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Subject: Wylfa Newydd DCO Deadline 3 Submissions [NOT PROTECTIVELY MARKED]
Date: 17 December 2018 18:14:21
Attachments: [18 Horizon's Response to Written Representation - IACC .pdf](#)
[19 Horizon's Response to Written Representation - North Wales Police .pdf](#)
[20 Horizon's Response to Written Representation - North Wales Fire and Rescue Service .pdf](#)
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[17 Horizon's Response to Written Representation - Zencity Limited .pdf](#)

Good Evening

This is the second in a series of 8 e-mails for the Wylfa Newydd DCO Examination Deadline 3 deliverables.

The list below provides a complete list of all documents attached to this e-mail and we will also be delivering 2x USB pen drives containing all of our Deadline 3 submission to your offices at 10:00 tomorrow (Tuesday 18th December).

16 Horizon's Response to Written Representation - Welsh Anti-Nuclear Alliance .pdf
17 Horizon's Response to Written Representation - Zencity Limited .pdf
18 Horizon's Response to Written Representation - IACC .pdf
19 Horizon's Response to Written Representation - North Wales Police .pdf
20 Horizon's Response to Written Representation - North Wales Fire and Rescue Service .pdf
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Kind Regards

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Wylfa Newydd Project

Horizon's Response to Written Representation – North Wales Police

PINS Reference Number: EN010007

18 December 2018

Revision 1.0

Examination Deadline 3

Planning Act 2008

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

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1 Horizon response to North Wales Police (NWP) Written Representation

1.1 Introduction

- 1.1.1 This report provides Horizon's response to the written representation submitted by North Wales Police at Deadline 2 (4 December 2018). For ease, cross-references are provided (where appropriate and feasible) and the response generally follows the structure and sequence of the written representation received. Horizon has endeavoured to respond to the key matters raised in this written representation. Where Horizon has not responded to a particular point or issue raised by an Interested Party, this should not necessarily be taken as agreement with that point

1.2 Section 1 – Introduction

- 1.2.1 The Deadline 2 (4 December 2018) response on behalf of North Wales Police (NWP) provides their response on all matters identified in the Rule 8 Letter [PD-010], and the responses to the Examining Authority's First Written Questions [REP2-344] are provided throughout the document (and separately listed at Appendix 2 of the document).
- 1.2.2 This response from Horizon considers each of the sections in NWP's Written Representation [REP2-344]. It is not, however, intended to provide a comprehensive reply to every element of the response and a number of matters are subject to ongoing negotiation between Horizon and NWP through the SOCG process.
- 1.2.3 Separate responses are provided by Horizon to NWP's responses to FWQs, though please note that Horizon's responses on FWQ10.2.10, FWQ10.6.12 and FWQ11.1.13 refer directly to this response to the Written Representation.

1.3 Section 2 – Role and responsibility

- 1.3.1 Horizon recognises NWP's roles and responsibilities throughout North Wales as detailed in section 2 of the Written Representation [REP2-344] and recognises that community safety and prevention and the detection of crime and disorder are key statutory obligations for NWP.
- 1.3.2 Horizon has been engaged with and remains committed to ongoing engagement with NWP regarding its interests in and concerns regarding the Wylfa Newydd DCO Project. The draft SOCG between Horizon and NWP details the history of this engagement [REP2-053]
- 1.3.3 In particular, Horizon is committed to working with NWP and other public bodies to draft a Community Safety Management Strategy (CSMS). Delivery of the CSMS is secured by Requirement PW11 of the Draft DCO [REP1-005]. The CSMS will set out how Horizon will work with existing public bodies, including IACC and the emergency services such as NWP, to ensure the community's safety throughout the life of the Wylfa Newydd DCO Project, and will include a framework of communication routes and ways of working to

mitigate any potential impact of the construction workforce within the community.

- 1.3.4 Horizon appreciates the NWP's concerns raised at paragraph 2.8 that the Wylfa Newydd DCO Project is likely to create additional demand on the NWP service and resources. To mitigate this impact, Horizon has committed to providing funding to NWP for resilience building. This funding will be secured through the draft DCO s.106 agreement as recognised in the draft DCO s.106 agreement Status Note submitted at Deadline 2 (4 December 2018) [REP1-010]. More detail about this financial contribution, and the other mitigation measures proposed by Horizon to address any adverse impacts of the Wylfa Newydd DCO Project on NWP, is provided throughout this response.

1.4 Section 3 – Pre-application engagement

- 1.4.1 Horizon acknowledges and appreciates NWP's engagement throughout the pre-application consultation process of the Wylfa Newydd DCO Project, and its continued engagement in the SOCG process.
- 1.4.2 The early drafts of the SOCG between Horizon and NWP reflected matters raised during PAC1 / PAC2 / PAC3 consultation. The topics in the draft SOCG issued at Deadline 2 (4 December 2018) [REP2-053] reflects areas of agreement between Horizon and NWP and those areas that are subject to ongoing discussion.

