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**Subject:** Wylfa Newydd DCO Examination Horizon - Deadline 2 Submissions  
**Date:** 04 December 2018 21:53:30  
**Attachments:** [Other consents and licences.pdf](#)

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Good Evening

Please find attached Horizon's Deadline 2 submissions relating to :

- Other Consents and Licences

Kind Regards

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## Wylfa Newydd Project

### Other Consents and Licences

PINS Reference Number: EN010007

4 December 2018

Revision 2.0

Examination Deadline 2

Planning Act 2008

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

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# 1 Other Consents and Licences

## 1.1 Updated Summary of other Consents, Licences & Agreements Required

- 1.1.1 Action item 22 in the "Action Points from the Development Consent Order hearing Wednesday 24 October 2018" (published by the Examining Authority on 5 November 2018) requires the Applicant to provide table with an update on consents, agreements and other licences, including timetables, as a Deadline 2 matter. Table 1-1 below responds to this request, and provides an updated version of Table 2-1 Summary of other Consents, Licences & Agreements Required which was included in the submission document 5.4 Details of Other Consents, Licences and Agreements [APP-053].

**Table 1-1 Updated Summary of other Consents, Licences & Agreements Required**

Consents Licences/Agreements	Key Legislation	Consenting Authority	Status
Construction			
Marine Licences Marine Licences will be required for temporary works such as cofferdams, causeways and offloading facilities and construction of the Marine Off Loading Facility (MOLF), Breakwaters Cooling water intake and outfall and for dredging and disposal at sea.	Marine and Coastal Access Act 2009	Natural Resources Wales (NRW) on behalf of Welsh Ministers	Applications were made on 1 June 2018; Initial consultation has closed. Additional information has been requested by NRW and some indications of draft conditions have been provided by NRW.
Planning Permission for any element of the Project not within the scope of the Development Consent Order (DCO) Planning permission is required for A5025 On-line Highway Improvements and Site Preparation and Clearance	Town and Country Planning Act 1990 (TCPA)	Isle of Anglesey County Council (IACC)	Planning permissions for the A5025 On-line Highway Improvements and Site Preparation and Clearance were both respectively submitted to IACC. IACC has granted the application for the A5025 On-line Highway Improvements and has

Consents Licences/Agreements	Key Legislation	Consenting Authority	Status
			<p>resolved to grant the application for Site Preparation and Clearance (SPC).</p> <p>Under the SPC application, Horizon will be able to commence SPC works within the Wylfa Newydd Development Area under the TCPA permission in advance of the Order being granted.</p> <p>Following the grant of DCO, article 5 of the DCO enables Horizon to switch from undertaking the works pursuant to the TCPA application to undertaking the works under the corresponding provisions in the DCO.</p>
<p>European Protected Species Licences</p> <p>Licences may be required for works which could result in an offence relating to Bats, Great Crested Newts prior to construction</p> <p>Licences may be required for works which</p>	<p>Conservation of Habitats and Species Regulations 2017</p>	NRW	<p>Draft licence applications have been submitted with the DCO. These will be finalised following DCO grant, if needed. Pre -construction surveys will be undertaken after the licence has been submitted to NRW.</p>
<p>Conservation Licences</p> <p>A licence may be required for the translocation of water voles (if identified</p>	<p>Wildlife and Countryside Act 1981</p>	NRW	<p>If pre-construction surveys identify the need for water vole translocation, a conservation licence would need to be obtained from NRW.</p>

Consents Licences/Agreements	Key Legislation	Consenting Authority	Status
through pre-construction surveys) prior to construction.			Draft licences will be submitted with the DCO and then finalised following the DCO grant (or TCPA grant in the case of SPC works) if required.
Water abstraction licence for the abstraction of water during construction	Water Resources Act 1991	NRW	Water Abstraction Licence(s) are required for the dewatering of the main excavation, cooling water tunnels and cofferdam areas. Horizon is in pre-application discussions with NRW and an application is being drafted and Horizon intends to submit this in 2019.
Water impoundment licences for construction of weirs sluices or dams.	Water Resources Act 1991	NRW	Horizon have not identified the need for an impoundment licence but should one be required a timely application will be made to NRW.
<p>Environmental Permits (EPs)</p> <p>EPs will be required for the construction of the WNDA and for some activities within the Associated Development.</p> <p>These permits are required for the following:</p> <ul style="list-style-type: none"> <li>Water discharge activity (surface water drainage, main construction site treated sewage)</li> </ul>	Environmental Permitting (England and Wales) Regulations 2016	NRW/IACC	<p>A construction water discharges activity permit was submitted to NRW on 1<sup>st</sup> June 2018. Initial consultation has finished and a request for further information has been made.</p> <p>Other EP applications are to be made (where necessary) by Horizon or the nominated contractor following the submission of the DCO. Discussions have been held with NRW on the scope of</p>



