminary Environmental Information Report, and a Non-Technical Summary.

A copy of the Preliminary Environmental Information Report may also be inspected free of charge at Suite 6, J-Shed, King's Road, Swansea SA1 8PL, between the hours 1030 and 1700 Monday to Friday, and at the following locations and times:

City and County of Swansea Civic Centre, Oystermouth Road, Swansea SA1 3SN. Opening hours: Mon-Fri 0830-1730 (1700 on Fridays); Saturday 1000-1500.

Neath One Stop Shop, Civic Centre, Neath SA11 3QZ. Opening hours: Mon-Fri 0830-1700 (1630 on Fridays).

Port Talbot Civic Centre, Port Talbot SA13 1PJ. Opening hours: Mon-Fri 1000-1700 (1630 on Fridays).

Neath Port Talbot County Borough Council, The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG. Opening hours: Mon-Fri 0900-1700.

Swansea Central Library, Civic Centre, Oystermouth Road, Swansea SA1 3SN. Opening hours: Tue-Fri 0830-2000; Sat & Sun 1000-1600.

Oystermouth Library, Dunns Lane, Mumbles, Swansea SA3 4AA. Opening hours: Mon-Thu 0900-1800; Fri 0900-1900; Sat: 0900-1700; Sun 1200-1600.

St Thomas Library, Grenfell Park Road, St Thomas, Swansea SA1 8EZ. Opening hours: Mon & Thu 0900-1730; Tue & Fri 0900-1300; Sat 1000-1300.

Neath Library, Victoria Gardens, Neath SA11 3BA. Opening hours: Mon-Wed 0900-1800; Thu 0900-1700; Fri 0900-1900; Sat 0930-1300.

Port Talbot Library, 1st floor, Aberafan Shopping Centre, Port Talbot SA13 1PB. Opening hours: Mon-Fri 0900-1730; Sat 0930-1700.

Documents relating to the proposed Application will be on display at the above locations and times and available for inspection from 4 July 2013 until at least 5 August 2013. Copies of documents and further details about the Project can also be found on the Applicant's website www.tidallagoonswanseabay.com.

Further copies of documents including preliminary environmental information may also be obtained by calling 01242 224104 or emailing info@tidalagoonpower.com. A reasonable charge may be made for copies.

Any responses to this consultation or other representations in respect of the Project should be sent by post to Tidal Lagoon Swansea Bay plc, Suite 6, J-Shed, King's Road, Swansea SA1 8PL or by email to comment@tidalagoonpower.com.

Any response or representation in respect of the proposed Application MUST (i) be received by the Applicant on or before 5 August 2013, (ii) be made in writing, (iii) state the grounds of the response or representation, (iv) indicate who is making the response or representation, and (v) give an address to which correspondence relating to the response or representation may be sent.

Responses and other representations may be made public.

DLA Piper UK LLP, Solicitors to Tidal Lagoon Swansea Bay plc

1 July 2013