1.5 Section 4 – Summary of assessment on impact on police demand

- 1.5.1 NWP have, as part of the Deadline 2 submission (4 December 2018), provided a detailed Police Impact Assessment (a draft of which was issued by NWP to Horizon on 26 October 2018).
- 1.5.2 Horizon has been working with expert advisors to understand the implications of the analysis in NWP's report, and will progress discussions with NWP once this work is complete and report back to the Examining Authority at an appropriate stage on the conclusions of this work.
- 1.5.3 Horizon notes NWP's comment at paragraph 4.17 of its Written Representation that an assessment prepared by NWP's Road Policing Unit (RPU) will be submitted at Deadline 3 (18 December 2018).

1.6 Section 5 – Written Representations on specific impacts: workforce and transport

- 1.6.1 Horizon is working with NWP through the SOCG process to discuss and resolve transport related concerns, and recently met with their consultants Vectos to discuss the matters raised at paragraphs 5.3 – 5.37 of NWP's report.
- 1.6.2 The response below refers to specific paragraphs of NWP's WR. Please note that Horizon's response is commenting on the issues raised in NWP's representation as a whole and therefore responses are not provided to every paragraph, although responses are provided to the principal issues.

- 1.6.3 Paragraph 5.7: The accident analysis provide in the DCO application was the most up to date available at the time of authoring. Since the completion of the Transport Assessment [APP-101], Horizon has assessed the change in accidents reported in Gwynedd and on the Isle of Anglesey in 2016 and 2017 compared to the accidents assessed in the Transport Assessment, specifically Appendix E to the Transport Assessment [APP-106]. The results of this exercise conclude that accident rates are 33% lower on Isle of Anglesey and 30% lower in Gwynedd in 2017 compared to the average accident rates from 2010-2015. Therefore the analysis undertaken in the Transport Assessment is considered robust and a worst case scenario.
- 1.6.4 Paragraph 5.8: The increase in accidents forecast in Appendix E of the Transport Assessment [APP-106] is based on the assumption that the increase in traffic owing to the Wylfa Newydd development will result in a pro-rata increase in accidents. This is a worst-case scenario as it does not account for the A5025 On and Off-Line Highway Improvements which offer safety improvements over the current A5025 alignment, nor does it account for the measures contained within the Code of Conduct (see Workforce Management Strategy [APP-413]), which construction workers will be required to comply with. Measures include ensuring adherence to the Highway Code, speed limits, and other measures to ensure drivers associated with the Wylfa Newydd DCO Project drive safely and considerately.
- 1.6.5 Paragraph 5.10: An extensive list of junctions and links across Anglesey and Gwynedd has been assessed for traffic and transport related impacts, including the impact of increased HGVs on the network. The results of the assessments are summarised in Chapter 11 of the Transport Assessment [APP-101]. The Transport Assessment concludes that no additional mitigation is required beyond that already proposed as part of the Wylfa Newydd DCO Project to mitigate traffic and transport related impacts. With respect to NWP's concerns about worsening congestion, driver risk / frustration and the increased propensity for overtaking/hazardous manoeuvres as a result of the increased levels of HGVs, this is assessed in chapter 2 of the ES [APP-389]. Paragraph 2.5.37 notes: *"The predicted increase in traffic flows along the A5025 between Valley and Tregele in the 2020 Wylfa Newydd 'without bypasses' scenario could result in NMUs (non-motorised users) experiencing an increase in accident risk, especially in villages. Therefore, this represents a small magnitude of change and an adverse effect of minor significance."* Once the bypasses are in place, this effect improves to a minor beneficial effect on this part of the A5025. The effect of HGVs on accident risk has therefore clearly been considered in the assessment.

1.7 Section 5 – Written Representations on specific impacts: MOLF

- 1.7.1 Horizon is aware of NWP's concerns about the apparent lack of detail relating to the operation of the MOLF during the construction period of the main site and is considering these points further.
- 1.7.2 Of particular note, the matter of MOLF security was recently discussed with the NWP at the SOCG meeting on 15 November 2018. As reflected in the draft

SOCG submitted at Deadline 2 (4 December 2018), Horizon has agreed to "undertake a review of potential security measures that could be implemented at the MOLF and will provide NWP with sufficient information in order to undertake an assessment of the potential impact of the construction and operation of the MOLF on the efficient running of their services". Depending on the outcomes of this exercise, these will either be agreed as ongoing management issues and confirmed as such in the SoCG between Horizon and the NWP or secured in the DCO, for example through the CSMS which is to be agreed and subject to a requirement in the draft DCO (PW11). The potential for waterborne protest is addressed further below.

- 1.7.3 In respect of NWP's concerns about contingency planning for the MOLF in the event of bad weather, Horizon would refer to its response to FWQ11.1.6 which states:

"A Request for Non-Material Change (number 2 [AS-021]) to increase the upper daily limit for marine vessel movements from four to 16 movements per day, will support programme recovery following delays, for example after bad weather. Any temporary additional deliveries by road will be made within the limits defined in paragraph 5.4.13 of the Wylfa Newydd Code of Construction Practice, ensuring the total number of construction vehicle movements to the WNDA does not exceed the assessed threshold. A supply of construction materials will be maintained on site in-line with good construction practice and commercial requirements. This will assist in minimising the impact of adverse weather on the MOLF."

