

# Appendix 10.6

## Statutory Consultation

Written responses to s48 notice from people with an interest in the land - PIL (s42d)

Stakeholder Groups	Type of Consultee
Statutory Bodies	S42(1)(a)
Marine Management Organisation	S42(1)(aa)
Local Authorities	S42(1)(b)
People with an interest in land (PIL) Reported in appendix 10.6	S42(1)(d)
Non-Statutory Bodies	S47
Local Community	S47

Comments recorded between 22/08/13 – 16/01/14

Consultee	Consultation Period
All parties with an interest in the land (sent: notice, red line and a specific plan in relation to their interests).	22 <sup>nd</sup> Aug - 23 <sup>rd</sup> Sep
Welsh Government (WG) served with a notification of interests.	3 <sup>rd</sup> Sep - 23 <sup>rd</sup> Sep
All parties affected by red line change (sent: notice, red line and specific plan).	23 <sup>rd</sup> Sept - 25 <sup>th</sup> Oct
Further parties identified by red line change noted in previous row (sent: letter, notice, red line plan and specific plans)	24 <sup>th</sup> Sep - 26 <sup>th</sup> Oct
Further parties identified on ABP land, where further interests were identified in ABP's land (sent: letter, notice and red line plan)	10 <sup>th</sup> Oct - 10 <sup>th</sup> Nov
Lafarge Tarmac Limited (sent: letter, notice, red line plan a specific plan in relation to their interests)	31 <sup>st</sup> Oct - 29 <sup>th</sup> Nov
Neath Port Authority and United Marine Aggregates (sent: letter, notice and red line plan).	6 <sup>th</sup> Nov -9 <sup>th</sup> Dec
Kleinwort Benson, Kleinwort Benson Guernsey Trustees and La Farge Tarmac (sent: letter, notice, red line plan, specific plan)	12 <sup>th</sup> Nov- 12 <sup>th</sup> Dec
People with an interest in the properties on Bevans Row (sent: letter, notice, red line plan; TLSB staff visited all properties 10-12 December 2013)	10 <sup>th</sup> Nov 2013 -10 <sup>th</sup> Jan 2014
Letter , notice, final revised red line plan sent to The Crown Estate, ABP and occupiers , Intertissue, Dwr Cymry Welsh Water and other affected parties with an interest in land in the areas that may be affected by compulsory acquisition.	16 <sup>th</sup> Dec 2013 – 16 <sup>th</sup> Jan 2014

**People with an Interest in the Land (PILs)**

Organisation	Date	Consultee response	TLSB comment
Abernedd Power Company Limited	04/09/13	We received yesterday your proposals, dated 22nd August 2013, for the Tidal Lagoon system at Swansea Bay and note the overlaps with our areas. We are currently collating comments internally and would appreciate the opportunity to meet with you to discuss this further. With this in mind please could you let us know your availability from 30th September onwards.	Meetings have been held as requested. Areas of direct overlap have been significantly reduced through further discussion and understanding of operational issues.
Associated British Ports (ABP)	02/10/2013	<p><b>Preliminary Environmental Information Report:</b> As noted in our letter of the 23rd September 2013, we have considered the Preliminary Environmental Information Report (“PEIR”). However, at this stage the information provided in relation to the effects of the Scheme on access and navigation at the Port of Port Talbot is not well developed. This is an area that requires further work during the Environmental Impact Assessment, particularly in relation to hydrological, tidal and navigational effects and ABP is prepared to assist your consultants in scoping this aspect of the work.</p> <p><b>Objection:</b> Pending further information and a better understanding of the effect of the proposals on the Port of Port Talbot, ABP’s objections as set out in our letter of 23rd September 2013 should also be taken to extend to the Port of Port Talbot.</p> <p><b>Contact details:</b> Further correspondence relating to the Port of Port Talbot should be addressed to: Huw Turner, Property Manager - South Wales, Associated British Ports, Queen Alexandra House, Cargo Road, Cardiff CF10 4,1’ Tel: 02920 835036; Mob: 07931 764385; email HTurner@aborts.co.uk.</p>	<p>Significant engagement has been held, and exploration of practical implications and design relating to access and operations. Full explanation of environmental impacts is provided in Chapter 17, Hydrology and Flood Risk, of the ES.</p> <p>The design of the scheme has been shaped through consultation with relevant stakeholders including ABP regarding navigation from the inception of the Project, as detailed in Chapters 3 and 5 of the Consultation Report. The outcome of a Navigational Risk Assessment is presented in the appendices to Chapter 14 of the report.</p>
Baglan Generating Limited	23/09/2012	Considering the wider proposal and my limited understanding of it I believe that the proposal has two key impacts which must be considered in relations to Baglan Bay Power Station. The first is the impact on the tidal reach and timing of the tidal range. Baglan Bay	Operational concerns are understood and have been factored into the detailed design to reduce the impacts

		<p>Power Station has discharge licences that have requirements as to the state of tide during which any discharge can take place. Changes in the tidal flows shall impact the operation of the plant. I have endeavoured to identify this impact (if any) and have not yet been able to and shall look to discuss this with [your adviser] on Thursday.</p> <p>The second impact is in relation to the areas marked on the various maps that incorporate land belonging to Baglan Operations Limited and associated companies. It is unclear to me what the areas identified shall be utilised for and shall discuss this further with [your adviser]. I do note however that considerable land owned by Baglan Operations Limited and/or associated companies is marked as being required by the development</p>	<p>where possible. With the extent of the proposed land take and usage clarified and where possible reduced to only include land essential to the proposals. Details of the tidal flows and the lagoons impact on hydrology and coastal process is contained in Chapter 6 and 17 of the ES. TLSB has continued to engage with Baglan Generating Limited prior to submission of the Application.</p>
<p>Baglan Bay Company Limited (BBCL)</p>	<p>24/10/13</p>	<p>Introduction</p> <p>We act for the Baglan Bay Company Limited (“BBCL»), which has asked us to thank Tidal Lagoon Swansea Bay PLC (“TLSB”) for consulting it in relation to the proposals to construct a tidal lagoon and associated electricity generating station in Swansea Bay (“the Scheme”).</p> <p>This is the first opportunity that BBCL has been given to comment on the Scheme. This response focuses on the effects of the Scheme on BBCL having regard to the particular purposes that BBCL fulfils. This response is not a comprehensive assessment of the Scheme and BBCL reserves its position to submit further observations and objections should the application for a Development Consent Order (“DCO”) proceed.</p> <p>BBCL understands that parts of the land over which it has legal rights is of interest to TLSB as it proposes to run its electricity export cable from the generating station on the tidal lagoon across Crymlyn Burrows, under the River Neath to connect with the National Grid sub-station at Baglan Bay. If this assumption is incorrect BBCL require to be advised and to be given an opportunity to be further consulted.</p> <p>Background to BBCL</p> <p>BBCL is jointly owned by (1) Neath Port Talbot County Borough Council (“NPT”) (2) The Prince’s Foundation and (3) St Modwen Developments Limited (“SMD”). BBCL’s present objects derive from the process of disengagement by BP from a series of land holdings in</p>	<p>TLSB are engaged in discussions with BBCL in relation to the points raised in their response. TLSB has taken into account the nature of the land in this area and its historic uses, and their ongoing responsibilities in the areas identified in relation to the remediation and monitoring of those areas in proximity to the proposed Lagoon location. Through the consultation and the design iteration process, TLSB have reduced the area of land affected however part of this area remains within the Application site.</p>

Swansea Bay which were used for chemical manufacture and for storage and terminal activities. SMD was selected by BP to carry out the remediation and subsequent disposal for development of the Llandarcy sites and BBCL is part of the legacy arrangements put in place by BP to ensure that the remediation works are carried out in accordance with standards specified by BP and by the statutory regulatory agencies in the agreements entered into between BP and SMD ("Remedial Works").

