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The Planning Inspectorate
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20th December 2018

DCRM Ref. No: HNP-HZDCO-PAC-LET-00013

Dear Ms Sully,

Wylfa Newydd Development Consent Order Revised Rule 8 letter

Having received the revised Rule 8 letter at Deadline 3, 18 December, I am writing to comment on each of the proposed changes:

1. Proposal to deal with change requests for Worker Shift Patterns, HGV Movements and Working Hours
2. Changes to s106 timetable
3. Additional information on January 2019 hearings

Addressing each of these in turn:

1. Change requests

The revised Rule 8 letter states that the candidate changes were submitted at Deadline 1 (incorrectly quoted as 17 January, rather than 13 November) and requests comments on them from Interested Parties by Deadline 4 (17 January) with Horizon responding in turn by Deadline 5 (12 February).

Horizon wishes to bring to PINS' attention that it has not formally submitted change requests for Worker Shift Patterns, HGV Movements and Working Hours to the Examination, at Deadline 1 or any other time. Horizon has only sent public consultation materials on candidate changes to PINS and the ExA at the start of consultation on 8 November 2018 (at 15:15) for information only. These documents were not submitted as part of our formal submissions at Deadline 1 (13 November 2018). In the cover email (attached), Horizon stated that the

consultation would run from 8 November to 6 December, after which Horizon would have regard to representations received, and then formally submit any resulting request(s) for change at either Deadline 3 or 4 (subject to the nature and number of representations received). This was confirmed in the recent cover letter accompanying the Deadline 3 submission which stated that these change requests would be formally submitted at Deadline 4. Horizon expects that if the ExA accepted the requests for change into Examination, comments on them could be sought at the next appropriate deadline (e.g. Deadline 5).

The proposals for managing the change requests in the revised Rule 8 letter are therefore based on a misunderstanding of the reasons why these change requests were provided on 8 November, and do not work with the timetable currently being followed by Horizon. The consultation was completed on 6 December as advised; representations were received from 16 Interested Parties; and Horizon is well advanced in responding to them. Having completed our consultation as scheduled, and having had regard to representations received, Horizon intends to submit the formal requests for change at Deadline 4 (as stated in our cover letter to Deadline 3 submissions). Assuming these changes are accepted into Examination, we suggest that Interested Parties may be asked to submit comments by Deadline 5, and Horizon to respond to those comments by Deadline 6.

Accordingly, Horizon proposes that the request for comments on the three changes at Deadline 4 is withdrawn.

2. Section 106 timetable change

Horizon notes that the ExA has amended the timetable for submission of the section 106 agreement. The original Rule 8 letter required a final form agreement at Deadline 6 (19 February 2019) and a signed agreement at Deadline 8 (25 March 2019). The amended Rule 8 letter requires:

Activity	Deadline	Date
<i>Draft s.106 agreement</i>	3	<i>Complete</i>
Updated Draft s.106 agreement	6	19 Feb 2019
Final form s.106 agreement	7	14 March 2019
Signed s.106 agreement	8	25 March 2019

Horizon asks that the ExA reconsiders this timetable for the following reasons:

- Having reviewed all the representations from the relevant statutory authorities and interested parties, Horizon believes that there is a consensus that the mitigation package needs to be considered in the round in order to facilitate agreement of the s.106 agreement. The fact that the final form s.106 agreement is required to be provided at Deadline 7, while the final draft DCO is required at Deadline 8 means that the s.106 part of the mitigation package will have to be finalised ahead of the Order. It will be most efficient and flexible for them to be finalised in tandem.

- There is a very short period between Deadline 7 and 8 (6 working days) to secure all the internal governance approvals for both Horizon and IACC as well as finalise the completion mechanics of the agreement.

While Horizon is committed to progressing the section 106 as expeditiously as possible, Horizon remains concerned about the practicality of the revised timetable and would ask that the ExA considers a different timetable as set out below. Having spoken to IACC and Welsh Government we understand that they have similar concerns and are also in support of this proposal:

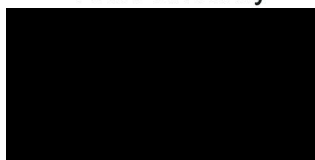
Activity	Deadline	Date
<i>Draft s.106 agreement</i>	3	<i>Complete</i>
Updated draft s.106 agreement	6	19 Feb 2019
Final form s.106 agreement	8	25 March 2019
Signed s.106 agreement	10	17 April 2019

3. Additional information on January hearings

Please be advised that Horizon has already run notices advertising the hearings as set out in the original Rule 8 letter. Horizon considers that the additional information is not significant enough to warrant re-running notices, particularly over the Christmas period when such notices may be less visible to the public. We assume this is acceptable, however please let us know if you do not agree.

We would request that the revised Rule 8 letter submitted 18 December 2018 is updated in accordance with the relevant points as set out above.

Yours sincerely



Kieran Somers

Head of Planning