- 1.7.4 Paragraph 5.4.6 - For reasons given elsewhere in this response and its response to IACC and Welsh Government Written Representations, Horizon considers that its Transport Assessment is robust and assesses a reasonable worst case scenario. Whilst it is acknowledged that an increased use of the MOLF would potentially have the impact of reducing the number of HGVs on the network, the Transport Assessment [APP-101, Table 1-1] takes a robust approach to this in any event and assesses the use of the MOLF to receive 60% of all construction materials, rather than 80% as anticipated. As the Transport Assessment concludes that the transport impacts of the Project are acceptable, then any use of the MOLF above 60% would be an improvement in traffic terms.

1.8 Section 5 – Written Representations on specific impacts: Protest

- 1.8.1 Horizon recognises NWP is responsible for facilitating the right to peaceful protest. Horizon is committed to ensuring that the risks related to protest are effectively mitigated throughout the project.
- 1.8.2 It is agreed that Horizon has a statutory duty to prevent unauthorised access to the Wylfa Newydd DCO Project and will complete site specific assessments of the security and trespass risk at each site and implement appropriate control measures. The site boundary will be secured and constructed such that it minimises opportunities for unauthorised entry and criminal offences by protestors. Horizon will conduct regular security patrols of the site boundary on a 24-hour basis and this is secured by the Wylfa Newydd CoCP [APP-415].

- 1.8.3 The level of protest seen to date in respect of the Wylfa Newydd DCO Project has been low compared to that experienced in respect of the Hinkley Point C Project (which of itself has experienced limited protest activity as recognised by NWP). In addition, protracted protests such as those experienced by fracking companies have not been experienced by the Hinkley Point C project, nor have there historically been similar protracted protests against civil nuclear power in the UK.
- 1.8.4 Horizon recognises that there is potential for incidents that require a response to occur. As such, Horizon has committed to developing and implementing a protest management strategy in consultation with NWP and other relevant stakeholders. This could involve the appointment of private expertise employed by Horizon to deal with both on-ground, at height and waterborne protest. If such contracted resource is appointed it would ensure the impact on NWP specialist resource is minimised. The commitment to develop a protest management strategy is secured by the Wylfa Newydd CoCP [APP-414].
- 1.8.5 It is agreed that the Wylfa Newydd DCO Project attracts a risk of waterborne protest. Therefore, as detailed at section 5 (MOLF) above, Horizon has agreed to review potential security measures that could be implemented at the MOLF that will help to address this risk that would help to address this risk and seek to agree these measures with NWP through the protest management strategy.

1.9 Section 5 – Written Representations on specific impacts: Cumulative assessment

- 1.9.1 The cumulative effects of the Wylfa Newydd DCO Project together with the North Wales Connection Project have been assessed and are reported in volume I, chapter 5 Inter-project cumulative effects of the Environmental Statement [APP-388].
- 1.9.2 The DCO application for the North Wales Connection Project submitted by National Grid Electricity Transmission Plc also includes a cumulative effects assessment in its Environmental Statement [APP-292]. The cumulative effects assessments both assess the situations in which both projects affect the same receptors.
- 1.9.3 See Horizon's earlier response to paragraph 5.25 of NWP's Written Representation for Horizon's response to the issues raised by NWP on Horizon's Transport Assessment.

1.10 Section 5 – Written Representations on specific impacts: Socio-economic impacts (increase in reported incidents and crime)

- 1.10.1 The NWP, at paragraphs 5.57 to 5.64 of its Written Representation [REP2-344], have raised concerns about the socio-economic impacts likely to arise as a result of the Wylfa Newydd DCO Project. NWP is particularly concerned with the impact from the increase in workforce population upon the general

policing of the area and upon community safety as a result in the potential increase in reported incidents and crime.

- 1.10.2 The potential impact of the Wylfa Newydd DCO Project on public services including the NWP are considered in detail within the socio-economic chapter of the Environmental Statement Chapter C1, [APP-099], using the methodology described in Chapter B1 [APP-067]. The baseline for the assessment of Public Services was collected from an assessment of existing social and community infrastructure within Anglesey and the Arfon area of Gwynedd and additional information was provided from service providers. The methodology used to inform the assessment of increasing population on crime rates is the same as the NWP have presented. However socio-economic assessments are made on the basis of a number of assumptions about data accuracy and reliability. They relate to a simplified model of a complex reality. Predictions have been made on the basis of worst case scenarios using the best available information.
- 1.10.3 The conclusions of the ES remains robust, in that the assessment recognises that the Wylfa Newydd Project is likely to create demand on the NWP service and that risks are perceived at community level regarding potential negative impacts on community safety. This would be mitigated through the draft DCO s.106 agreement and the CSMS (as referred to above). The level of financial contribution which is appropriate to address the necessary resilience building is currently being considered and will be discussed with NWP following the outcome of this work and secured by the draft DCO s.106 agreement. Horizon understands that the project is likely to result in additional demand on the NWP service and resources. To mitigate against this potential impact, Horizon has committed to providing funding to NWP for resilience building measures. This fund is being secured through the draft DCO s.106 agreement as detailed in the draft DCO s.106 Status Note submitted at Deadline 2 (4 December 2018) [REP1-010].
- 1.10.4 As stated in paragraphs 1.1.11 of this response, Horizon is reviewing the NWP impact assessment in detail, including with the benefit of expert advice, and will report back to the Examining Authority once it has done so. The outcomes of this review will inform ongoing discussions with NWP through the SOCG process.