The locations covered by these arrangements are specified in the section 106 Agreement referred to below and are known respectively as "AFRD", "Baglan", "Transit Development Site" and "Transit Neath". At present, the Transit Development Site (which includes the site of the Swansea University Bay campus) has been remediated and is currently subject to monitoring, while the other sites are in the remediation process. Plans showing the extent of each of these areas are attached.

It is important to note that BBCL is resourced to carry out the specialised role described below and does not have resources to assess and negotiate terms involving third party development proposals BBCL's Interests. The primary object of BBCL is therefore to monitor the performance and satisfactory completion of the Remedial Works to be undertaken by SMD. This is achieved through a Deed of Planning Obligations dated 20th November 2009 ("s.106 Agreement") made between (1) NPT (2) SMD (3) St Modwen Properties Pic. (SMP) (4) SP Chemicals Limited (BP) and (5) BP Oil Llandarcy Refinery Limited and to confirm, on a phased basis, the satisfactory completion of such Works. The obligations contained in the s.106 Agreement run with the land and bind successors in title.

In order to secure the primary object:

SMD and SMP have entered into a Remediation Agreement with BBCL dated 20th November 2009 under which, amongst other matters, SMD covenants to undertake the Remedial Works and BBCL has the right to restrict the transfer of land pre-remediation and, if either SMD or SMP becomes insolvent or SMD materially breaches its obligations, BBCL has the right to enter on or take a transfer of un-remediated land.

(b) BBCL has entered into a Reporting and Assistance Agreement dated 20 November 2009 with NPT to monitor the Remedial Works and SMD's compliance with the s.106 Agreement

		<p>and to advise NPT on NPT's powers and its rights of enforcement under the Planning Deed.</p> <p>(e) BBCL has entered into a Monitoring and Reporting Agreement dated 20 November 2009 with BP to appoint a Consultant Monitor (Arcadis (UK) Limited being the current appointee) to provide specialist advice and support to BBCL in carrying out its role. Nature of BBCL's interests in land</p> <p>BBCL's interest in the land believed to be of interest to TLSB consists of options and restrictions which underpin BBCL's role in monitoring and certifying the standards of the remediation works at the former BP land adjacent to Swansea Bay. The scale and complexity of the remediation works required by BP and approved by the statutory regulators will be apparent from the terms of the s.106 Agreement. This is a public document available on the Planning Register maintained by NPT, but in order to assist TLSB a copy is attached to this response.</p> <p>BBCL Comments on the Scheme It will be clear that considerable care and effort has been expended in the design and management of the remedial works to date and BBCL would object to any proposals that might either:</p> <p>Compromise the integrity of remediation works already carried out, or 5.2 Mobilise contaminants present in ground scheduled for remediation under the arrangements described above. Accordingly, BBCL consider that that the Scheme should not be allowed to proceed in the absence of appropriate undertakings from TLSB to BBCL and, to the extent necessary, to its shareholders individually. In particular, the detailed and complex nature of the remediation requirements means that BBCL would object to any compulsory acquisition of land or rights by TLSB under the DCC within the areas over which BBCL has rights.</p> <p><b>Accordingly, BBCL requires the undertakings to cover the following matters:</b></p> <p>(a) TLSB will not seek to exercise any powers of compulsory acquisition of land or rights over the land over which BBCL has rights.</p> <p>(b) To obtain BBCL's approval to the terms of voluntary grants of rights negotiated with the landowners.</p>	
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(c) That TLSB and its successors will observe the terms of the s.106 agreement.

(d) To allow BBCL to:

(i) approve the detailed design of work within the lands that BBCL has rights over,

(ii) to monitor the execution of such works,

(iii) not to use the works until BBCL have certified that they accord with the

approved plans and designs, and

(iv) to allow BBCL to monitor the works to ensure the continued effectiveness of the remediation measures.

(e) To indemnify BBCL in respect of:

(i) costs (including the cost of the Consultant Monitor referred to at paragraph 3 of the above) in connection with approval and monitoring of works, and

(ii) its reasonable legal and professional costs incurred in negotiating voluntary arrangements with TLSB.

## 6. Conclusions

6.1 Given its specialised role as outlined above, BBCL has no view on the desirability or otherwise of the Scheme.

6.2 The rights that TLSB requires involve work to ground that has either been remediated or which remain to be remediated.

6.3 BBCL will object to any works or compulsory rights that may derogate from the high standards of remediation and monitoring that have been put in place for the land over which BBCL has rights.

6.4 BBCL does not have the resources to approve or monitor third party works so as to ensure the integrity of land already remediated and to control works on land that remains contaminated. Accordingly BBCL must be fully indemnified as to its costs in dealing with

		<p>the requirements of the Scheme and its consequences.</p> <p>6.5 BBCL is prepared to continue constructive discussions with TLSB to enable a full understanding to be gained of the role of BBCL by TLSB in order that satisfactory undertakings can be negotiated.</p> <p>6.6 BBCL does not consider that the Scheme will be ready to proceed into the Development Consent Order process until BBCL is satisfied that appropriate undertakings, in the form outlined above, will be forthcoming.</p>	
BP International Limited	22/10/2013	<p>I refer to your e-mail of 22 October 2013 to [...], Property Support Project Manager in BP Remediation Management, and to correspondence received from your colleague [...] and directly from Tidal Lagoon Swansea Bay plc ("TLSW"). Details of the correspondence which has been passed to me are set out under the legal entity headings in this letter.</p> <p>I have investigated the BP land interests within the proposed project boundaries, and so far as I have been able to ascertain (but on the basis that no liability is accepted by either the writer or any BP group company) they are as described below.</p> <p>I think it will become apparent as you read through this letter why the information cannot conveniently be provided on the Request for Information forms supplied.</p> <p>All Land Registry title [numbers] relate to freehold titles unless otherwise stated. For BP Oil UK Limited I have received two letters from TLSB, one dated 22 August 2013 addressed to Shell Mex and B.P. Limited and forwarded to us by Shell Legal Services, and the other dated 23 September 2013 addressed to Mr Andrew McCrae, Real Estate Project Manager, BP Retail.</p> <p>The letter of 22 August enclosed plans showing land titles CYM479 159 and WA699, in which it appeared that Shell Mex and B.P. Limited had an interest — see the rights noted in entry 13 of the Charges Register of CYM479 159 and entry 8 of the Charges Register of WA699.</p> <p>These rights benefited land 110w' registered under WA 11767, which was transferred by Shell Mex and B.P. Limited to BP Oil UK Limited. On 20 November 2009, BP Oil UK Limited transferred the land in WA1 1767 to St. Modwen Developments Limited ("SMD"). By the same transfer, BP Chemicals Limited transferred surrounding land to SMD. Both the</p>	<p>This has been taken into account and Land ownership records have been updated to reflect this information and reflected in the Book of Reference. Through the consultation and design iteration process, TLSB have reduced the area of land affected, however part of this remains within the Application site.</p>

surrounding land and the land in WA11 1767 are registered under CYM479 159 (see 3.4 below).

So far as the rights affected (the land now registered under CYM479 159 (and additional land transferred to SMD at the same time and now registered under CYM490837 — see 3.5 below), my view is that they have determined by unity of seisin, but if that is not the case then? SMD has title benefit of them.

So far as the rights affected title land registered under WA699 (see paragraph 3.8 below), SMD has the benefit of them.

Accordingly, so far as I have been able to ascertain, BP Oil UK Limited does not have any land interests within the proposed scheme boundary.

