

**From:** [Ben Lewis](#)  
**To:** [Kay Sully](#); [Wylfa Newydd](#)  
**Subject:** Proposed Development Consent Order at Wylfa Newydd - Response to Examination Deadline 4  
**Date:** 17 January 2019 21:36:20  
**Attachments:** [image275113.png](#)  
[image631291.png](#)  
[image567946.png](#)  
[image646209.png](#)  
[27102 A3 BL - Deadline 4 Cover Letter 190117.pdf](#)  
[Deadline 4 Submission - Socio-Economics ISH \(170119\) - SUBMITTED.pdf](#)  
[Deadline 4 Submission - Traffic & Transport ISH \(170119\) - SUBMITTED.pdf](#)  
[Deadline 4 Submission - DCO ISH2 \(170119\) - SUBMITTED.pdf](#)  
[NWP s106 Heads of Terms - revision 3 17 January 2019.pdf](#)  
**Importance:** High

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Kay

On behalf of North Wales Police, I am pleased to enclose the submissions for Deadline 4 on behalf of North Wales Police (NWP). These include the following:

- Written submission of oral case made at the Issue Specific Hearing on 7th January 2019 on socio-economic matters (Doc Ref: WN-NWP-ISHS-E-DL4 v1);
- Written submission of oral case made at the Issue Specific Hearing on 8th January 2019 on traffic and transport matters (Doc Ref: WN-NWP-ISHT&T-DL4 v1);
- Written submission of oral case made at the Issue Specific Hearing on 9th January 2019 on the draft Development Consent Order (Doc Ref: WN-NWP-ISHDCO2-DL4 v1);
- Updated Section 106 Heads of Terms Required By North Wales Police for Wylfa Newydd Nuclear Power Station (Doc Ref: WN\_NWP\_HOT\_R3)

I look forward to hearing from you with confirmation of receipt of this submission.

Many thanks and kind regards

Ben  
**Ben Lewis**  
Infrastructure and Energy Director



**DDI:** 02920 660913  
**M:** 0739 186 6880  
**W:** [www.bartonwillmore.co.uk](http://www.bartonwillmore.co.uk)  
Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL

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Ms Kay Sully  
The Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**By email only**

Our Ref: 27102/A3/BL/D4/170119  
17<sup>th</sup> January 2019

Dear Kay,

**The Planning Act 2008**

**The Infrastructure Planning (Examination Procedure) Rules 2010**

**Application by Horizon Nuclear Power for an Order Granting Development Consent for the Wylfa Newydd Nuclear Power Station (Ref: EN010007)**

**Response to Examination Deadline 4**

Please find enclosed the submissions for Deadline 4 on behalf of North Wales Police (NWP). These include the following:

- Written submission of oral case made at the Issue Specific Hearing on 7<sup>th</sup> January 2019 on socio-economic matters (Doc Ref: WN-NWP-ISHS-E-DL4 v1);
- Written submission of oral case made at the Issue Specific Hearing on 8<sup>th</sup> January 2019 on traffic and transport matters (Doc Ref: WN-NWP-ISHT&T-DL4 v1);
- Written submission of oral case made at the Issue Specific Hearing on 9<sup>th</sup> January 2019 on the draft Development Consent Order (Doc Ref: WN-NWP-ISHDCO2-DL4 v1);
- Updated Section 106 Heads of Terms Required By North Wales Police for Wylfa Newydd Nuclear Power Station (Doc Ref: WN\_NWP\_HOT\_R3)

The submissions made in the enclosed are summarised below.

**Oral case made at the Issue Specific Hearing on 7<sup>th</sup> January 2019 on socio-economic matters**

NWP consider the Project as the most significant policing challenge for North Wales Police for a generation, due to the sheer size of increase in population along with the inevitable increase in demand and breadth of that demand. To put it into context, the second largest town on Anglesey is Llangefni, which has a population of 5,000 people and this development will result in a population

increase of 7,000 people.