1.11 Section 5 – Written Representations on specific impacts: Socio-economic impacts (proposed mitigation)

- 1.11.1 NWP at paragraphs 5.65 to 5.71 of its Written Representation raises a number of concerns about Horizon's proposed mitigation to address the potential socio-economic effects resulting from the Wylfa Newydd DCO Project, specifically the Workforce Management Strategy (WMS) [APP-413] and the Community Fund proposed to be secured under draft the DCO s.106 agreement. The following text responds to these concerns.
- 1.11.2 The Workforce Management Strategy (WMS) [APP-413] is a certified document under the Draft DCO and represents one of the ways in which

Horizon will secure the effective management and control of its construction workforce to ensure that any effects on communities are minimised as far as possible.

- 1.11.3 The WMS sets out the principles which Horizon and its partners will follow to manage and control the behaviour of contractors and the workforce. Horizon will be required to develop the Code of Conduct with its partners in accordance with the principles set out in the WMS. The Code of Conduct will apply to all personnel and employers whilst working on the Wylfa Newydd DCO Project, both on-site and off-site. The development and implementation of the Code of Conduct is secured through Requirement PW8 in the Draft DCO [REP1-005] which provides that the "Wylfa Newydd Code of Conduct must be prepared in accordance with the principles set out in the Workforce Management Strategy and implemented throughout the construction of the authorised development".
- 1.11.4 The principles of the WMS (which will inform the development of the Code of Conduct) address a range of matters including, for example, compliance with the Code of Conduct and all other relevant behavioural standards, procedures and legislation, completion by the workforce of all necessary induction and training programmes, as well as use by the workforce of certain project facilities and services including, for example, use of the transportation services and facilities provided.
- 1.11.5 Compliance with the Code of Conduct will be secured through labour arrangements with the supply chain, trade unions and between contractors and its employees. As stated in paragraph 1.2.4 of the WMS, the Code of Conduct is intended to supplement, not replace existing law and order provisions in place to protect members of the community and which all individuals are responsible for abiding by.
- 1.11.6 Horizon agrees that each of the principles in the WMS are essential to delivering the project safely, and minimising the potential effects of large numbers of temporary construction workers on the local community. This importance is reflected in the language of the principles which impose mandatory commitments to be reflected in the Code of Conduct as appropriate. By way of example, the WMS principles provide that "all personnel must be courteous to members of the public and respect and support the needs of the community in which they work"; "all personnel must register with the Workforce Accommodation Management Service"; and "all personnel must be aware of and comply with all health, safety, security and emergency processes and procedures". NWP in its Written Representation identifies two examples where the commitments in the WMS principles use the language "should" instead of "must". Horizon will consider these principles in light of the NPW's comments and whether the principles can be reflected as mandatory rather than aspirational.
- 1.11.7 Related to this issue, Horizon notes that it has given deliberate consideration to the language used in the WMS and sought legal advice in the context of employment rights and human rights regarding the principles of the WMS. As a result of this advice, some of the principles need to be reworded due to enforceability. There are nuances from a legal perspective on 'must' and 'should' that can restrict the employees' rights. In light of this, Horizon has

reviewed and adjusted some of the principles to be more effective, while ensuring that they do not infringe on employment rights. These will be submitted at Deadline 4 (17 January 2018).

