



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref **EN010007**

Ein cyf/Our ref IP 20011597 (Welsh Government)

FAO: Ms Fernandes
C/O Case Officer (Wylfa Newydd)
National Infrastructure Planning Unit
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

13/11/2018

Dear Ms Fernandes,

Hearing Action Points arising from the draft Development Consent Order (DCO) Hearing held at the Anglesey Showground, on Tuesday 24 October 2018.

Please find below the responses to the relevant action points that were issued by the Examining Authority on 5th November 2018.

Action Point No.	Action	Welsh Government Response
1	Welsh Government to provide an update as to when a decision will be made in relation to the site clearance and preparation planning application	Enquires have been made with the relevant department dealing with the call-in request and, whilst they cannot commit to a particular date, it will be dealt with as soon as possible.
3	Applicant to liaise with Welsh Government and others in relation to site clearance	A meeting was held between Horizon and the Welsh Government's Wylfa Newydd Spatial Planning Manager on 8 November 2018 on the site preparation and

clearance ("SPC") proposals (sought to be permitted under a planning permission pursuant to the Town and Country Planning Act 1990 ("TCPA")). The aim of the meeting was to provide a strategic overview of the TCPA SPC works and associated s.106 agreement, and the alignment between the TCPA SPC works and the DCO (including DCO s.106 agreement). For the avoidance of doubt at no point were any matters of merit discussed in relation to either the TCPA SPC application or associated s.106 agreement.

1. The outcomes of this meeting were:

(a) The Welsh Government acknowledged that the broad structure of the SPC s.106 agreement mirrors the content of the draft DCO s.106 agreement where relevant.

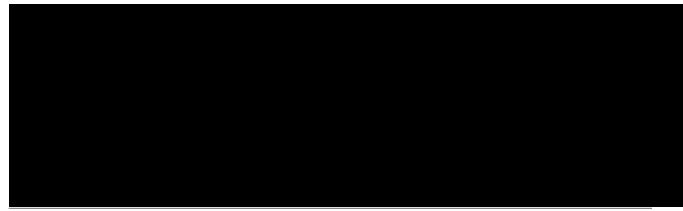
(b) The Welsh Government accepted that terms within the DCO s.106 agreement and the SPC s.106 agreement will still secure SPC funding in the event that the DCO

		<p>progresses. Going forward, the Welsh Government would like visibility over matters including which clauses of the SPC s.106 agreement could be superseded by the DCO s.106 agreement (if any). The Welsh Government will provide separate comment on the draft DCO s.106 agreement.</p> <p>(c) The Welsh Government has requested further clarification on the transitional arrangements between SPC and DCO.</p> <p>2. Horizon is working to provide further clarification on the matters raised at paragraphs 7(b) and 7(c). Horizon will continue to engage with the Welsh Government to ensure it is appraised of progress on the SPC proposals.</p> <p>3. Horizon have committed to continue to liaise with the Welsh Government.</p>
15	Applicant and WG to meet to discuss what has and has not been devolved under the devolution settlement and to advise the Examining Authority of the outcome	The Welsh Government has written in response to a letter from Horizon Nuclear Power setting out the Welsh Government's position in relation to the devolution settlement and

		<p>seeking to reach agreement on this. Welsh Government will seek to present an agreed position to the ExA by Deadline 2 and a meeting has been proposed with HNP should any points require further clarification prior to then.</p>
17	<p>IACC [WG] to provide alternative wording to address Schedule 1 Other Associated Development, o) page 54 of the draft DCO</p>	<p>It is understood that the application of provision (o) is not limited to any area or work. Horizon needs to explain why such sweeping, catch-all other works provisions are needed or appropriate, particularly in relation to elements outside the main power station itself, which in the case of the Park and Ride, Logistic Centre, and Site Campus are identified as temporary.</p> <p>Horizon should be required to justify why it needs category (o) ("other works"), as it fails to provide any certainty as to what development could be secured under this part. This drafting creates concern for the Welsh Government as to how IOACC as the local planning authority can be expected to realistically identify and enforce against unauthorised development.</p> <p>The Welsh Government supports IACC's concerns that it is not appropriate or necessary for provision (o) to be included within the DCO. If however the Examining Authority consider it should be, then</p>

		<p>the Welsh Government supports IACC's request that it is limited as follows; Provision (o) should apply to the main Wylfa Newydd Development Area only and not to any other part of the Order Land; Provision (o) should not apply to any temporary work or building where the temporary use has ceased; in particular it should not apply to the site campus once the accommodation buildings have been removed; and Provision (o) should be expressly limited to approved parameters, order limits and the parameters assessed in the ES, however it should not allow any works to be carried out on the landscaped areas around the power station once the landscaping of those areas has commenced. This is necessary to limit the activities which can be carried out in closest proximity to the communities around the main site.</p>
20	IACC, Gwynedd Council, NWP and WG to include concerns regarding: section 106 in a separate post-hearing note; and, level of detail within the Code of Construction Practices	Please see the separate note that is attached to the covering email.

Yours sincerely,



James Hooker

Wylfa Newydd Spatial Planning Manager