One peculiarity which should be noted is that WA11767 is still an open title, showing BP Oil UK Limited as the registered proprietor. It appears that the Land Registry overlooked the need to close the title when they registered the Transfer of the land within it to SMD as part of CYM479159. This has been taken up with the Land Registry.

The second letter, dated 23 September, invited consultation responses on the proposed project boundaries

## **2. BP Oil Llandarcy Refinery Limited**

I have received two letters to BP Oil Llandarcy Refinery Limited (“BPOLR”), one dated 23 September 2013 from TLSB and the other 17 October 2013 from [your adviser]. The letter of 23 September enclosed plans showing land in the following titles in which it had appeared that BPOLR had interests, by virtue of various entries in the Property and Charges Registers:

CYM 421248 (registered proprietor Neath Port Talbot County Borough Council)

CYM99403 (registered proprietor The Council of the City and County of Swansea)

WA39544 (registered proprietor The Council of the City and County of Swansea)

WA43 1503 (registered proprietor The Secretary of State for Wales)

WA493 08 (registered proprietor Gorvett Estates Limited)

WA5 18 (registered proprietor SMD)

WA620933 (registered Proprietor The Council of the City and County of Swansea).

All BPOLR's land which in my opinion was capable of being benefited by the easements, covenants and other matters in its favour referred to in the Properly and Charges Registers of the above titles was transferred to SMD on 23 May 2008. So far as they are subsisting, SMD or its successors in title have the benefit of them.

Accordingly, so far as I have been able to ascertain, BPOLR docs may not have any land interests within the proposed scheme boundary.

The second letter [referred to above], dated 17 October, requested title information, which is given above.

### **3. BP Chemicals Limited**

I have received similar letters dated 23 September 2013 from TLSB and 17 October 2013 from [your adviser] addressed to BP Chemicals Limited ("BPC").

The letter of 23 September enclosed plans showing land in the following titles in which BPC either has, or was thought to have, interests, as described below.

3.1 CYM2468 07 (registered proprietor Intertissue Limited)

The rights of way mentioned in entry 3 of the Charges Register have terminated, so BPC claims no interest in (his title).

3.2 CYM267419 (registered proprietor The National Assembly for Wales)

BPC claims no interest in? this title.

3.3 CYM379916 (registered proprietor Gorvett Estates Limited)

The land benefited by the rights in favour of BPOLR mentioned in entries 4 and 6 of the Charges Register was transferred to SMD on 23 May 2008. Neither BPC nor BPOLR claim any interest in this title.

3.4 CYM479 159 (registered proprietor SMD)

BPC is entitled to the benefit of:

- the reserved rights referred to in entry 18 of the Property Register
- the restriction ? entry 3 of the Proprietorship Register
- the covenant mentioned in entry 5 of the Proprietorship Register
- the restrictive covenants referred to jii entry 38 of the Charges Register.

The rights of way mentioned in entry 10 of the Charges Register were granted by the same deed as those mentioned tinder CYM246807 (3. 1? above) and have terminated.

Please refer to my comments under the heading BP Oil UK Limited as to the rights mentioned in entry 13 of the Charges Register, which in my view have terminated, but if not are vested in SMD).

3.5 CYM490837 (registered proprietor SMD)

BPC is entitled to the benefit of

- the reserved rights referred to in entry 11 of the Property Register
- the provision referred to in entry 2 of the Property Register
- the restriction at entry 3 of (he Proprietorship Register

	<p>- the restrictive covenants referred to in entry 5 of the Charges Register.</p> <p>Please refer to my comments under the heading 13P Oil UK Limited as to title rights mentioned in entry 3 of title Charges Register, which in my view have terminated, but if not are vested in SMB.</p> <p>3.6 CYM573989 (registered proprietor SMD)</p> <p>BPC is entitled to the benefit of</p> <ul style="list-style-type: none"><li>- the rights to which the land is stated to be subject in entry 3 of title Property Register</li><li>- the provision referred to in entry 4 of the Property Register</li><li>- the restriction al entry 4 of title Proprietorship Register</li><li>- the restrictive covenants referred to in entry of the Charges Register.</li></ul> <p>3.7 WA197354 (registered proprietor BPC)</p> <p>BPC owns title freehold of this land in this title. I have noted a slight discrepancy on the plan for this title [in the] letter of 23 September. The Land Registry's title plan shows a parcel of land of irregular shape at the eastern end which is not shown by green hatching on the Ardent plan. However it is well away from the scheme boundary.</p> <p>3.8 WA699 (registered proprietor BPC)</p> <p>BPC owns the freehold of the land in this title.</p> <p>3.9 WA8 72578 (registered proprietor BPC)</p> <p>BPC owns the freehold of the land in this title.</p> <p>3.10 WA978432 (registered proprietor National Grid Electricity Transmission plc)</p>	
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		<p>BPC claims no interest in this leasehold title. Please see 3.6 above in relation to CYM573989, under which the freehold is registered</p> <p><b>Queen’s Dock</b></p> <p>In addition to the above, BPC has an unregistered leasehold or tenancy interest in Queen’s Dock, Swansea. The physical extent of that interest is shown by red edging on the enclosed plan. Some parts are within the proposed scheme boundary.</p> <p>The landlord is Associated British Ports (“ABP”), with which you are no doubt already in contact. At present ABP and BPC are not in agreement as to the precise legal nature and duration of BPC’s interest, but I believe it is common ground that it will terminate no later than 30 June 2016.</p>	
CCSC (City and County of Swansea)	15/10/13	<p>I am in receipt of your letter dated 22/8/13 regarding your proposed application for development consent relating to a tidal powered generating station in Swansea Bay.</p> <p>I note that you indicate that council land may be affected by the development.</p> <p>I would like further information relating to effects that your development works have, and the nature of your interest in some parcels of land that are owned by the City and County of Swansea and house major infrastructure assets that are owned and operated by the City and County of Swansea. Details are as follows:</p> <ul style="list-style-type: none"> <li>• Plan No TLSB_011 – Tawe Barrage Lock Gates, Sluices, Weirs, Stilling Pools and upstream water space.</li> <li>• Plan No TLSB_011 – Holding Pontoon and water space downstream of Tawe Barrage.</li> <li>• Plan No TLSB_011 – Swansea Yacht and Sub Aqua Club Pontoons (water space owned by City and County of Swansea and leased to Swansea Yacht and Sub Aqua Club).</li> <li>• Plan No TLSB_012 – Land on east side of Tawe Barrage, including Tawe Barrage Hydro Generator Station.</li> <li>• Plan No TLSB_012 – River bank on east side of the River Tawe</li> </ul>	<p>These comments have been taken into account. The areas identified continue to be within the application site boundary, however minor rationalisation of these areas has been undertaken through public consultation and design iteration to ensure it only includes those areas required to undertake the Project. The land is identified in order to accommodate potential mitigation works and the provision of the of the proposed water shuttles. As part of TLSBs engagement, a response was provided and clarification given to the areas identified and the proposed uses of these.</p>