NWP has liaised on numerous occasions with Avon and Somerset Constabulary and has used "lessons learned" from Hinkley Point C Nuclear Generating Station to prepare the impact assessment submitted at Deadline 2 [REP2-345]. This assessment is based on the standard methodology used across the police force. It has been dealt with by using the established model adopted by numerous police forces across England and Wales, which looks at population increase and the impact this has on police demand.

The Applicant's socio-economics assessment vastly underestimates the potential impact on NWP, as it is not confined to the KSA, which is the Applicant's own stated assessment area. Instead, the Applicant incorrectly utilises the North Wales crime rate figure. When the correct area is assessed, the Applicant and NWP conclude a similar level of impact.

In very broad terms, the key concerns for NWP are as follows:

- As drafted the section 106 agreement is not fit for purpose – NWP need to see the mitigation set out in its Heads of Terms and the Assessment included in the drafting;
- NWP needs control over any plans which are relevant to community safety. These are set out in more detail in NWP's submissions on ISH2 on the DCO (9 January 2019);
- NWP needs to ensure data collection is robust and fit for purpose; NWP's prime concern is being able to monitor accurately the number of non-local workers on the island and the locations of where they are living. NWP submit that the section 106 agreement is amended so that it is mandatory for all workers to register on the workers accommodation portal and register when they move into accommodation, what it is and where it will be. NWP then are provided access to such data; and
- NWP needs the ability to monitor the Project throughout construction and ensure the impacts proposed have not changed.
- The Applicant has made reference to the £3m mitigation fund provided to Avon and Somerset Constabulary for Hinkley Point C, in comparison to the £29.3m required by NWP. The two scenarios are in no way comparable and, as already explained, the sum has been calculated through "lessons learnt" from Hinkley Point C. The Project is a completely different nuclear power station, in a different part of the Country, being consented at a much later date. The assessment results in part from the way "things were done" at Hinkley Point C, but is not comparable.

### **Oral case made at the Issue Specific Hearing on 8th January 2019 on traffic and transport matters**

NWP is concerned as to the robustness of the Applicant's Transport Assessment (TA), in that it may have underestimated the effect of this project from a highway and transport perspective.

The effect of the development on highway safety is a key issue for NWP in terms of the prevention and treatment of accidents occurring on the local / strategic highway network.

NWP is concerned about the effect of significant volumes of slow moving HGV traffic and construction worker traffic on the local and strategic road network. The concern is that these considerable extra vehicle movements over a period of 9 years will give rise to capacity issues at junctions and links on the local / strategic highway network and that consequently this will manifest

itself in a higher propensity for overtaking manoeuvres, greater driver frustration and increased numbers of shunt and Personal Injury Accidents.

The headline concerns from NWP are as follows:

- The TA is based on 2014 traffic data which is outdated and has been shown to be lower than 2017 data used in the recently submitted DCO application for the North Wales Connection Project (NWCDCO). This may have a significant bearing on the assessment of junction and link capacity.
- The cumulative effects of the NWCDCO and the Wylfa Newydd projects has not been assessed correctly in the Wylfa Newydd Transport Assessment. As such NWP cannot determine its resourcing requirements accurately. This is a fundamental oversight as the NWC proposals are inextricably linked and further more propose some 40 two-way HGV movements per hour over a period of 6 years. Whilst the Applicant dismiss this effect as relatively small, the HGV forecasts from the NWCDCO proposals are now commensurate with the revised hourly HGV profile for the Wylfa nuclear power station and so must be assessed correctly particularly on the A55 corridor.
- NWP considers that too much reliance is afforded to the Code of Construction Practice (CoCP) and the sub-CoCPs to control the assumptions made within the traffic forecasts and logistics management. Given the potential implications on highway safety and police resources, it is not acceptable to rely on CoCP to do the job of sensitivity testing after the event has occurred – this is reactive and not proactive planning.
- The TA does not fully assess the highway safety implications of the proposals in the context of considering damage only or highway disruption events. This is particularly relevant at the Britannia Bridge whereby there have been over 500 highway disruption incidents of the last 5 years.
- Given the concerns surrounding the TA, NWP need to have an element of control, or consultation, in relation to certain plans and documentation, or parts of certain plans, which are important in the context of transport.

