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**Subject:** Wylfa Newydd DCO Examination Horizon - Deadline 2 Submissions  
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**Attachments:** [8.25 Statement of Common Ground between Horizon Nuclear Power Wylfa Limited r Gwynedd County Council.pdf](#)  
[8.25 Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Magnox.pdf](#)  
[8.25 Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and North Anglesey Councils Partnership.pdf](#)  
[8.25 Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Destination Anglesey Partnership.pdf](#)  
[8.25 Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and the Nuclear Decommissioning Authority.pdf](#)  
[8.25 Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and North Wales Fire and Rescue Service.pdf](#)

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Good Evening

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

- Statement of Common Ground Between Horizon Nuclear Power Wylfa Limited and Gwynedd County Council
- Statement of Common Ground Between Horizon Nuclear Power Wylfa Limited and Magnox
- Statement of Common Ground Between Horizon Nuclear Power Wylfa Limited and North Anglesey Councils Partnership
- Statement of Common Ground Between Horizon Nuclear Power Wylfa Limited and Destination Anglesey Partnership
- Statement of Common Ground Between Horizon Nuclear Power Wylfa Limited and Nuclear Decommissioning Authority
- Statement of Common Ground Between Horizon Nuclear Power Wylfa Limited and North Wales Fire and Rescue Service

Kind Regards

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## Wylfa Newydd Project

Statement of Common Ground between  
Horizon Nuclear Power Wylfa Limited  
and the Nuclear Decommissioning Authority

PINS Reference Number: EN010007

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Application Reference Number: 8.25

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4 December 2018

Revision 1.0

Examination Deadline 2

Regulation Number: 5(2)(q)

Planning Act 2008

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

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# 1 Introduction

## 1.1 Status of this SoCG

- 1.1.1 This Statement of Common Ground (hereafter referred to as the 'SoCG') has been developed as an iterative draft by Horizon Nuclear Power (hereafter referred to as 'Horizon') to reflect its understanding of Nuclear Decommissioning Authority (NDA) position expressed verbally at meetings or through correspondence and is to its knowledge an accurate reflection of agreed, disagreed and ongoing matters.
- 1.1.2 It will be amended as the examination progresses in order to enable a final version to be submitted to the Examining Authority by Deadline 6.

## 1.2 Purpose of this document

- 1.2.1 This SoCG is a 'live' document that has been prepared by Horizon and reviewed by NDA. It has been prepared in accordance with the guidance published by the Department of Communities and Local Government (hereafter referred to as 'DCLG Guidance provided on the Planning Inspectorate's website')<sup>1</sup> and example SoCG documents provided on the Planning Inspectorate's website<sup>2</sup>.
- 1.2.2 The purpose of this SoCG is to set out agreed factual information about the application for development consent made by Horizon for the construction and operation of a new nuclear power station at the Wylfa Newydd Development Area on Anglesey (hereafter referred to as 'WNDA') together with on and off-site associated development (hereafter referred to as 'the Wylfa Newydd DCO Project' or 'the Project').
- 1.2.3 Paragraph 58 of the DCLG Guidance states:
- "A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence"*
- 1.2.4 The aim of this SoCG is to therefore to provide a clear position of the state and extent of discussions and agreement between Horizon and the NDA on matters relating to the Wylfa Newydd Project as at 4 December 2018.

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<sup>1</sup> Planning Act 2008: Guidance for the examination of applications for development consent (March 2015) paragraphs 58 – 65  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418015/examinations\\_guidance-final\\_for\\_publication.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-final_for_publication.pdf)

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/application-process/example-documents/>