		Please elaborate on the impact on the above and on your interests in the above, for example possible acquisition of the land in connection with your proposed development, access, possible effects on lock operations and general marina operations etc.	
Cemex UK	23/12/2014	<p>I confirm that CEMEX are commenting on this proposal in terms of the interruption in business to the following operations:</p> <p>CEMEX, Northside of King's Dock, East of 'D' Shed, Swansea, SA1 8QY and</p> <p>CEMEX Swansea Plant, Kings Dock, SA1 8QU</p> <p>CEMEX import materials to their Readymix site and bulk handling aggregates deport by water at the above location, it could be costly to CEMEX if there is any interruption in business or prevention in bringing materials to the two sites. CEMEX agree that the Tidal scheme is a beneficial scheme but would need to be compensated for any business loss.</p>	<p>TLSB's proposals within the Port of Swansea permit the continuation of CEMEX's ongoing operations as far as possible. TLSB has carried out continued engagement with the port occupiers and operators concerning both construction and operation to keep the impacts on their operations to a minimum</p>
CEM Day Ltd	30/12/2013	<p>We have received correspondence (attached) on two occasions identifying CEM Day LTD, as potential land owners or interests parties in land that may be affected by the project.</p> <p>I do not believe that as a company we have any remaining land interest in this area as identified on your survey though if you could identify the area(s) of land you believe we have an interest in please let me know and I can revisit.</p>	<p>As part of the Land Referencing exercise diligent enquires have been undertaken and these have identified the interests of the CEM Day Ltd.</p> <p>Records have been updated to reflect the response and the party was removed.</p>
Dan Morrissey (U.K.) Limited	22/08/2013	<p>Our client owns parcels of land within the scheme boundary (under Title Numbers CYM578745 and CYM178963). These parcels of land have development potential and parts are allocated for development in the Swansea Unitary Development Plan under Policy EC1 (5) as general employment sites. The site is one of two strategic candidate sites in Swansea for such purposes.</p> <p>Our client is currently in discussions with adjacent landowners regarding the development potential of his land for port related/university campus purposes as well as being in discussions with other national and international businesses; one of those businesses being of a calibre that can employ upwards of 2,000 people. The site is ideal to bring jobs to the area and boost the local economy. This will also enhance the area and its</p>	<p>TLSB has carried out continuous engagement with the consultee throughout the consultation process. The development boundary which will be the subject of the Application has been informed by the nature of the land and the aspirations of the land owner. A fully detailed description addressing the concerns raised is provided in Chapter 4 of the ES. The land remains included within the proposals.</p>

	<p>appearance.</p> <p>However, the inclusion of our client's land in the scheme boundary and the potential that the land may be compulsory purchased effectively blights the land until, and if, the necessary consents are obtained which may take a considerable period.</p> <p>In addition at present there appears to be some uncertainty over what areas of offshore land will be required for the purposes of the project. Section 4.4 of the Preliminary Environmental Information report states that areas of land will be required during the construction phase of the Project and Figure 4.25 identifies our client's land as "backup locations". However, it also states that the exact locations of these sites are yet to be determined.</p> <p>The Scoping Opinion (November 2012) issued by the Planning Inspectorate refers to insufficient information being provided to scope some of the issues out of the Environmental Statement including the description of the development.</p> <p>Section 2.5 of the Scoping Opinion states that the Secretary of State recommends that the ES should include a clear description of all aspects of the proposed development including the land use requirements and the land required for construction purposes. In addition paragraph 2.6 states that the Scoping Report does not identify how access to the site would be gained and it is essential that the construction access options are carefully considered to minimise disruption in the local area.</p> <p>It also states that the ES should include a construction programme, phasing plan to identify the stages of construction that would occur in the 24 months' timescale proposed.</p> <p>We do not know whether this detailed work has been undertaken and in the light of this uncertainty and potential blighting issue our client reserves his position with regard to whether he will object to the application for the development consent order. However, in the meantime it is clear that the correspondence that you have written effectively blights our client's land by threatening a CPO.</p> <p>It is therefore suggested that a meeting is arranged between our client and representatives of TLSB when and if this detailed information is available so that our client can fully assess whether or not he wishes to object to the application for development</p>	<p>TLSB does not accept that the land has been blighted.</p>
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		<p>consent when it is submitted.</p> <p>Please ensure that these representations are taken into account when the application is submitted together with any further information that we submit.</p>	
DB Schenker UK Limited		<p>Thank you for your letter and notice dated 9th October.</p> <p>DB Schenker Rail leases the land shown hatched blue on the attached plan no. 63336 to Gower Chemicals Limited and with its lessor Network Rail is considering redeveloping the land verged red on the same plan.</p> <p>At this stage, it seems unlikely that the Tidal Lagoon Swansea Bay Application will impact on the DB Schenker Rail land holding. However the promoter must ensure that the grade separated junction that connects Gower Chemicals to the south side of Fabian Way is kept open at all times.</p>	<p>Discussions are being held with the relevant Highway Authority in relation to any works to the junction at the location identified. The DCO application however does not propose any works to this junction.</p>
<p>Department for the Environment</p> <p>(Secretary of State for Communities and Local Government)</p>		<p>Objection - Proposed Application for Development Consent for a New Tidal Powered Generating Station in Swansea Bay</p> <p>We are instructed by Mapeley STEPS Limited who act on behalf of the Secretary of State for Communities and Local Government pursuant to a Power of Attorney in respect of the land demised under a lease dated 22 July 1998 and made between (1) Associated British Ports and (2) the Secretary of State For the Environment and Transport shown edged red on the enclosed plan for identification purposes only. We write further to your letter to our client dated 9 October regarding the above matter. The address for service of correspondence in relation to this matter is:</p> <p>Clarke Willmott LLP Burlington House</p> <p>Botleigh Grange Business Park Hedge End Southampton SO30 2AF F.A.O. Anne Jones <a href="mailto:Anne.Jones@clarkewillmott.com">Anne.Jones@clarkewillmott.com</a></p>	<p>As part of the design iteration process the area in question is no longer included within the proposed area of the works. However as this area is within the Port estate it is possible other interests in land may be affected and discussions with the Port Operator will continue to ensure these are understood. The impact on the activities undertaken by the respondent and the sub-lessee has been taken into account.</p>

Due to the scale of the plan provided with the notice dated 10 October, and the size of our clients land, we have been unable to ascertain whether our client's land, or any part of it, is included within the proposal. Therefore, we lodge this objection in order to safeguard our client's position in the event that the land or any part of it will be affected. Our client is prepared to meet on site in order to assess whether their land has been included within the proposal and reserves the right to make further comments once the results have been received.

The Portfolio Manager responsible for the site is Chrís Francis who can be contacted on 0207 7881707, perhaps you could contact him direct. Our client leases land at Kings Dock Lock, Swansea, West Glamorgan, as shown coloured red on the attached plan. At present the land is sub-let to Her Majesty's Revenue and Customs and is used for car parking and a Road Fuel Testing Unit, which tests fuel that is used at the Port. Our client therefore does use and has an income secured from the land.

The use of the site is also integral to the safe/legal operating of the port.

Our client appreciates the benefits of the scheme and recognises the capacity of the development to generate renewable energy. Therefore in principle, our client does not object to the proposal.

However, in the event that our client's land is included within the affected land, our client objects to the inclusion of the land and asks that this letter is lodged as an objection in relation to this matter.

As stated above, our client makes use of the land, which if it was to be included, would result in a loss of income. Our client therefore understandably wishes to retain use of the land. The land is relatively small in comparison to the size of the remainder of the site. It would therefore not constitute a significant impact should the land be excluded from the application site. It is also suggested that due to the small size of the site, any facilities that were to be located on the land could easily be relocated to another area of the scheme. As a result, it is not considered to be necessary for the land to be included within the application site.

In the event that part of our client's land is to be included within the scheme, due to the small size of the site, it is unlikely that two uses would be able to co-exist without conflict.