#### **Oral case made at the Issue Specific Hearing on 9th January 2019 on the draft Development Consent Order**

NWP has undertaken a reasonable and proportionate assessment of impacts upon the force. What is being asked for is only what is necessary and required to maintain the current service offering. No more, no less. NWP wants to engage with parties and want to ensure that they can actively manage and police the North Wales area to ensure community safety and the prevention of crime and disorder.

In this regard, it is imperative to ensure that NWP and the proposed Emergency Services Consultation Group (ESCG) can input into and inform plans and documentation, rather than having to react to changes that directly affect them. There is a vital need for pro-activity, it is not sufficient to take a reactive approach as this will not work for NWP from a practical resourcing perspective.

A key area of concern for NWP is the interaction of the various plans and requirements proposed by the Applicant as a means of securing the delivery of an appropriate form of development and any required mitigation. Currently the majority of the plans and strategies are secured through the CoCP, however this document does not contain enough detail and is not fit for purpose. NWP needs to ensure all plans and strategies which may impact on its statutory functions are adequately

secured, to achieve this the requirements need updating and adding to so that the relevant plans and strategies are secured in Schedule 3 of the DCO. The changes that NWP expects to see in the next revision of the draft DCO are set out in the table at Appendix 2.

NWP also has concerns regarding the role of the WNMPPOP and the Emergency Services Engagement Sub-Group (ESESG) as proposed by the Applicant in relation to the CSMS. Currently its remit is very narrow, given the primary role of NWP is to ensure community safety, the ability of NWP to approve certain key elements of mitigation, or appropriate plans, is a crucial aspect of ensuring NWP can fulfil this role. The WNMPPOP does not currently allow for this, so NWP consider there is a need for a standalone Emergency Services Consultation Group (ESCG), which would play a wider role in the approval of plans relevant to the emergency services and their functions. Details of the ESCG's proposed role in the relevant plans is set out in Table 1 within doc ref: WN-NWP-ISHDCO2-DL4 v1.

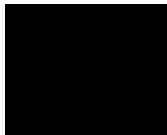
NWP have concerns regarding the current draft of the section 106 agreement. Schedule 9 (emergency services) as drafted is unacceptable and NWP have submitted revised heads of terms (Doc Ref: WN\_NWP\_HOT\_R3), which must be incorporated into the draft section 106 agreement. This is vital to secure the appropriate mitigation and ensure the impacts of the Project on NWP and its resources can be adequately monitored throughout construction.

In summary NWP seeks the following outcomes:

- The inclusion of a series of requirements for the formal approval of the plans and strategies identified in the application submission;
- A consultation and agreement role in the approval of management plans and strategies which are relevant to its statutory duties;
- The definition of the structure, governance and role of the WNMPPOP (if it is to apply and exist) through an article in the DCO;
- The inclusion of a change management and review mechanism on approved plans and strategies through amended requirements of the s106 agreement; and
- The establishment of an Emergency Services Consultation Group (based on terms of reference secured in the s106 agreement) involving NWP, North Wales Fire & Rescue Service (NWFRS) and Welsh Ambulance Service NHS Trust (WAST) that can act as a consultation body for the approval of plans and strategies across a number of topic areas and have an active representative on the Programme Board / WNMPPOP.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,



**Ben Lewis**

Infrastructure & Energy Director



**HEDDLU GOGLEDD CYMRU**  
Gogledd Cymru diogelach

**NORTH WALES POLICE**  
A safer North Wales

**WYLFA NEWYDD NUCLEAR POWER STATION PROJECT DEVELOPMENT CONSENT ORDER  
APPLICATION**

**PLANNING INSPECTORATE REFERENCE: EN010007**

**Deadline 4 Submission: ISH TRAFFIC & TRANSPORT, 8 JANUARY 2019  
ON BEHALF OF NORTH WALES POLICE**

**Doc Ref: WN-NWP-ISHT&T-DL4 v1**

**17<sup>th</sup> January 2019**

## Executive Summary

North Wales Police (NWP) are concerned as to the robustness of the Applicant's Transport Assessment (TA), in that it may have underestimated the effect of this project from a highway and transport perspective.