- 1.11.8 NWP raises concerns about the appropriateness of the mitigation if certain expectations are not borne out.
- 1.11.9 Horizon considers that the suite of mitigation proposed provides sufficient contingency to respond to unforeseen occurrences. In particular, the draft DCO s.106 agreement includes a number of financial contributions and contingency funds that may be applied to meet the costs of any additional mitigation identified as necessary to address any unforeseen adverse impacts arising as a result of the Wylfa Newydd DCO Project.
- 1.11.10 If unforeseen complications are seen in relation to community impacts, these could be mitigated through the Community Fund secured in the draft DCO s.106 agreement at Schedule 12 and is a fund from which applications can be made by communities to build social, economic and environmental resilience in the community. The WNMPOP (or an alternative body, subject to ongoing discussions with IACC and Welsh Government on the administration of the Community Fund) will be authorised to receive and consider applications for funding from the Community Fund from Implementation until the end of the Operational Period. The draft DCO s.106 agreement will set out in detail the type of applicants and the nature of the projects that will be eligible for funding under the Community Fund.
- 1.11.11 In addition to the Community Fund, the draft DCO s.106 agreement provides for a number of other contingency funds. In the event that monitoring undertaken pursuant to the Requirements of the DCO and the draft DCO s.106 agreement identify a significant adverse effect as a result of the Wylfa Newydd DCO Project, contingency funding will be released in accordance with the terms of the draft DCO s.106 agreement to address those effects. For example, the Accommodation (Contingency Fund) proposed in the draft DCO s.106 agreement provides that in the event the Accommodation, Tourism and Leisure Sub-Group indicates a significant adverse effect on the accommodation sector within the KSA or forecasts trends that are likely to lead to a significant adverse effect on the accommodation sector within the KSA funds will be provided to support mitigation measures to address the effect.
- 1.11.12 The heads of terms of the draft DCO s.106 agreement including the financial contributions and contingency funds to be made available under the DCO s.106 agreement are detailed in the DCO s.106 Status Note submitted at Deadline 2 (4 December 2018) [REP1-010] , and a draft agreement has been submitted to the Examining Authority at Deadline 3.
- 1.11.13 NWP also raises concerns about safeguarding. Throughout the development of the DCO application Horizon has considered safeguarding issues. An analysis of Horizon's safeguarding measures is given in response to the IACC's Local Impact Report.
- 1.11.14 Further, Horizon recognises NWP's desire to be involved in the Emergency Services Sub-Group. Horizon anticipates that the NWP will be a member of

the Emergency Services Sub-Group to be established in accordance with the terms of the draft DCO s.106 agreement. Through this sub-group, NWP will have 'day-to-day decision making' powers including informing the production of the Community Safety Management Strategy and be involved in shaping the implementation of the WMS, insofar as it effects the emergency services including implications in relation to its enforcement.

- 1.11.15 Horizon is confident that the proposed mitigation measures will provide effective mitigation against the likely impact of the inevitable large influx of temporary construction workers associated with the Wylfa Newydd DCO Project. Through its involvement in the Emergency Services sub-group, North Wales Police will have the ability to shape the mitigation and implementation of the WMS and be involved in its monitoring. Horizon has a robust strategy, including the WMS, to ensure that the Wylfa Newydd DCO Projects impacts on the community are minimised.

1.12 Section 6 – Plans accompanying the DCO

- 1.12.1 The Wylfa Newydd Code of Construction Practice (CoCP) [REP2-031] and relevant sub-CoCPs [REP2-031 to REF2-036] are certified documents and will be approved under article 76 of the Draft DCO [REP1-005]. The Requirements in Schedule 3 of the Draft DCO states that the construction of the Wylfa Newydd DCO Project, as described in Schedule 1 of the Draft DCO, must be carried out in accordance with the Wylfa Newydd CoCP [REP-031] and relevant sub-CoCPs [REP2-032 to REF2-036] applying to a specific site, unless otherwise agreed by the IACC.
- 1.12.2 Horizon is the company responsible for the delivery of the Wylfa Newydd DCO Project, in whom the powers of the DCO would be vested. However, Horizon will not directly employ all personnel involved in the construction of the Wylfa Newydd DCO Project. Construction contractors will be responsible for demonstrating compliance through appropriate monitoring and audit controls recorded as part of their Construction Environmental Management Plan (CEMP) to meet Horizon's oversight and assurance requirements. It is right that this will be enforced contractually, and the arrangement is typical of large scale infrastructure projects in the United Kingdom.
- 1.12.3 Horizon acknowledges that the Wylfa Newydd CoCP [REP2-031] and sub-CoCPs [REP2-032 to REF2-036] may be further refined during the Examination period, in response to scrutiny and comments from the Examining Authority, other interested parties and stakeholders. It is Horizon's opinion that by the close of the DCO Examination period, the Wylfa Newydd CoCP [REP2-031] and sub-CoCPs [REP2-032 to REF2-036] will contain the necessary details sought by the relevant stakeholders. Therefore, there would be no need to add an additional requirement to the DCO in this respect.
- 1.12.4 Horizon has already submitted pro-active revisions of the Wylfa Newydd CoCP [REP2-031] and relevant sub-CoCPs [REP2-032 to REF2-036] at Deadline 2 (4 December 2018) and is expecting to provide the next revisions at Deadline 4 (17 January 2019).
- 1.12.5 Horizon would like to clarify that there is not a hierarchical structure to the CoCPs on the Wylfa Newydd DCO Project. Horizon reminds NWP that the

sub-CoCPs [REP2-032 to REF2-036] are not intended be read on their own, and that each site will be subject to the project-wide controls within Wylfa Newydd CoCP [APP-414] as well as those from the relevant site specific sub-CoCP. Therefore, it is right to specify that if there were to be a site-specific control measure that contradicted a project-wide control, the bespoke site specific measure would prevail over the project-wide measure if that instance were to occur.