		<p>As we have been unable to determine whether our client's land has been included within the site, we have also been unable to establish what use, if any, the relevant land would be put too.</p> <p>We would therefore be grateful if you could acknowledge our objection letter and contact our client to discuss this further on site.</p>	
<p>Department for the Environment</p> <p>(Secretary of State for Communities and Local Government)</p>	20/01/2014	<p><b>Objection - Proposed Application for Development Consent for a New Tidal Powered Generating Station in Swansea Bay</b></p> <p>We are instructed by Mapeley STEPS Limited who act on behalf of the Secretary of State for Communities and Local Government pursuant to a Power of Attorney in respect of the land demised under a lease dated 22 July 1998 and made between (1) Associated British Ports and (2) the Secretary of State For the Environment and Transport shown edged red on the enclosed plan for identification purposes only. We write further to your letter to our client dated 17 December 2013 regarding the above matter. The address for service of correspondence in relation to this matter is:</p> <p>Clarke Willmott LLP  Burlington House  Botleigh Grange Business Park  Hedge End  Southampton  SO30 2AF  F.A.O. Anne Jones  Anne.Jones@clarkewillmott.com</p> <p>Due to the scale of the plan provided with the notice dated 17 December 2013, and the size of our client's land, we have been unable to ascertain whether our client's land, or any part of it, is included within the proposal. Therefore, we lodge this objection in order to</p>	<p>As part of the design iteration process the area in question is no longer included within the proposed area of the works, however there is the potential that other minor rights in land held may be affected. The impact on the activities undertaken by the respondent and the sub-lessee and any impact on them has been taken into account.</p>

safeguard our client's position in the event that the land or any part of it will be affected. Our client is prepared to meet on site in order to assess whether their land has been included within the proposal and reserves the right to make further comments once the results have been received. The Portfolio Manager responsible for the site is Chris Francis who can be contacted on 0207 7881707, perhaps you could contact him direct.

Our client leases land at Kings Dock Lock, Swansea, West Glamorgan, as shown coloured red on the attached plan. At present the land is sub-let to Her Majesty's Revenue and Customs and is used for car parking and a Road Fuel Testing Unit, which tests fuel that is used at the Port. Our client therefore does use and has an income secured from the land.

The use of the site is also integral to the safe/legal operating of the port.

Our client appreciates the benefits of the scheme and recognises the capacity of the development to generate renewable energy. Therefore in principle, our client does not object to the proposal. However, in the event that our client's land is included within the affected land, our client objects to the inclusion of the land and asks that this letter is lodged as an objection in relation to this matter.

As stated above, our client makes use of the land, which if it was to be included, would result in a loss of income. Our client therefore understandably wishes to retain use of the land. The land is relatively small in comparison to the size of the remainder of the site. It would therefore not constitute a significant impact should the land be excluded from the application site. It is also suggested that due to the small size of the site, any facilities that were to be located on the land could easily be relocated to another area of the scheme. As a result, it is not considered to be necessary for the land to be included within the application site.

In the event that part of our client's land is to be included within the scheme, due to the small size of the site, it is unlikely that two uses would be able to co-exist without conflict.

		<p>As we have been unable to determine whether our client's land has been included within the site, we have also been unable to establish what use, if any, the relevant land would be put too.</p> <p>We would therefore be grateful if you could acknowledge our objection letter and contact our client to discuss this further on site.</p>	
<p>Dwr Cymry Welsh Water</p>		<p>I refer to your consultation documents received in accordance with Section 42 of the Planning Act 2008 process, which precedes your application for a Development Consent Order for a Tidal Lagoon at Swansea Bay. I also refer to my original S42 Consultation response of August 2013.</p> <p>I am pleased to confirm that we have actively engaged with you on the project and will continue to do so in respect to the development and possible impact upon our assets. We have also responded to the Scoping Opinion consultation and provided comments to the Planning Inspectorate.</p> <p>We acknowledge that the details of the proposal are in a preliminary stage and accordingly we are keen to work with you to develop the proposal where there are possible impacts upon Welsh Water assets. We therefore trust that our comments and discussions on matters relating to the project following the close of this formal consultation stage will be taken into account in your submission of the Development Consent Order.</p> <p>Notwithstanding the above, it is beneficial at this stage to highlight matters of particular relevance to us:</p> <ul style="list-style-type: none"> <li>- Potential impact of the proposals upon bathing water compliance</li> <li>- Potential impact upon the existing deep sea outfall</li> <li>- Potential impact upon the structural integrity of DCWW assets both on land and at sea; a number of sewers, rising mains and a deep sea outfall, and any watermains within the boundary of the development site.</li> </ul> <p>We acknowledge amendments to the boundaries of the development site. We also acknowledge the presence of assets under our control/ownership that fall within this boundary. Accordingly, we would welcome a meeting to discuss these sites in more detail, including information on how our assets may be affected. Please contact me to discuss possible dates/locations.</p> <p>Notwithstanding the above, we respectfully reserve the right to comment further on any</p>	<p>As stated by DCWW, the boundary of the Site was amended in response to their comments in order to lessen the impact on their land interests. TLSB are continuing to engage with Welsh Water in relation to their assets as well as the potential impacts on the bathing water compliance and the deep sea outfall. Impacts on these are addressed in Chapter 7 and other relevant Chapters of the ES.</p>

		<p>matters and issues arising from ongoing and future consultation. However, we trust the above information is helpful at this stage and we look forward to continuing our engagement on the project prior and during the submission of an application to the Planning Inspectorate.</p> <p>Finally, I would be grateful if all future correspondence relating to the project is directed to me at the above address. For any further information, please do not hesitate to contact me.</p>	
EPS Materials Recovery Ltd	15/01/2014	<p>Dears Sirs,</p> <p>Further to your letter of 17th December 2013 and the accompanying plans, we would like to confirm that our premises is included in the area within the application site.</p> <p>We have a 7.55 acre site on Kings Dock licensed for the recycling of metal and wood and entered a 15 year lease with Associated British Ports in 2012.</p> <p>Our company details are:</p> <p>EPS Materials Recovery Limited Kings Dock Swansea SA1 8QT</p>	This details in this comment have been taken into account as part of the land referencing exercise.
Intertissue Limited	28/10/2013	<p>Intertissue Ltd does not object in principle to the proposed development of a new tidal powered generating station in Swansea Bay. However, we seek to protect our interest, land ownership, rights and easements at the Intertissue Ltd paper mill and adjoining land at the Baglan Energy Park, Briton Ferry, Neath and wish to make the following representations.</p> <p>For the avoidance of doubt, Intertissue Ltd is the sole owner of the land. Kleinwort Benson has no interest in the land.</p> <p>Full planning permission (ref. P/2003/0457) was granted by Neath Port Talbot County Borough Council on 29.08.2003 for the development of the paper mill. Phase 1 of the planning permission has been implemented and the paper mill is operational. The planning permission was subsequently amended to allow the development of the site in two phases.</p>	<p>TLSB has minimised the impact on Intertissue's Phase 2 development land as far as possible. The extent of Intertissue's interest in the area has been recorded and TLSB's use of the land has been carefully considered; It has not been possible to exclude the area from the Site due to the required alignment of the cable routing and the directional drilling under the River Neath. However, the cable will be placed underground and TLSB will minimise its impacts on Intertissue's interests during the operational phase</p>