The effect of the development on highway safety is a key issue for NWP in terms of the prevention and treatment of accidents occurring on the local / strategic highway network.

NWP is concerned about the effect of significant volumes of slow moving HGV traffic and construction worker traffic on the local and strategic road network. The concern is that these considerable extra vehicle movements over a period of 9 years will give rise to capacity issues at junctions and links on the local / strategic highway network and that consequently this will manifest itself in a higher propensity for overtaking manoeuvres, greater driver frustration and increased numbers of shunt and Personal Injury Accidents.

The headline concerns from NWP are as follows:

- The TA is based on 2014 traffic data which is outdated and has been shown to be lower than 2017 data used in the recently submitted DCO application for the North Wales Connection Project (NWDCO). This may have a significant bearing on the assessment of junction and link capacity.
- The cumulative effects of the NWDCO and the Wylfa Newydd projects has not been assessed correctly in the Wylfa Newydd Transport Assessment. As such NWP cannot determine its resourcing requirements accurately. This is a fundamental oversight as the NWC proposals are inextricably linked and further more propose some 40 two-way HGV movements per hour over a period of 6 years. Whilst the Applicant dismiss this effect as relatively small, the HGV forecasts from the NWDCO proposals are now commensurate with the revised hourly HGV profile for the Wylfa nuclear power station and so must be assessed correctly particularly on the A55 corridor.
- NWP considers that too much reliance is afforded to the Code of Construction Practice (CoCP) and the sub-CoCPs to control the assumptions made within the traffic forecasts and logistics management. Given the potential implications on highway safety and police resources, it is not acceptable to rely on CoCP to do the job of sensitivity testing after the event has occurred – this is reactive and not proactive planning.
- The TA does not fully assess the highway safety implications of the proposals in the context of considering damage only or highway disruption events. This is particularly relevant at the Britannia bridges whereby there have been over 500 highway disruption incidents of the last 5 years.
- Given the concerns surrounding the TA, NWP need to have an element of control, or consultation, in relation to certain plans and documentation, or parts of certain plans, which are important in the context of transport.

## Introduction

1. This document sets out North Wales Police's (NWP) formal response to the agenda items 4, 5 and 7, Socio-economics and Traffic and Transport at the recent issue-specific hearing (held on January 8<sup>th</sup>) for the Wylfa Nuclear Power Station proposals.
2. The structure of this note follows the agenda structure for Traffic and Transport at the ISH.
3. NWP have provided the Examination with a detailed analysis, via its Road Policing Unit (RPU) and various Vectos submissions to the Examining Authority, of the resourcing required to maintain the level of police services to the community. This resourcing is based on the information provided by the Applicant and follows a detailed review of the Integrated Traffic & Transport Strategy (APP-107) and Transport Assessment (TA) (APP-101), submitted by the Applicant, which underpin the movement objectives for the proposed development.
4. NWP has then taken the conclusion of the Wylfa Newydd TA in relation to the impact on the network and used its own data, including STATS 19 from the Department for Transport (DfT), to accurately plot and then forecast resources, noting that the RPU unit does not have access to VISSIM or COBA modelling tools.

### Agenda item 4B - To understand in further detail:

*i traffic generation and modelling matters – has the traffic model been agreed? If not, what specifically is in dispute?*