Programme Board and Engagement Sub Groups (now WNMPOP)

- 1.12.6 Horizon considers the WNMPOP and its sub-groups are the appropriate mechanism for securing delivery of mitigation in accordance with the draft DCO s.106 agreement. As detailed in the draft DCO s.106 agreement Status Note [REF1-010], the principal purpose(s) of the WNMPOP would be to:
- Provide a forum for resolving strategic planning matters relating to the Wylfa Newydd DCO Project; and
 - Act as the decision maker in relation to the release and targeting of certain contingency funds to be secured through the draft DCO s.106 agreement.
- 1.12.7 The WNMPOP would have eight topic focused sub-groups that report to it on planning-related matters; the Emergency Services sub-group being one such topic focused sub-group. These sub-groups would focus on issues at a more detailed level and recommend specific mitigation proposals to the WNMPOP. Horizon recognises the important contribution that NWP and the other emergency services can make to strategic planning matters relating to the Wylfa Newydd DCO Project and considers that this is best achieved through participation in the focused sub-groups who will be empowered to make recommendations up to the WNMPOP.
- 1.12.8 The draft terms of reference set out the proposed governance process for the WNMPOP; these were shared with IACC and Welsh Government on 11 November 2018. The final agreed terms of reference are proposed to be annexed to the draft DCO s.106 agreement.
- 1.12.9 It is noted that the WNMPOP's role in relation to monitoring is still under discussion with IACC and Welsh Government. The WNMPOP would only make decisions in relation to monitoring frequency and approach where this is not otherwise secured by the draft DCO s.106 agreement or elsewhere in the Draft DCO.

Socio economic effects

- 1.12.10 NWP raises some concerns about Horizon's role in monitoring socio-economic impacts of the Wylfa Newydd DCO Project through the Workforce Accommodation Management Service (WAMS).
- 1.12.11 While Horizon will be obliged under the Draft DCO s.106 agreement to establish and therefore after operating the WAMS for the duration of the construction period, Horizon and IACC will undertake to establish a WAMS Oversight Board for the operation of the WAMS. It will be the responsibility of the WAMS Oversight Board to operate the WAMS and to report on its

operation and effectiveness to the Accommodation, Tourism and Leisure sub-group who will in turn report to the WNMPOP as necessary.

Community Safety Management Strategy

- 1.12.12 As recognised earlier, Horizon is committed to working with NWP and other public bodies to prepare a Community Safety Management Strategy (CSMS). The principles of the CSMS are secured through the Wylfa Newydd CoCP [REP2-031]. It is proposed to amend the principles relating to Community Safety in the Wylfa Newydd CoCP [REP2-031] in response to engagement with the emergency services and relevant partners. A revised Wylfa Newydd CoCP is therefore proposed to be submitted at Deadline 4 (17 January 2018). Horizon recognises the comments made in paragraph 6.27 and will liaise further with NWP to define the proposed area of impact.
- 1.12.13 Delivery of the CSMS is secured by Requirement PW11 of the Draft DCO [REP1-005]. The CSMS will set out how Horizon will work with existing public bodies, including IACC and the emergency services such as NWP, to ensure the community's safety throughout the life of the Wylfa Newydd DCO Project, and will include a framework of communication routes and ways of working to mitigate any potential impact of the construction workforce within the community.
- 1.12.14 In terms of additional resources for NWP, as detailed above, Horizon has committed to providing funding to NWP for resilience building. This funding will be secured through the draft DCO s.106 agreement as recognised in the draft DCO s.106 agreement Status Note [REP1-010].

General Site Management

- 1.12.15 As detailed above, the Workforce Management Strategy (WMS) [APP-413] sets out the principles that will inform the development of the Code of Conduct which will guide workforce conduct and behaviours during the construction of the Wylfa Newydd DCO Project. The Code of Conduct is secured through Requirement PW8 in the Draft DCO [REP1-005].
- 1.12.16 As detailed in the WMS, the Code of Conduct will apply to all personnel and employers whilst working on the Wylfa Newydd DCO Project, both on-site and off-site. The principles relate to compliance with a Code of Conduct, compliance with relevant behavioural standards, procedures and legislation, training provision and completion, as well as enforcing the use of certain project facilities and services.
- 1.12.17 The WMS recognises that Horizon will work with the supply chain, trade unions and contractors to develop and agree an appropriate Code of Conduct. The NWP are included in the Emergency Services SubGroup, therefore as Horizon develops the Code of Conduct and monitors its progress NWP will have the opportunity to be included in its development and monitoring, where practicable and appropriate to help deliver the Code of Conduct.

Traffic & Transport Management Strategy

1.12.18 Horizon's construction management including traffic and transport management will be secured via the Wylfa Newydd Code of Construction Practice [REP2-031] and sub-CoCPs [REP2-032 to REF2-036]. These documents are subject to a DCO Requirement as listed in Schedule 3 of the Draft DCO [REP1-005]. Therefore, there is no need to have a standalone strategy in this respect, as the traffic measures being employed are secured through existing core documentation.

1.12.19 As already stated, Horizon has acknowledged that certified documents may be further refined during the Examination period, in response to scrutiny and comments from the Examining Authority, other interested parties and stakeholders.

1.13 Section 6 – Plans accompanying the DCO: other plans accompanying the DCO

1.13.1 Horizon notes NWP's request to have an approval right over a large number of plans and documents under the DCO requirements. See Horizon's response in relation to section 7 of the NWP WR below.