Consents Licences/Agreements	Key Legislation	Consenting Authority	Status
<ul style="list-style-type: none"> <li>Construction for certain plant and generators and dewatering activities.</li> <li>Flood Risk Activity Permits (FRAP) generally required for construction activities within 8m/16m of a (non-tidal/tidal) main river or within the floodplain of a main river.</li> <li>Local Authority Pollution Prevention and Control (LAPPC) Part B EPs where construction activities cause emissions to air.</li> </ul>			<p>permits required for Associated Development sites.</p> <p>FRAPs will be submitted by Horizon or nominated Contractor where relevant.</p> <p>Nominated contractors will be required to obtain LAPPC Part B EPs prior to construction for activities such as use of mobile crushers, soil treatment and for the use combustion plant over 1MWth. Waste treatment permits are likely to be required for works associated SPC and A5025 On-line Highway Improvements.</p> <p>It has been confirmed by NRW that remediation processes during SPC will require a bespoke hazardous waste permit. This will be obtained by the nominated contractor prior to any remediation works.</p> <p>It is likely that a waste permit will be required for the processing of coal tar from existing roads at the temporary recycling facility for the A5025 On-line Highway Improvements. This is being discussed with NRW and IACC and the requirement is to be confirmed. This would be secured by the nominated contractor prior to processing activities.</p>

Consents Licences/Agreements	Key Legislation	Consenting Authority	Status
<p>Foul Water Sewer Requisition</p> <p>This would enable the connection of the Site Campus and Power Station Site to Dwr Cymru/Welsh Water</p>	<p>Water Industry Act 1991, Water Act 2003</p>	DCWW	<p>Dŵr Cymru/Welsh Water will submit the application relevant to the Site Campus. Horizon will submit the application relevant to the Power Station Site.</p> <p>Both applications to be made to Dŵr Cymru/Welsh Water after DCO grant and prior to the construction of the Site Campus and Power Station.</p>
<p>Request for Non-domestic Water Supply</p>	<p>Water Industry Act 1991</p>	DCWW	<p>Application to be made to DCWW prior to construction of the Power Station. Horizon is likely to confirm the demands of the Project by the end of 2018</p>
<p>Ordinary Watercourse Consent</p> <p>Consents from IACC are required for any in-channel works or construction activities that may affect flow of an Ordinary Watercourse i.e. ditch, drain, stream etc.</p>	<p>Land Drainage Act 1991</p>	IACC	<p>Application to be made to DCWW prior to work commencing. Discussions are progressing.</p>
<p>Construction related Health and Safety Consents</p> <p>These are required to secure, so far as is reasonably practicable, the health, safety and welfare of persons at work and other</p>	<p>Health and Safety at Work etc. Act 1974</p>	Office of Nuclear Regulation (ONR)	<p>Application to be made by nominated contractor prior to commencement of construction</p>

Consents Licences/Agreements	Key Legislation	Consenting Authority	Status
persons who may be affected by work ie the public.			
<p>Permit for the transport of abnormal indivisible loads permits for delivery by road of loads that fall outside standard practice.</p> <p>The MOLF will be utilised as far as possible to minimise abnormal indivisible loads (Current estimates are approximately 60% to 80% of all construction materials (by weight), including the majority of Abnormal Indivisible Loads (AILs), would be delivered via the MOLF.)</p>	The Road Vehicles (Authorisation of Special Types)(General) Order 2003 or authorisation from the Secretary of State under the Road Traffic Act 1988	Department of Transport, Highways Agency, Local Highways Authority (IACC), police and bridge owners as appropriate	Applications to be made by nominated contractor prior to commencement of construction on the Power Station Site.
<p>Section 61 Prior Consent</p> <p>This is relation to noise control on construction sites</p>	Control of Pollution Act 1974	IACC	Applications will be made by the nominated contractor at least 28 days before all construction commences.
<p>Coastal Station Radio Technically Assigned Licence</p> <p>This is a licence required to use radio apparatus for communication between coast base stations on shore to communicate with marine vessels.</p>	Wireless Telegraphy Act 2006	OfCom	Consent is required prior to use during construction of the Power Station