5. NWP are concerned as to the robustness of the Applicant's TA, in that it may have underestimated the effect of this project from a highway and transport perspective. This is such a complex project which needs to be fully understood.
6. Whilst the scope of the TA and its various components may have been agreed by Isle of Anglesey County Council (IACC) and the Welsh Government (WG) some time ago, that does not mean that using 2014 Manual Classified Count (MCC) data is now the correct basis on which to assess the effect of the proposals in 2019. It is fundamental to the various assumptions and traffic modelling relied upon to gauge the effect of the proposed nuclear Power Station, that correct and up to date base traffic data is used rather than traffic data which is five years old (2014). NWP appreciates that the project started a long time ago but given the scale and magnitude of the proposal this is not considered to be an onerous request.
7. In order to confirm the accuracy of the traffic data used to underpin the TA and traffic modelling, NWP have compared the Wylfa Newydd and North Wales Connection (NWDCO) TA's which are considered to be intrinsically linked. However, both TAs use different traffic data. Notably, at some of the key junctions highlighted in the Applicant's TA, observed traffic volumes in 2017 from the NWDCO TA are significantly higher – up to 11% than used in the Wylfa assessment.
8. As such, NWP contends that the assessment of the proposals has significantly underestimated the base position at key junctions and links and renders the future predictions of traffic and effect questionable.
9. the Applicant state in their SoCG with NWP, reproduced in NWP DL3 submission [REP2-044], that it acknowledges that the NWDCO Applicant has used more recent traffic data. This is an acknowledgment that the submitted TA is not an accurate reflection of the NWDCO TA i.e. that the Wylfa Newydd TA used the best available information at the time of its assessment to



inform the TA. NWP is concerned that no further action is proposed to address this shortcoming.

10. The scope of the TA was agreed by IACC and WG some time ago and updated traffic data needs to be acquired or sensitivity testing should be undertaken to understand the implications of this oversight. This will allow NWP to quantify the implications in terms of congestion, delay on the network. In turn, this will enable NWP to proactively manage highway safety by providing the appropriate level of police resources to maintain existing service levels. Note that, depending on the level of effect, this may be different to what has previously been set out within the RPU Police Impact Assessment.
11. In addition, the traffic modelling does not provide a full analysis of the cumulative effect of the NWDCO proposals. Whilst this relates to modelling, cumulative impact has its own Agenda item – number 7, and hence NWP's comments on the inadequacy of the cumulative assessment are made later within this document.
12. Moreover, NWP considers that too much reliance is afforded to the Code of Construction Practice (CoCP) and the sub-CoCPs to control the assumptions made within the traffic forecasts and logistics management.
13. Given the potential implications on highway safety and police resources, it is not acceptable to rely on the CoCP to do the job of sensitivity testing after the event has occurred – this is reactive and not proactive planning.
14. Consequently, sensitivity tests should be undertaken on the network – links and junctions to ensure that:
  - The effect of any additional HGV movements arising from overestimated / changes in MOLF proportions, can be quantified.
  - To appraise the effect of changes in shift patterns / operating hours.
  - The effect of NWC Traffic (40, 2-way HGV movements per day) for 6 years on sensitive parts of the network (not just at Britannia Bridges) can be understood in delay and capacity terms.
  - The proportion of car sharing at both Park and Ride and the development site car parks and the general effect of the Travel Plan principles can be tested.
  - Flexibility of alternatives for the Temporary Workers Accommodation (TWA) to be located off site (as discussed at day 1 of the ISH) – what effect of housing these workers offsite would have on the local / strategic highway network.
15. NWP confirmed during the hearing that if the TA is revised, this may have an impact on the impact assessment carried out by NWP and this may need to be revised to take into account the revised TA.

*ii - the adequacy of the proposed highway improvements to accommodate the predicted construction traffic and an update on the progress with the planning application for the on-line highways works on the A5025.*
16. Given the current uncertainty on the traffic modelling and forecasting as set out in response to 4b (i), NWP reserve the right to comment on this further subject to the detail of the response received from the Applicant.

*iv. the benefits and dis-benefits of the provision of a separate logistics centre and park and ride facility including proposed alternatives.*

16. Justification needs to be provided in relation to the strategy for locating the Logistics Centre and P&R at A55 junctions 2 and 4 respectively as both of these are key to the overall transport strategy and both have the ability to attract a significant quantum of traffic.
17. For example, NWP question the rationale for locating the logistics centre at A55 junction 2 compared to junction 3 at Valley. This means that for every HGV journey to Wylfa there is an unnecessary, additional 12km per vehicle in additional mileage with corresponding effects of congestion, noise and air quality issues. Given the volumes of HGV proposed and taken over 9 years this is a considerable effect.
18. In addition, NWP question why only one Park and Ride site has been chosen to accommodate some 26% of the projected workforce living offsite given the dispersed /rural nature of the catchment area. For example, 1600 workers (35%) living off site are stated not to use Park and Ride because of their location. It would be more appropriate to have numerous, smaller Park and Ride sites to maximise the efficiency and to limit the amount of private vehicle mileage (and hence effect) for the Park and Ride strategy.

