

Our Ref: EN010153/DR/9.2

14 October 2026

Head of Energy Infrastructure Planning Delivery & Innovation
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FAO: Head of Energy Infrastructure Planning Delivery & Innovation

Application Reference: EN010153

Applicant's response to the Secretary of State's request for information issued 30 September 2026

I write on behalf of Frodsham Solar Ltd (the "Applicant") in response to the letter from the Department of Energy Security & Net Zero ("DESNZ") dated 30 September 2026 requesting further information from the Applicant (the "RfI letter").

The further information requested by DESNZ relates to three principal matters: the status of Crown Estate consent under section 135 of the Planning Act 2008; providing without prejudice amendments to the Land Plans and Book of Reference in respect of land interests held by Inovyn Chlorovinyls Limited; and clarification of the Applicant's engagement and negotiations with Joan Margaret Nicholas and Mark Avis-Ainsworth. Each of these matters is addressed in turn below.

Crown Consent – Section 135 Planning Act 2008

The Applicant confirms that Crown Consent pursuant to section 135 of the Planning Act 2008 was provided by The Crown Estate on 21 September 2026. The Applicant further understands that the Planning Inspectorate has received the relevant consent letter and has forwarded it to the Secretary of State for consideration. Accordingly, the Applicant considers that this matter has been addressed.

Inovyn Chlorovinyls Limited (ICL)

The Applicant is continuing to engage constructively with Inovyn Chlorovinyls Limited (ICL) regarding the outstanding commercial arrangements between the parties. These discussions are at an advanced stage, and the Applicant anticipates that agreement will be reached imminently. On this basis, the Applicant considers that the provisions of the Draft Development Consent Order (DCO) submitted at Deadline 7 is its preferred wording for the Order, and that no further amendments to the Draft DCO should be necessary.

However, the Applicant acknowledges the Secretary of State's request for the Applicant to provide on a without prejudice basis amended Land and Crown Land Plans showing plots 5-3 and 5-4 shaded as blue land (instead of pink) and an amended Book of Reference to reflect the change (with the category of rights recorded as Category 2, relating to "SPEN connection (above ground) cable rights").

The Applicant also notes that the amendments to the Land and Crown Plans and Book of Reference would also lead to amendments to the Draft Development Consent Order in both Schedule 7 (Land in which only new rights etc may be acquired) and Schedule 10 (Documents to be certified) and so has also provided an amended version of the Draft DCO on a without prejudice basis to reflect this.

The Applicant will continue to update the Secretary of State on the progress of its negotiations with ICL over the coming weeks, including confirmation of any agreement reached between the parties.

In summary, the following updated documents are provided to the Secretary of State on a without prejudice basis and submitted alongside this response:

- Land and Crown Land Plans P05 [EN010153/DR/2.2]
- Book of Reference Clean P08 [EN010153/DR/4.3]
- Book of Reference Tracked P08 [EN010153/DR/4.3]
- Draft Development Consent Order (Clean and Tracked) P10 [EN010153/DR/3.1]

Joan Margaret Nicholas and Mark Avis-Ainsworth

The Applicant sent Land Interest Questionnaires (LIQ), section 42/44 and section 56 notices to Mrs Nicholas and the executors of Mr Ainsworth who we understand to be Mark Avis-Ainsworth on the following dates:

Name	LIQ	s42/44 notices	s56 notices
Mrs Nicholas	08.10.2024	05.11.2024	10.07.2025
Executors of Mr Ainsworth	08.10.2024	05.11.2024	10.07.2025

From the Applicant's perspective, having issued that documentation, it considered therefore that it had commenced discussions. Whilst no response was received from these parties to those correspondences, the Applicant remained open to them and discussions carrying on from there, and it is that position which informed the content of the final column of the Negotiations Tracker.

The Applicant's view at this stage is that if these powers were to be exercised then they could be done so in a way that would still enable these parties to enjoy their overall landholdings and indeed is likely to lead to an overall benefit as the Applicant improves the adjacent track for its purposes but which will also benefit them. As such, it would be engaging with those parties' post-consent to discuss the details of that position, as indicated by the penultimate column of the Negotiations Tracker.

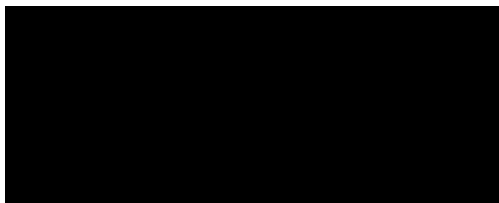
Following the submission and publication of Mrs Nicholas' and Mr Avis-Ainsworth's responses to the Secretary of State's first Request for Information on the Planning Inspectorate website, out of courtesy the Applicant contacted and spoke to Mrs Nicholas on the 15 September 2026 and Mr Avis-Ainsworth on September 14 2026 to explain the progress and nature of the application and that further engagement would be undertaken with them following the decision.

The table below sets out the new documents submitted by the Applicant in response to the RfI.

Documents Submitted
Applicant's response to the Secretary of State's invitation to comment issued on 17 September 2026 and the request for information issued 30 September 2026 [EN010153/DR/9.2]
Land and Crown Land Plans P05 [EN010153/DR/2.2]
Book of Reference P08 (clean and tracked versions provided) [EN010153/DR/4.3]
Draft Development Consent Order P10 (clean and tracked versions provided) [EN010153/DR/3.1]

Please do not hesitate to contact the undersigned or Andrew Russell (andrewrussell@axis.co.uk) if you have any questions or require any further information.

Yours sincerely





UK Development Lead on behalf of Frodsham Solar Limited (FSL)

FSL is a Cubico Sustainable Investments owned company