- 1.2.5 DCLG Guidance recognises and expects that SoCG's will continue to evolve in the lead up to and during the examination period (if deemed necessary through on-going discussions between the parties). Discussions between Horizon and the NDA will therefore continue to seek to extend the areas of common ground.
- 1.2.6 This SoCG has evolved through a series of iterative drafts. These drafts have been informed by on-going meetings between Horizon and the NDA. The first draft of this SoCG was provided by Horizon on 27 October 2017, for input and comment by the Horizon and the NDA.
- 1.2.7 The NDA provided feedback on the draft SoCG by email on 4th December 2018. This advised that they would provide further drafting to supplement section 1.4 of the role of the NDA. They also requested that Table 3-1 in the next draft of the SoCG be updated to include the current position in respect of land acquisition (freehold and creation of rights), the extinguishment of private rights, the temporary possession of land, how the necessary interface matters between Horizon and the NDA will be secured and environmental liability. These matters will be updated in the next draft of the SoCG to be submitted to the ExA.
- 1.2.8 The document will be updated as more information becomes available and as a result of on-going discussions between Horizon and the NDA. Updates are recorded in the "Revision History" table provided on the front page of this document.
- 1.2.9 It is intended that the SoCG will provide information for the examination process, facilitating a smooth and efficient examination and managing the amount of material that needs to be submitted.
- 1.2.10 Once finalised, the SoCG will be submitted to the Examining Authority in relation to the application by Horizon under section 37 of the Planning Act 2008 (the Act) for an order granting development consent for the construction of the Wylfa Newydd DCO Project.

## **1.3 Description of Development**

### ***The Wylfa Newydd Project***

- 1.3.1 The Wylfa Newydd Project includes:

### ***The Enabling Works***

- 1.3.2 The Enabling Works comprise the Site Preparation and Clearance Proposals (SPC Proposals) and the A5025 On-line Highway Improvements.
- 1.3.3 Horizon has submitted applications for planning permission for the Enabling Works under the Town and Country Planning Act 1990 to the Isle of Anglesey County Council (IACC) as local planning authority. The On-line Highway Improvements were granted planning permission on 13th July 2018 (ref: 27C106E/FR/ECON). The planning authority resolved to grant the SPC application subject to the signing of a legal agreement on the 5th September



2018. The position with the SPC application was summarised in the SPC Status Note submitted to the Examining Authority by Horizon at Deadline 1.

- 1.3.4 In order to maintain flexibility in the consenting process for the Wylfa Newydd DCO Project, the SPC Proposals have also been included in the DCO application. The A5025 On-line Highway Improvements are not part of the DCO application.

### ***The Wylfa Newydd DCO Project***

- 1.3.5 The Wylfa Newydd DCO Project comprises those parts of the Wylfa Newydd Project which are to be consented by a DCO, namely:

### **The Nationally Significant Infrastructure Project (NSIP)**

- **Power Station:** the proposed new nuclear power station, including two UK Advanced Boiling Water Reactors, the Cooling Water System, supporting facilities, buildings, plant and structures, radioactive waste and spent fuel storage buildings and the Grid Connection;
- **Other on-site development:** including landscape works and planting, drainage, surface water management systems, public access works including temporary and permanent closures and diversions of public rights of way, new Power Station Access Road and internal site roads, car parking, construction compounds and temporary parking areas, laydown areas, working areas and temporary works and structures, temporary construction viewing area, diversion of utilities, perimeter and construction fencing, and electricity connections;
- **Marine works comprising:**
  - Permanent Marine Works: the Cooling Water System, the Marine Off-loading Facility, breakwater structures, shore protection works, surface water drainage outfalls, waste water effluent outfall (and associated drainage of surface water and waste water effluent to the sea), fish recovery and return system, fish deterrent system, navigation aids and Dredging;
  - Temporary Marine Works: temporary cofferdams, a temporary access ramp, temporary navigation aids, temporary outfalls and a temporary barge berth;
- **Off-site Power Station Facilities:** comprising the Alternative Emergency Control Centre (AECC), Environmental Survey Laboratory (ESL) and a Mobile Emergency Equipment Garage (MEEG); and

### **Associated Development**

- the Site Campus within the Wylfa Newydd Development Area;
- temporary Park and Ride facility at Dalar Hir for construction workers (Park and Ride);