**Agenda item 4C - To understand whether any differences between the IPs on these matters could be resolved through additional work, mitigation or changes to requirements of the DCO.**

19. Given the concerns surrounding the TA, NWP need to have an element of control, or consultation, in relation to certain plans and documentation, or parts of certain plans, which are important in the context of transport.
20. Therefore, in order to secure adequate control and monitoring of the impacts on traffic and transport caused by the Project, the following Plans need to be prepared and secured through requirements in the DCO or the section 106 agreement (more details are included in Appendix 2 of the ISH2 DCO submissions (Ref: WN-NWP-ISHDCO2-DL4 v1) made by NWP, also submitted at deadline 4):
  - A Construction Traffic Management Plan
  - An Operation Travel Strategy
  - A Traffic Incident Management Plan
  - A MOLF Operational Plan
  - An AIL plan (See Reps DL2 – Page 37) and (DL3 reps, page 22)
  - Monitoring and Manage the Approach to Car Parking: The updated CoCP at 3.4.20 proposes a "monitor and manage" approach to car parking. NWP consider this will be ineffective in requiring workers to utilise the alternative provision available. NWP submit that it would be necessary to secure a commitment to car sharing, including a specific number of car sharing parking spaces on site. Non-compliance of this should be managed more robustly than simply stating that spot checks could result in refusal of entry to the site.
  - An Early Years Strategy to minimise effect on the network and ensure highway safety is not compromised prior to the MOLF and proposed bypasses.

- A Strategy for returning empty HGVs, particularly on the A5025 eastbound towards Amlwch.

#### Monitoring

- 21 NWP consider a full monitor and manage section is required within the section 106 agreement, which provides the ability for NWP (or the Emergency Services Consultation Group – for more detail see the ISH DCO2 submission – ref: WN-NWP-ISHDCO2-DL4 v1) to monitor traffic data to check that the assumptions contained within the transport assessment are robust.
- 22 As stated above, if anything the assessment NWP has undertaken is based on a TA that may have underestimated the impacts, NWP have concerns that the quantum and therefore level of resource set out in the police impact assessment as being required to mitigate the impacts of the Project may be inadequate. This means that ongoing monitoring and management of the impacts on the road network is imperative. NWP need to be able to monitor the impacts against those proposed by the TA and must be able to revise its impact assessment and the quantum of mitigation required if the impacts caused by the Project are in fact greater than those set out in the TA. The details of this mechanism are set out in NWP's Section 106 Heads of Terms (updated Revision 3 submitted at Deadline 4).

#### ANPR

22. In addition, and as previously set out in the NWP RPU Police Impact Assessment report, NWP request that extensive Automatic Number Plate Recognition (ANPR) is provided in addition to the DMATS monitoring system for HGVs proposed.
23. ANPR technology is used to help detect, deter and disrupt criminality at a local, force, regional and national level, including tackling travelling criminals, Organised Crime Groups and terrorists. ANPR provides lines of enquiry and evidence in the investigation of crime and is used by law enforcement agencies throughout England, Wales, Scotland and Northern Ireland. In addition to being mounted within police vehicles. ANPR has a wider safety role and is vital to maintaining community safety. This type of technology plays a fundamentally different role to the DMATS monitoring system proposed by the Applicant and is therefore needed as well as, rather than instead of, the DMATS system.
24. ANPR has wider benefits to the community other than monitoring HGV / construction traffic, and as such, is better suited to the wider security of North Wales. ANPR provides live data for all emergency services and can be used to track all vehicles. ANPR can also be used in connection with average speed cameras to ensure that vehicle speeds are kept to the prescribed limit to improve road safety particularly on the A5025.
25. NWP's RPU report has outlined the suggested locations for ANPR.