		<p>The development plateau for Phase 2 of the paper mill has been constructed in accordance with the planning permission and is awaiting future development by Intertissue Ltd.</p> <p>The plans, which accompany the Notice, indicate that the proposed scheme boundary for the tidal lagoon extends into the north western corner of the paper mill site. That land is owned and controlled by Intertissue Ltd and is reserved for the future Phase 2 expansion of the paper mill. The area in question encompasses land that is required for the circulatory site access road around the proposed Phase 2 paper mill expansion. As such, this area of land is integral and critical to the future development of Phase 2 of the paper mill. I enclose a copy of the approved planning permission drawing for the site, which illustrates the proposed Phase 2 expansion of the paper mill and the location of the access road around the site. I also enclose a recently prepared site layout plan for the Phase 2 expansion, which also indicates the location of the site access road in the north-western part of the site. Intertissue Ltd will seek to resist any development or land acquisition on any part of its site that may prejudice the future development of the paper mill.</p> <p>In addition, Intertissue Ltd benefits from a number of rights and easements for essential services to the site. These include water, telecommunications, electricity and long sea outfall effluent water easements in the south west corner the site. We enclose a copy of the easement plan, which indicates the location of easements. These service easements are of critical importance to the efficient operation of the paper mill and Intertissue Ltd would also object to any proposed development that would adversely affect or compromise any existing service easements.</p> <p>We would welcome the opportunity to meet with Tidal Lagoon Swansea Bay plc to discuss the project, to more fully understand the extent of the proposed development in the vicinity of our site and to raise our concerns regarding the potential implications of the project on our site and operations.</p>	<p>as far as reasonably possible. Further engagement with the occupier will be undertaken.</p>
Intertissue Sofidel	14/01/2014	<p>In reference to my letter dated 13 January 2014 and the further Notice under Sections 42,44,43 of the Planning Act (dated 16 December 2013) we are writing to register our objection to the inclusion of our land in the application area are indicated on your drawing no.3513LO_SK_136.1.1. As set out in my letter dated 13 January 2014 and previously dated 2[8] October 2013, the inclusion of this part of the Intertissue Ltd site in the proposed Tidal Lagoon application area would have a serious adverse effect on current operations and proposed future development at the paper mill.</p>	<p>The letter referred to on the 13 January replicates the content of the letter received on 28 October, above</p> <p>See comments in response to consultee's letter dated 28 October 2013.</p>

		<p>We have requested to meet you to discuss the proposals. However, on one occasion the meeting set with [your adviser] has been cancelled at short notice and then it has not been possible to rearrange another ahead of the [submission]. We would still welcome the opportunity to meet with you in order to fully understand your scheme and to set out the potential impact on our operations.</p>	
Intertissue Sofidel	16/01/2014	<p>In response to a further Notice under Sections 42, 44 and 48 of the Planning Act 2008 dated 16 December 2013 and received the 19 of December 2013, we are writing to submit our formal representations to the pre-application consultation to the proposed application for a Development Consent Order for a new tidal powered generating station in Swansea Bay.</p> <p>We have taken note of the revised plan which has been submitted. The plan shows a significant increase in the amount of land owned by Intertissue Ltd which might be affected by your project. The plan shows an increase in the amount of the land required at north western corner of Intertissue property but also seems to affect the area opposite to the building occupied by our pulp warehouse which is facing the adjacent salt marsh. It is not clear whether part of the land which is within our fencing is also required (please take good note that the position of the fence is about one meter within the official boundary). We wish to inform you that if this is the case, your proposed design would not enable the circulation of vehicles around the factory which can cause us operational issues. We believe that this would also represent (among the others reason) a significant safety risk in case of fire as it would prevent the emergency services having full access around boundary of the factory.</p> <p>In addition to this it would also create an enormous negative impact on our current operations and have major implications for our future operations/developments.</p> <p>Consequently we wish to add the above considerations to those we have indicated in our previous letter dated 23 October 2013 which we reiterate in full.</p> <p>Notwithstanding the above we reiterate the invitation to have a meeting at our premises to more fully understand the extent of your project.</p>	<p>This letter was received following alteration to the red line boundary which resulted from further design requirements of the directional drilling proposed across the River Neath. It was established that further land was required to bring the cable ashore on the southern bank in order to connect to the Baglan substation. The cable will be below ground level and so any disruption would be temporary and would be closely managed, in consultation with the occupier, during construction. TLSB intends to keep any disruption to a minimum, and work with the consultee in relation to any safety related impacts. Further engagement will be undertaken.</p>
Tarmac Limited now known as Lafarge	24/10/13	<p>Lafarge Tarmac Limited has a Lease of land at Prince of Wales Dock, Swansea, on which we operate an aggregates wharf and has the benefit of an Option to Lease other land in the Docks for development and operation of a new aggregates wharf. Operation of the existing wharf and future investment in the new wharf represents a long-term commitment on the</p>	<p>The proposed Site boundary of Project will not restrict access to the Dock or Wharf areas. It has been designed to avoid negative impacts on the</p>

Tarmac Trading Limited		<p>part of the business to maintaining a viable wharf operation at the Docks and the associated operation of dredging ships in the Bristol Channel.</p> <p>The vast majority of sand aggregate used in South Wales is derived from marine sources and the use of that aggregate is in construction and infra-structure developments centred on the main areas of population. As such, it is essential to the sustainability of the local and regional economy that aggregates wharves, such as the wharf in Swansea Docks, are maintained. This is acknowledged in Mineral Planning Policy Wales, which requires the safeguarding of docks where dredged aggregates can be landed, stocked and moved on.</p> <p>Access to the Docks is influenced by the tides and weather conditions and therefore operation of the dredging ships and access to the wharf is required all year round on a 24/7 basis. As a consequence, development of a new tidal powered generating station in Swansea Bay must not impact upon continued, unrestricted access to the Docks and the wharf.</p> <p>It is noted that an aspiration of the development is to become a major attraction and recreation facility and it is important that developments that may be associated with the achieving these objectives but that may be sensitive the the commercial operation of the Docks, is not permitted.</p> <p>In summary, development of the new tidal powered generating station in Swansea Bay must ensure that;</p> <ol style="list-style-type: none"><li>1. continued and unrestricted access to the Dock and Lafarge Tarmac aggregates wharf for commercial ship traffic is maintained through the period of construction and subsequent operation of the lagoon and generating station,</li><li>2. uses that may be associated with the lagoon, which may be sensitive and could ultimately cause the imposition of restrictions upon commercial operation of the Dock, are not permitted.</li></ol> <p>Lafarge Tarmac is generally supportive of the proposed development and would welcome the opportunity to discuss the points set out above in order to ensure that our interests in the Dock are not adversely affected.</p>	navigational channels to both the River Neath and River Tawe, with consultation with the relevant statutory bodies also being held to fully understand the potential impacts and issues to the navigable marine environment and define mitigation measures.
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<p>La Farge Tarmac Trading Ltd</p>	<p>15/01/2014</p>	<p>I refer to your letter dated 17th December 2013, addressed to The Company Secretary, Tarmac Limited.</p> <p>Tarmac Limited, through change of name, is now Lafarge Tarmac Trading Limited and this email sets out the representation by Lafarge Tarmac Trading Limited (Lafarge Tarmac) in response to your invitation to make representations on the proposed application for Development Consent for a new tidal powered generating station in Swansea Bay.</p> <p>Lafarge Tarmac has a lease of land at Prince of Wales Dock, Swansea, on which we operate an aggregates wharf and has the benefit of an Option to Lease other land in the Dock for development and operation of a new aggregates wharf. Operation of the existing wharf and future investment in the new wharf represents a long-term commitment on the part of the business to maintaining a viable wharf operation at the Docks and the associated operation of dredging ships in the Bristol Channel.</p> <p>The vast majority of sand aggregate used in South Wales is derived from marine sources and the use of that aggregate is in construction and infra-structure developments centred around the main areas of population. As such, it is essential to the sustainability of the local and regional economy that aggregates wharves, such as the wharf in Swansea Dock, are maintained. This is acknowledged in Mineral Planning Policy Wales, which requires the safeguarding of docks where dredged aggregates can be landed, stocked and moved on.</p> <p>Access to the Docks is influenced by the tides and weather conditions and therefore operation of dredging ships and access to the wharf is required all year round on a 24/7 basis. As a consequence, development of a new tidal powered generating station in Swansea Bay must not impact upon continued, unrestricted access to the Dock and the wharf.</p> <p>It is noted that an aspiration of the development is to become a major attraction and recreation facility and it is important that development associated with the achieving these objectives, but that may be sensitive the commercial operation of the Docks, is not permitted.</p> <p>In summary, development of the new tidal powered generating station in Swansea Bay must ensure that;</p> <ul style="list-style-type: none"> <li>• continued and unrestricted access to the Dock and the Lafarge Tarmac aggregates wharf for commercial ship traffic is maintained through the period of construction and subsequent operation of the lagoon and generating station,</li> <li>• uses that may be associated with the lagoon, which may be sensitive and could ultimately cause the imposition of restrictions upon commercial operation of the</li> </ul>	<p>The proposed site boundary of Project will not lead to permanently restricted access to the Dock or Wharf areas. It has been designed to avoid negative impacts on the navigational channels to both the River Neath and River Tawe, with consultation with the relevant statutory bodies also being held to fully understand the potential impacts and issues to the navigable marine environment and define mitigation measures.</p>
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		<p>Dock and the sand wharf, are not permitted.</p> <p>Lafarge Tarmac is generally supportive of the proposed development and would welcome the opportunity to discuss the points set out above in order to ensure that the Company's interests in the Dock are not adversely affected.</p>	
Mardon Properties Limited		<p>Re: Mardon Properties Limited — In Liquidation Your Client: Tidal Lagoon (Swansea Bay) pic</p> <p>Thank you for your recent correspondence.</p> <p>I would advise that whilst we are dealing with the liquidation of the above company, the secured charge holder have appointed their own Fixed Charge Receivers to deal with the property at Baglan Energy Park.</p> <p>Your correspondence has therefore been sent to the Receivers at OVA, St Catherine's Court, Berkeley Place, Bristol, BS8 1BQ. Please ensure that all future correspondence is also sent to GVA [Grimley].</p>	Land records have been updated to reflect this in the Book of Reference.
Mobile Broadband Network Ltd	10/10/13	<p>T-Mobile UK Ltd and H3G UK Ltd services are responding to the following NRSWA request you submitted.</p> <p>Please see attach power point presentation regarding the following enquiry for T-Mobile UK Ltd and H3G UK Ltd services information?</p> <ul style="list-style-type: none"> <li>• Proposed Application - Swansea Bay submitted on the 09.10.2013.</li> </ul> <p>If this site will be affected by your works, please contact [...] at MBNL - A Joint Venture company between Everything Everywhere Ltd and Hutchison 3G UK Ltd</p>	The location of the Statutory Utilities within the redline area is noted within the Book of Reference and identified in those relevant parcels and contact has been made with those affected where necessary.
Neath Port Authority –	08/10/13	We acknowledge receipt of your letter and attachments dated the 23 <sup>rd</sup> September 2013, plus the “Redline Plan” detailing the limits of the land required by TLSB to deliver the	After further design review and consultation the area of Crymlyn