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Control of Major Accident Hazards (COMAH) Notification  Required for any establishment wishing to store hazardous materials above prescribed inventory thresholds	Control of Major Accident Hazard Regulations 2015	ONR/NRW	Horizon is likely to be a lower tier COMAH site and notification to the competent authority will be at least 3 months before construction begins.
Notification of Construction Project	Construction (Design and Management Regulations 2015	ONR	The nominated contractor will make the notification prior to construction commencing
Article 41 Article 41 of the Euratom Treaty requires that Horizon notify the European Commission (EC) of their intention to construct and operate the Wylfa Newydd Power Station.	European Atomic Energy Community Euratom Treaty	European Commission	An Article 41 submission was made by Horizon to the European Commission in February 2017
Nuclear Site Licence This is required to assure the safety of nuclear installations in the UK.	Nuclear Installations Act 1965	ONR	The site licence Application was submitted to the ONR on 31 <sup>st</sup> March 2017 and is anticipated to be granted in October 2019
Planning (Hazardous Substances) Consent  Permits holding of Hazardous Substances above prescribed inventory thresholds	Planning (Hazardous Substances) Act 1990	IACC	Application is anticipated in April 2018

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<p>Section 31 Notice</p> <p>This allows Horizon as a landowner to deposit with the Highways Authority a map showing the extent of land ownership and a statement indicating the Public Rights of Way that they recognise over it.</p>	Highways Act 1980	IACC	The Section 31 Notice was submitted in August 2017
Operations			
Operation related Health and Safety Consents	Health and Safety at Work etc Act 1974	ONR	Applications to be made by nominated contractors prior to commencement of operations
Electricity Generation Licence	Electricity Act 1989	OFGEM	Obtained 9 May 2011
<p>Environmental Permits to allow operation</p> <p>The main EPs include</p> <p>Radioactive Substances Activity (RSR)</p> <p>Combustion Activity</p> <p>Water Discharge Activities</p>	Environmental Permitting (England and Wales) Regulations 2016	NRW	<p>All major EP applications have been made, RSR in Oct 2017, Operational Water Discharges, and Combustion Activity.</p> <p>Currently under determination by NRW. As part of the process Horizon are receiving and responding to "Schedule 5" requests for further information.</p> <p>Minor EP applications for Associated Developments have been identified and early engagement with NRW has been undertaken. These will probably be made</p>

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			the responsibility of the contractor/operator.
Permit to Emit Carbon Dioxide	Greenhouse Gas Emissions Trading Scheme Regulations 2012	Environment Agency (regulator in England and Wales)	Horizon will apply for this permit in advance of commissioning the combustion plant and for operations.
Building Regulation Approval  Construction of buildings are required to meet minimum standards for design construction and alteration.	Building Regulations 2010	IACC	At completion of construction, relevant certificates will be sought. These could be phased as building are completed.
Hazardous Waste Producer Registration	Hazardous Waste Regulations (Wales) 2005	NRW	Prior to commissioning. Wylfa Newydd Site has a hazardous waste producers registration (CA120) that is renewed annually.
Planning permissions for any element of the project not within the scope of the DCO	TCPA 1990	IACC	Horizon are committed to building a permanent visitor centre on site within 5 years of the end of construction.  This would be consented outside of the Wylfa Newydd DCO Project by planning permission through the Town and Country Planning Act regime. The design and facilities contained within the centre will be subject to discussion with key stakeholders

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			in advance of planning permission being submitted. This is in addition to works related to any temporary viewing area, if required during construction.
Article 37	Euratom Treaty	European Commission	Completed. Positive opinion received from the European Commission on 4 <sup>th</sup> June 2018 (2018/C193/01). This enables NRW to grant a permit to carry out a radioactive substances activity to dispose of radioactive waste from the installation.
Marine Licences Marine Licences are required for some maintenance activities eg dredging.	Marine and Coastal Access Act 2009	NRW on behalf of Welsh Ministers	Where required a timely application for a licence will be submitted prior to the activity taking place.
Generic Design Assessment (GDA) – Statement of Design Acceptance  The GDA process involves an in-depth assessment of the nuclear reactor design. The Wylfa Newydd Power Station will use UK Advanced Boiling Water Reactors (UK ABWR), designed by Hitachi-GE.	No relevant legislation - based on Government policy	ONR, EA, and NRW	On 14 December, 2017, the regulators issued a Statement of Design Acceptance, which approved the UK ABWR as suitable for construction in the UK.

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Agreements			
<p>Bilateral Construction Agreement</p> <p>To set out the construction programme and the responsibilities for the connection including upgrades to the transmission system</p>	N/A commercial agreement	National Grid Electricity Transmission PLC	The construction agreement was initially signed in 2008, novated into Horizon in 2011 and updated in 2014.
<p>Bilateral Connection Agreement</p> <p>This agreement will enable the Power Plant to connect and export and import electricity to and from the Electricity Transmission Network</p>	N/A	National Grid Electricity Transmission PLC	The construction agreement was initially signed in 2008, novated into Horizon in 2011 and updated in 2014.



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