#### **Agenda item 5 – Other Road Users:**

- a) *To consider the effect of additional traffic during construction on other road users with particular reference to severance, delay and blue light services.*
26. NWP are concerned as to the robustness of the Applicant's TA, in that it may have underestimated the effect of this project from a highway and transport perspective.

27. The effect of the development on highway safety is a key issue for NWP in terms of the prevention and treatment of accidents occurring on the local / strategic highway network. Indeed, NWP take a proactive approach to highway safety as can be seen with improving highway safety records. Put another way, the fact that improving highway safety records exist show that NWP are doing their job properly, as accident prevention, rather than reacting to accidents. Maintaining the free flow of traffic on the roads and junction is fundamental to this and the ability (or lack) of the highway network to accommodate significant, material increases in traffic should not be overlooked.
28. NWP is concerned about the effect of significant volumes of slow moving HGV traffic and construction worker traffic on the local and strategic road network. The concern is that these considerable extra vehicle movements over a period of 9 years will give rise to capacity issues at junctions and links on the local / strategic highway network and that consequently this will manifest itself in a higher propensity for overtaking manoeuvres, greater driver frustration and increased numbers of shunt and Personal Injury Accidents.
29. The Britannia Bridge is a critical pinch point on the network during peak times and whilst the Applicant have considered traffic capacity, they have not considered the effect of highway disruption or damage only accidents resulting from large increases in HGV movements attributable to the proposed development.
30. Over the past 5 years, NWP have been involved in dealing with 500 highway disruption and 23 damage only accidents at the Britannia Bridge. Importantly, and from an operational perspective, dealing with these events can take equal amount of NWP time and resources as some of the minor Personal Injury Accidents (PIA), particularly if a carriageway is blocked or an accident involves a HGV. Chief Superintendent Harrison submitted the bridge is closed a few times a month due to an incident.
31. Typically, it takes RPU Officers on average around 40 minutes to deal with a typical breakdown incident; and dealing with a broken down LGV/HGV can take significantly longer. More vehicles, particularly HGVs related to Wylfa have the potential to worsen the situation and more policing is likely to be required.
32. In addition, unfortunately, the number of incidents involving individuals suffering from mental health issues has seen a continual increase from 2013. Three key locations were identified with one of these being Britannia Bridge. Adverse incidents have the capability to have significant impact especially on the confines on the bridge.
33. Due to the frequency of incidents, there needs to be a robust plan for the stacking and storage of HGVs during periods when the Britannia Bridge is closed.
34. Given that NWP's concerns bring into question the validity of the applicant's TA in underestimating the effect of this project from a highway and transport perspective, it reserves the right to revise its police forecasting requirements, should the counter evidence provided by the Applicant not be sufficiently robust.
35. Importantly, many of NWP's concerns are shared with various other statutory consultees.
36. As stated above, NWP therefore require a review of the TA to be undertaken by the Applicant in order to address the concerns raised by NWP, followed by an updated assessment to be produced. In that regard, given that if anything, the assessment NWP has undertaken is based on a TA that may have underestimated the impacts, NWP have concerns that the quantum and therefore resource that it has set previously in order to maintain the current level of policing on Anglesey will not be sufficient.