- temporary Logistics Centre at Parc Cybi (Logistics Centre);
- the A5025 Off-line Highway Improvements;
- wetland habitat creation and enhancement works as compensation for any potential impacts on the Tre'r Gof Site of Special Scientific Interest (SSSI) at the following sites:
  - Tŷ Du;
  - Cors Gwawr;
  - Cae Canol-dydd

1.3.6 The Power Station will be operational for approximately 60 years after which it will be decommissioned. The buildings will be removed from the site and all spent fuel and radioactive waste managed. The end state of the site will be agreed with the regulators.

### **Licensable Marine Activities**

1.3.7 The Licensable Marine Activities comprise the Marine Works and the Deep Disposal (i.e. the disposal of material from dredging at the Disposal Site at Holyhead North). The Licensable Marine Activities will be consented under a Marine Licence; however the Marine Works would also be consented under the DCO.

1.3.8 A more detailed description of development is contained at Chapter 4 of the Planning Statement (APP-406).

## **1.4 The Role of the NDA**

1.4.1 The NDA are responsible for the safe decommissioning and cleaning up of nuclear facilities, including ensuring that all waste products, both radioactive and non-radioactive, are safely managed. The NDA work closely with Magnox (who own and operate the existing nuclear power station) to ensure the safe and timely decommissioning of the original Wylfa Nuclear Power Station.

1.4.2 Horizon acknowledges the importance of working closely with the NDA (as well as Magnox) to ensure that activities associated with the construction and operation of the proposed Wylfa Nuclear Power Station does not impact NDA/Magnox operations.

1.4.3 A separate SoCG for Magnox has been prepared by Horizon.

## 2 Consultation with the NDA

- 2.1.1 Horizon has undertaken an extensive and comprehensive period of engagement with the NDA throughout the pre-application period and following the submission of the DCO application.
- 2.1.2 The preparation of this SoCG has been informed by a programme of discussions between Horizon and the NDA. Horizon met with the NDA to discuss and document common ground on the following dates:

**Table 2-1 Record of SoCG Meetings (Horizon/NDA)**

Meeting Date	Attendees	Purpose of Meeting
23rd August 2017	Horizon Magnox NDA DWD Atkins	<p>Kick off meeting with Magnox and NDA, Magnox presented position statement. The statement set out Magnox's key queries in the following sections:</p> <ul style="list-style-type: none"> <li>• Site access</li> <li>• Car parking</li> <li>• Site emergency plan</li> <li>• Magnox water main and other services</li> <li>• Highway works</li> <li>• Magnox Drainage</li> <li>• Dewatering operations</li> <li>• Cestyll Gardens and surrounding land</li> <li>• 400kV easement</li> <li>• Future use of the site</li> <li>• Land occupied by contractors car park</li> </ul>
22 <sup>nd</sup> September 2017	Horizon NDA	<p>Meeting to develop NDA position statement. The NDA listed out some addition and some overlapping queries (with Magnox's), these were set out as follows:</p> <ul style="list-style-type: none"> <li>• Cestyll Gardens and surrounding land</li> <li>• 400kV easement</li> <li>• Cooling water outfall</li> </ul>

Meeting Date	Attendees	Purpose of Meeting
11 <sup>th</sup> October 2017	Horizon Magnox NDA	Meeting held to discuss draft DCO document review process with Magnox and NDA.
30 <sup>th</sup> November 2017	Horizon NDA	Meeting to discuss the NDA's comments on the draft SoCG and discuss the draft DCO document review process.
10 <sup>th</sup> August 2018	Horizon NDA	Review, update and identify actions to progress SoCG topics.
19 <sup>th</sup> September 2018	Horizon Magnox NDA	Review, update and identify actions to progress SoCG topics. Update both Magnox and the NDA on SoCG timescales.