<p>(Formerly Neath Harbour Commissioners)</p>		<p>project.</p> <p>Whilst we are pleased to note that you have included the modifications agreed in our meeting of the 16th April 2013 to the Port's Navigable channel (i.e.) positioning of starboard buoy and Monkstone light, plus realigning the starboard training walls. It is noted that it is TLSB's intention to compulsory purchase various sections of land outlined within the 'Redline' including the beach on which the Port's starboard training wall is constructed. If this is the case the Port will require a formal agreement with TLSB to cover for the onward maintenance of the wall.</p> <p>On studying the drawing we are also unable to confirm if it is TLSB's intention to also compulsory purchase the majority of the Crymlyn Burrows SSSI site. If this is the case as previously stated the Port will require TLSB to remove the sand overtopping the Port training wall on the North side of the site, plus adjust the adjacent beach level to prevent a further ingress of sand from this area.</p> <p>Finally, considering the time lapse since we last met with your staff would you please contact us with a view to arranging a meeting when you can fully update us on the detailed progress being made on the project.</p>	<p>Burrows SSSI affected by the Project has been significantly reduced in size. Further discussions will be held in relation to the requirements and responsibilities for dredging in the area.</p> <p>TLSB is continuing to consult with NPA in relation to the responsibilities for structures identified.</p>
	<p>12/11/13</p>	<p>We acknowledge receipt of your letter dated the 6th November 2013 plus copies of the following drawing sheets on which you have highlighted within a red line the land required to safely execute the project and/or you possibly intend to compulsory purchase.</p> <ul style="list-style-type: none"> <li>. Key plan detailing eighteen areas</li> <li>. Sheet 7 to 9 — Land within and alongside the Navigable channel to Port</li> <li>. Sheet 8 of 9 — Large sections of land — Crymlyn Burrows</li> <li>. Sheet 9 of 9 — Land to North of Crymlyn Burrows, across the river Neath onto the St. Modwen Baglan site.</li> </ul> <p>As previously stated, although the Port does not own any of the land within the curtilage of the red lines shown on the above drawings, in accordance with our Acts of Parliament the Port must maintain 24/7 access to and along the rear of the river training walls for undertaking regular maintenance to both the walls plus the Navigation lights / buoys etc. Similarly, using a small dredger the Port dredges up to 110k tonnes/year from the Navigable channel only as far as the Monkstone light and this sand is brought ashore at the</p>	<p>The potential impacts on the Neath Port have been taken into account and further discussions have been held to minimise the impact on the Port.</p>

		<p>Hope Construction Site.</p> <p>We can confirm that we are making arrangements to meet your engineers during late November or early December 2013 and during this meeting we shall expect the following items to be included on the Agenda:</p> <ul style="list-style-type: none"> <li>• Receive copies of Tidal Modelling Report</li> <li>• Discuss and agree detailed progress made on designing the repositioned starboard/port training walls plus navigation lights.</li> <li>• Outline other elements of concern to the Port should the project proceed.</li> <li>• Agreement on removing the sand overtopping the Training Wall at the North end of Crymlyri Burrows.</li> <li>• Formal Agreement required to cover above and to provide the Port with access to its training walls / navigation lights etc.</li> </ul> <p>Meanwhile, we can confirm that we have returned the marked drawings to Ardent Management as requested and that our Port Authority is still fully supportive of the project. We therefore look forward to meeting you again at some future date plus discussing the above points with your colleagues at our forthcoming meeting.</p>	
NPTCBC (Neath and Port Talbot County Borough Council)	04/10/13	<p>I wish to acknowledge receipt of your consultation in respect of the above development received on the Tuesday, 24 September 2013 and would confirm that the Council will forward observations to your authority within 14 days of the above date.</p> <p>Should you require any further assistance please contact Chris Davies on the case officer number above.</p>	Additional contact information has been updated.
Swansea Bay Port Health Authority	18/12/2012	<p>Thank you for the above notice with attachments received today. I have no representations to make on the revised boundaries indicating land requirements.</p> <p>For information, are you able to advise dates for completion of the EIA and submission of the application.</p>	This position has been taken into account.
Shell- Mex and BP Limited	15/10/2013	I am returning your letter with the request that you communicate directly with BP Oil UK Limited.	The records have been updated to reflect this.
Sinclair Motor			This comment has been recorded and