1.14 Section 6 – Plans accompanying the DCO: additional plans requested by NWP

1.14.1 Horizon has structured the Wylfa Newydd DCO application so as to be supported by a number of certified documents that seek to be approved under article 76 of the Draft DCO [REP1-005]. In many instances the Requirements in Schedule 3 of the Draft DCO set out the controls to be applied over the Wylfa Newydd DCO Project in accordance with a suite of 'control' documents rather than a wider number of individual plans or strategies, as requested by NWP.

1.14.2 As we have already stated, Horizon has acknowledged that certified documents may be further refined during the Examination period, in response to scrutiny and comments from the Examining Authority, other interested parties and stakeholders. It is Horizon's opinion that by the close of the Examination period, the Wylfa Newydd CoCP [D2-58] and sub-CoCPs [REP2-032 to REF2-036], as well as other certified documents subject to DCO Requirements, will contain the necessary details sought by the relevant stakeholders.

1.14.3 As noted above, proactive revisions to a number of DCO application documents were made by Horizon at Deadline 2 (4 December 2018), and this will continue as we progress through the Examination Period.

1.15 Section 7 – The DCO and Explanatory Memorandum

1.15.1 Table 7-1 of NWP's Written Representation provides a schedule of plans and strategies which NWP suggest require NWP involvement. It sets out NWP's comments on the need for further involvement in drafting and agreement. It

also refers to the additional plans requested by NWP as set out at paragraph 6.42 of NWP's response.

- 1.15.2 Horizon notes NWP's request to have an approval right over a number of these plans and documents under the DCO Requirements.
- 1.15.3 However, Horizon considers this would be inappropriate as it is primarily IACC who will be the discharging authority for the purposes of the Requirements. It is not standard practice to identify more than one discharging authority within a DCO Requirement. To do so would not only undermine IACC's role as a discharging authority but would be overly onerous on both Horizon as the developer and NWP, and likely result in significant delays in obtaining approvals, which is contrary to the intention to the Planning Act 2008.
- 1.15.4 Horizon provides the following response to Table 7-1 (which, where appropriate, summarises the responses provided earlier in this response):

Plan	Horizon comment
Wylfa Newydd CoCP	As noted at the DCO Issue Specific Hearing (24 October 2018), the control documents will continue to be developed and refined throughout the Examination in response to stakeholder and Examining Authority's concerns, and Horizon is proposing to submit further updated versions of the Wylfa Newydd CoCP, the sub-CoCPs and the Wylfa Newydd CoOP at Deadline 4 (17 January 2019) which will build upon the updates made at Deadline 2 (4 December 2018).
Wylfa Newydd CoOP	
Sub CoCPs	
Code of Conduct	Horizon notes that the Code of Conduct must be in accordance with the principles of the Workforce Management Strategy which is a certified document under the Draft DCO. It is important to note that the DCO does not provide any tailpiece provision in respect of the Workforce Management Strategy, and so the principles that are approved as part of the Examination are the principles that will apply for the duration of the construction period. Therefore, Requirement PW8 requires Horizon to prepare and implement a Code of Conduct in accordance with the principles of the Workforce Management Strategy. As such, there is no further requirement for approval of the Code of Conduct. Horizon considers that the

	principles are sufficiently effective and robust, and will be brought through to the Code of Conduct effectively therefore there is no need for a discharging authority in respect of the Code of Conduct. The NWP are included in the Emergency Services Sub-Group, therefore as Horizon develops the WMS/ Code of Conduct and monitors its progress they will have the opportunity to be included in its development and monitoring, where practicable and appropriate to help deliver the Code of Conduct.
Supplier Code of Conduct	The Code of Conduct and the Workforce Management Strategy will include requirements relating to employers' obligations. These clearly specify what behaviours, practices and regulations will be expected to be demonstrated and complied with, this includes the promotion of local recruitment during construction. Compliance by all contractors to this Code of Conduct this will be contractually enforced.
Workforce Management Strategy	Horizon disagrees with NWP view that PW8 does not secure compliance. Requirement PW8 (1) states that the Wylfa Newydd Code of Conduct must be prepared in accordance with the principles set out in the WMS and implemented through the construction of the authorised development, which clearly secure compliance. In addition, under Article 76 and Schedule 18 of the draft DCO the Workforce Management Strategy is a Certified Document.
Worker Accommodation Strategy	The measures in the WAS are translated and secured in the draft DCO s.106 agreement and therefore secured as planning obligations. It is not necessary for this to be a certified document.
Workers Accommodation Portal	The commitment to opening the Worker Accommodation Portal prior to commencement is to be secured in the draft DCO s106 agreement.
CSMS	As already stated, the Wylfa Newydd CoCP provides that NWP will be involved in the development of the CSMS prior to its submission to IACC approval in accordance with Requirement PW11.