## **3 Current Position**

### **3.1 Position of Horizon Nuclear Power and the NDA**

- 3.1.1 The following schedule sets out the position of the NDA alongside Horizon's position.
- 3.1.2 It sets out matters by topic area which are 'on-going' (amber), whereas all agreed matters along with their corresponding agreements, DCO document references and mitigation are to be produced in a Memorandum of Understanding ('MoU') which is a separate document from this SoCG. As such, this document only records matters yet to be agreed.
- 3.1.3 Table 3-1 will be updated in the next draft SoCG to reflect the updates requested by NDA in its email of the 4<sup>th</sup> December 2018.

**Table 3-1 Statement of Common Ground between the NDA and Horizon**

Topic	Sub topic	SOGC ID	Issue	Position between the parties	RAG	Actions required to progress discussion on the topic
<b>CW Outfall</b>	Contamination of Wylfa CW outfall and apron	<b>NDA02<sup>3</sup></b>	Horizon's CW outfall design will interact with the existing Magnox CW outfall and apron. Under current laws, the polluting party is liable for the cost of removing any contamination (conventional and radiological). The NDA is concerned that there will be no way of ascertaining where the contamination has resulted from when it's time to remove the structure if Horizon decided to build over them, leading to a possible dispute in the future.	Both parties are committed to a collaborative approach to investigate the incorporation of the existing structures into the Horizon scheme of works and the transfer and amendment of legal rights necessary to facilitate this.	Ongoing	Surveys have been commission to establish a baseline level of contamination. Horizon will continue to work with the NDA to develop a solution.
<b>CW Outfall</b>	CW outfall Crown Estate interface	<b>NDA06</b>	The NDA has an easement across Crown Estate land which they have a right to discharge over, within the easement there is an apron structure. In order for the NDA to cease their agreement with the Crown Estate, they need to 'reinstate' the foreshore. At present, the definition of what work is required to 'reinstate' the foreshore is not agreed between the parties.	Both parties are committed to working together to find a solution which works for all parties including the Crown.	Ongoing	Horizon will continue to work with the NDA to develop with a solution.
<b>400Kv Land Area</b>	Leasing/acquisition of 400kV land area	<b>NDA04</b>	The NDA has questions of commerciality regarding the potential easement or partial purchase of the 400kV area which would leave them with a package of land that this difficult to sell/would result in management issues. The NDA also want to make sure their interests are protected e.g. long-term car parking.	Horizon is committed to compliance with the NDA's requirements and commercial arrangements as agreed between the two parties. The parties agree that Horizon will operate in the area under LC3 lease with Magnox until such time as the land is de-designated at which time the agreed land deal will be exercised. This will be captured in the land deal and discussed through the land acquisition process.	Ongoing	Horizon will continue to work with the NDA to develop with a solution.
<b>Cestyll Garden</b>	Cestyll Garden Conservation	<b>NDA08</b>	Maintenance and long-term access to remaining parts of Cestyll Garden	Both the NDA and Horizon agree to produce and implement a Conservation Management Plan for Cestyll Garden. This will identify specific measures to meet the aims of greater interpretation, better public access, regular maintenance and repair, and restoration to meet the overall aim of enhancement of the valley garden.  A revised private means of access has been agreed with NDA to gain access to Valley Gardens (Cestyll Gardens) This is shown in DCO drawing ref 'WN0902-HZDCO-ROW-DRG-00020 WYLFA NEWYDD DEVELOPMENT AREA RIGHTS OF WAY DURING CONSTRUCTION SHEET 2' (APP-012).	Ongoing	In advance of the production of a full plan, the policies of a Conservation Management Plan will be produced by Horizon for the agreement of the NDA and relevant stakeholders including Welsh Government.  A draft Conservation Management Plan will be agreed with relevant stakeholders including Welsh Government (Cadw)

<sup>3</sup> Please note that SoCG IDs are not in sequential order as this table has been an ongoing document with removals and additions. The original IDs are retained for consistency with stakeholder