Holdings Limited		Yes I have received your letter and if your proposed planning application is submitted I will record my objections in the strongest possible terms at that time.	further clarification of reasoning will be considered at the relevant time.
The Crown Estate	22/10/13	<p>I refer to your letter of 23 September 2013, inviting The Crown Estate to comment on the Redline Plan put forward by Tidal Lagoon Swansea Bay plc's ("TLSB") for the Proposed Application.</p> <p>As TLSB is aware, the vast majority of the seabed out to 12nm forms part of The Crown Estate and is administered by The Crown Estate Commissioners (the "Commissioners"). The Commissioners are responsible for leasing/licensing seabed areas for use, including that of renewable energy development such as that outlined in the Proposed Application.</p> <p>To date no agreement has been reached between the Commissioners and TLSB in relation to the grant of lease/licence rights that TLSB will require to carry out the scheme described in the Proposed Application. I am writing to you to confirm that, whilst the Commissioners do not intend to comment upon the "Red line Plan" as part of the Consultation exercise relating to the Proposed Application, The Commissioners reserve their rights in relation to the commercial discussions which will be required before any scheme can be Commenced For the avoidance of doubt, The Commissioners do not provide their Consent nor their approval, impliedly or otherwise, to the "Redline Plan".</p>	Discussions are continuing with the Crown Estate, with a view to TLSB acquiring necessary rights in the land.
Trinity House	23/09/2013	<p>I write further to your letter of 9th October addressed to The Company Secretary of Trinity House Lighthouse.</p> <p>In pursuance of our statutory functions, Trinity House is committed to delivering a reliable, efficient and cost-effective aids to navigation service for the benefit and safety of all mariners.</p> <p>Trinity House has a key base in Swansea Docks, part of which is on land, which may be affected by the proposed new tidal power generating station. We are extremely concerned at any proposal to purchase any part of our site at Swansea by negotiation or compulsory purchase powers.</p>	The concerns raised have been have been considered and reflected in alterations to the redline to avoid the area leased by the Trinity House and remove the requirement for this land for the Project.

Trinity House occupies some of the land hatched red on Drawing No. 3513LO\_SK\_034\_1.6 (dated Sept 2013) under lease agreements from Associated British Ports.

The land is held under two lease agreements shown on the plan below. The green land is a 60 year lease which commenced 24<sup>th</sup> June 1976, the brown land is a 42 year lease which commenced 31<sup>st</sup> March 1994.

We also rent land on King's Dock outside of the Scheme Boundary shown pink and blue on the plan above. We have occupied the pink land for the purposes of our statutory undertaking for nearly 100 years.

The main activities which we undertake at Swansea are berthing our fleet of ships, servicing of light vessels and the maintenance, refurbishment and storage of navigational buoys required for safe navigation around our waters and the marking of dangerous wrecks and other new dangers, which pose a threat to safe navigation, human life and the marine environment. Our West Coast Field Operations Staff are also based there. They are responsible for maintaining our lighthouses and other sites on the West Coast of Great Britain and also assisting our staff in other districts when required. Our main stores depot serving all our sites around the coasts of England and Wales is also located at Swansea.

The site is strategically placed for the discharge of our statutory undertaking and essential in terms of our work in support of the safety of the mariner and the protection of the marine environment. It would not be possible to locate all of our operations on to that part of our site outside the boundary of the proposed Scheme area.

We employ around 27 people at the base.

In summary this property is critical for our continuing ability to perform our statutory function and we strongly urge you not to pursue any plans to purchase the land.

My colleagues and I will be pleased to discuss with you further the critical nature of our base at Swansea as necessary.

Our Navigation Directorate, Trinity House, Tower Hill, London, EC3N 4DH, will need to be consulted on any aspects of your proposal which are likely to have an effect on

		<p>navigational interests.</p> <p>I look forward to your confirmation as soon as possible that you will not pursue further the purchase of any part of the Trinity House site as described in your Notice of Proposed Application for a Development Consent Order and shown on Drawing No. 3513LO_SK_034_1.6 (dated Sept 2013). Any response should be sent to me at the address at the head of this letter.</p>	
	07/01/14	<p>Thank you for your letter of 16<sup>th</sup> December.</p> <p>We note the revised boundaries of the Application Site on Drawing Nos. 3513LO_SK_034_1.10 (dated Dec 2013) and 3513LO_SK_136_1.1 (Dec 2013).</p> <p>We welcome the fact that all of the property we occupy appears to have been excluded from the Application Site.</p> <p>We will continue to require access rights and all other easements and rights serving our property which we currently enjoy over other parts of the Application Site.</p> <p>My colleagues in our Navigation Directorate may wish to reply to you directly if they have any comments.</p>	<p>TLSB will work with the port operator and tenants in order to minimise the impact on TH's operations.</p>
Wales and West Utilities Limited		<p>Wales &amp; West Utilities acknowledge receipt of your notice received on 24.09.2013 , advising us of your intention to carry out work at: Swansea Bay, Swansea, SAI 8AJ</p> <p>We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales &amp; West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales &amp; West Utilities, its agents or servants for any error or omission.</p>	<p>The location of pipes and infrastructure have been explored in detail through additional diligent enquiries.</p> <p>The design of the Project has taken into account the exclusions zones specified and detailed method statement and risk assessments will be undertaken prior to work commencing in line with industry standards.</p> <p>The interests recorded are shown in the Book of Reference.</p>

		<p><b>YOU WILL NOTE THE PRESENCE OF OUR INTERMEDIATE I HIGH PRESSURE GAS MAIN(S) IN PROXIMITY TO YOUR SITE. NO EXCAVATIONS ARE TO TAKE PLACE ABOVE OR WITHIN 10m OF THE CONFIRMED POSITION OF THESE MAINS WITHOUT PRIOR CONSULTATION WITH WALES &amp; WEST UTILITIES</b></p> <p>The Wales &amp; West Utilities Intermediate / High Pressure Network may be affected by your proposals and a copy of the information you have provided has been forwarded to Asset Management for their comment. They will then contact you as necessary. Please note, 7 days' notice is required if you require a site visit from an Engineer.</p> <p>Safe digging practices, in accordance with HS (G) 47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.</p> <p>If you have requested a new connection or diversion of our apparatus, information will be sent under a separate letter.</p>	
Western Power Distribution	19/01/2014	<p>Thank you for your letter and s42 consultation re this scheme dated 17<sup>th</sup> December 2013, received 23<sup>rd</sup> December 2013.</p> <p>Having reviewed the redline boundary plan of the development site, WPD do have apparatus potentially affected. These are</p> <ol style="list-style-type: none"> <li>1. 11kV Substation and cables near National Grid substation at Baglan Bay</li> <li>2. 11kV and 33kV cables crossing within the development boundary for a short distance near the National Grid Substation</li> <li>3. 2 Substations (Pole Mounted), 11kV and LV cables at Fabian Way and Jersey Marine</li> <li>4. 11kV substation and cables at Port Tennant Sewage Works</li> <li>5. 11kV and LV cables in road and land near Port Tawe Hotel</li> <li>6. 11kV substation and cables at Tawe Barrage Lock</li> <li>7. Other sites with minor assets within the redline boundary</li> </ol>	<p>The assets identified have been taken into consideration as part of the design process and TLSB has looked to reduce the impact on WPD's assets as far as reasonably possible. The interests in these assets have been identified within the Book of Reference and further engagement will be undertaken with WPD where necessary.</p>

We anticipate that your proposals will be able to avoid WPD assets in most cases by routing around our assets. However, should you require our assets to be relocated, we will require this to be at your costs and we will require equivalent land rights and we need to determine that any diversions are suitable for our purposes etc.

We will require you to enter into an agreement with WPD regarding this ahead of examination of the scheme by PINS.

To determine this in detail please contact us with detail of your plans around WPD assets.

Please contact Geraint Griffith at [ggriffith@westernpower.co.uk](mailto:ggriffith@westernpower.co.uk) (Wayleave Manager Wales) who will arrange for the information to be passed onto the correct people our end.