Health and Wellbeing Strategy	The health and wellbeing commitments that Horizon is making are fully integrated through the core documentation of the DCO application. This includes the draft DCO s.106 agreement, Draft DCO [REP1-005] and other certified documents as appropriate. This brings the strategy that has been developed with key stakeholders into the heart of the DCO rather than as a standalone document.
Operational Travel Strategy	As already stated, Horizon has acknowledged that certified documents may be further refined during the Examination period, in response to scrutiny and comments from the Examining Authority, other interested parties and stakeholders.
Nuclear Site Security Plan	It is not appropriate for NWP to have approval rights in respect of the Site Security Plan (previously called the Nuclear Site Security Plan). This is a document that is approved by the Office for Nuclear Regulation in accordance with the Nuclear Industries Security Regulations 2003. NWP will be a stakeholder in one particular section of the plan but have no authority for its approval. IACC are not a stakeholder in any part of the Site Security Plan.
Protest Management Strategy	Horizon intends to develop and implement a protest management strategy in consultation with NWP and other relevant stakeholders. NWP would therefore be a stakeholder with regards to the protest management strategy, but again as this would form part of the wider Site Security Plan it is not appropriate for NWP to have approval rights over this strategy.
Jobs and Skills Strategy	The commitments Horizon is making in terms of local jobs and skills are being secured through the draft DCO s.106 agreement, Draft DCO [REP1-005] and other certified documents as appropriate. This brings the strategy that has been developed with key stakeholders into the heart of the DCO rather than as a standalone document.
Traffic Incident Management Plan	NWP is noted as a consultee in respect of the Protest Management Strategy, the Traffic Incident Management Strategy and the Construction Management Strategy in accordance with the

	principles in those documents that will be approved as part of the DCO process.
Construction Traffic Management Strategy	Horizon's construction management is being secured via the Wylfa Newydd Code of Construction Practice [APP-414] and sub-CoCPs [APP-415 to APP-420]. These documents are subject to a DCO Requirement as listed in Schedule 3 of the Draft DCO [REP1-005]. Therefore, there is no need to have a standalone strategy in this respect, as the traffic measures being employed are secured through existing core documentation. As already stated, Horizon has acknowledged that certified documents may be further refined during the Examination period, in response to scrutiny and comments from the Examining Authority, other interested parties and stakeholders.
MOLF Operation Plan	Horizon's management principles of the MOLF is being secured via the Marine Works sub-CoCP [APP-416]. This document is subject to a DCO Requirement as listed in Schedule 3 of the Draft DCO [REP1-005]. Therefore, there is no need to have a standalone plan in this respect. As already stated, Horizon has acknowledged that certified documents may be further refined during the Examination period, in response to scrutiny and comments from the Examining Authority, other interested parties and stakeholders.

1.16 Section 8 – Section 106 obligation

- 1.16.1 Horizon met with NWP to discuss its resourcing proposals on 15 November 2018. Since then it has been working with expert advisors to understand the implications of the NWP proposals. Until that work is done, Horizon is unable to substantively engage on detailed discussions on quantum of the provision for resilience for NWP in the draft DCO s.106 agreement.
- 1.16.2 By way of overview of the proposals in context, the NWP request is for £13.83 million of which almost £2.0 million is sought before the Wylfa Newydd DCO Project commences. A further £683,300 is requested for a new police station. These figures exclude an as yet unquantified sum for road traffic policing and unquantified sums in both reassessment costs and contingency costs.
- 1.16.3 By way of comparison it was considered a contribution of circa £3 million to the Avon and Somerset Constabulary was appropriate in the case of the Hinkley C DCO s.106 agreement (although the individual context of the project

is important). Planning obligations must of course be necessary to make the development acceptable in planning terms; directly related to the development; fairly and reasonably related in scale and kind to the development; and reasonable in all other respects.

- 1.16.4 It is relevant that workers in PRS and owner occupied accommodation will all pay council tax (including the precept for police and fire) and all workers pay income tax to fund these services.
- 1.16.5 In terms of the NWP request for direct payment, Horizon has set out in its response to the IACC Written Representation the differing positions being taken by IACC and other stakeholders on third party payments, and refers to the deed of covenant proposal it has put forward in that response.
- 1.16.6 In terms of the statement that the Wylfa Newydd CoCP [APP-414] should contain more information as regards the Emergency Services Sub-Group, Horizon notes that draft Terms of Reference for the WNMPOP and its sub-groups (including the broad roles of all sub-groups including the Emergency Services Sub-Group) were shared with the IACC and Welsh Government on 12 November 2018; at this stage further discussions are required with these stakeholders on the principles of the WNMPOP. It is proposed that the operational role of the WNMPOP and its subgroups are set out in signed terms of reference appended to the DCO s.106 agreement. This is considered an appropriate approach which avoids the need for inflexible speculative contractual drafting to closely define the roles of groups whose roles are anticipated to evolve over time, and which reflects how IACC, WG, Horizon and many other stakeholders currently effectively work in managing working groups which have been meeting and operating well. Horizon has acknowledged the need for high level discussion on the constitution, role and membership of the WNMPOP and meetings have been scheduled with IACC and Welsh Government accordingly.

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