**Agenda item 7 – Cumulative effects:**

- a) to understand the progress of the WG proposals for a third Menai crossing and the implications for the Application.*
37. NWP agree that a cumulative assessment would need to be undertaken but do not consider there is sufficient information available at the moment to undertake a robust assessment that is underpinned by firm design proposals and an effective baseline on which to base it.
- b) To explore whether the potential cumulative effects of traffic that could be generated from other projects including North Wales Connection and the third Menai crossing have been fully considered.*
38. National Transport Guidance contained in the National Planning Policy Framework and Transport evidence bases in plan making and decision taking, clearly states that there should be consideration of the cumulative impacts of existing and proposed development on transport networks.
39. NWP agree with the submissions from WG and IACC that the cumulative effects of the Wylfa Newydd and NWDCO projects have not been assessed correctly. As such NWP cannot determine its resourcing requirements accurately.
40. the Applicant's TA only assesses the effect of the NWDCO proposals at the Britannia Bridges [REP3-020].
41. This is a fundamental oversight as the NWDCO proposals are inextricably linked and further more propose some 40 two-way HGV movements per hour over a period of 6 years. Whilst the Applicant dismiss this effect as relatively small, the HGV forecasts from the NWDCO proposals are now commensurate with the revised hourly HGV profile for the Wylfa nuclear power station and so must be assessed correctly particularly on the A55 corridor.
42. It is also noted in the SoCG between the Applicant and National Grid [REP2-044], there is an acknowledgment by the Applicant that the submitted TA is not an accurate reflection of the NWDCO TA and therefore this must be updated. NWP is concerned that no further action is proposed to address those shortcomings.

## SECTION 106 HEADS OF TERMS REQUIRED BY NORTH WALES POLICE FOR WYLFA NEWYDD

### NUCLEAR POWER STATION

#### 1. INTRODUCTION

- 1.1 North Wales Police (**NWP**) has prepared a comprehensive Assessment of the Impact on Police Demand which has been submitted in two parts at Deadline 2 and Deadline 3 (**Impact Assessment**) that evidences mitigation required to effectively police the North Wales area, for the lifetime of the proposed Wylfa Newydd Nuclear Power Station.
- 1.2 The mitigation identified is broad; however it is fair and proportionate to the scale and complexity of the proposed development. The Impact Assessment is realistic mitigation to address the influx of up to 7,000 additional non-local workers and the detrimental impact this population increase will have on policing.
- 1.3 It should be noted that in order to inform the Impact Assessment and proposed mitigation, North Wales Police have discussed policing issues with the Avon and Somerset Constabulary following the grant, and associated implementation of, the Hinkley Point C (Nuclear Generating Station) Order 2013.

#### 2. HEADS OF TERMS

Application Reference	PINS Reference Number: EN010007	
Site Address	Wylfa Newydd Anglesey	
DCO	The draft Wylfa Newydd (Nuclear Generating Station) Order	
Applicant	Horizon Nuclear Power (HNP)	
Council	Isle of Anglesey County Council (IACC)	
Proposed Obligations		
	Obligation	Trigger

Notification of commencement	HNP must notify NWP of the date that it intends to commence development.	2 years prior to commencing development or upon completion the agreement, whichever is the earlier.
Police Construction Contribution	<p>HNP must make ten payments as set out below directly to NWP to be used for the purposes summarised at paragraph 3:</p> <p>Year 0: £2,511,000</p> <p>Year 1: £2,428,000</p> <p>Year 2: £2,735,000</p> <p>Year 3: £3,422,000</p> <p>Year 4: £3,775,000</p> <p>Year 5: £4,076,000</p> <p>Year 6: £3,639,000</p> <p>Year 7: £2,924,000</p> <p>Year 8: £1,608,000</p> <p>Year 9: £1,499,000.</p>	<p>The first payment is due upon the later of the date development consent is granted or 2 years prior to commencement of development, whichever is the earlier.</p> <p>Subsequent payments are payable on the anniversary of the first payment for a period of 9 years.</p>
Police Contribution report	<p>NWP must provide HNP with a report setting out:</p> <ul style="list-style-type: none"> <li>• how the payments received to date have been spent; and</li> <li>• whether there has been an overspend or underspend – if there is an overspend (not exceeding 10% of the last payment) the additional funds are payable by HNP to NWP within 28 days (unless the matter is referred to arbitration or mediation) and if there is an underspend any surplus funds must be returned to HNP within 28 days.</li> </ul>	Three months following receipt of the second Police Construction Contribution payment and annually thereafter for a period of 9 years.
Ceasing construction	If HNP cease construction for a period of more than 1 month, it may request a break in the Police Construction Contribution payments.	-

	<p>NWP will prepare a summary of Administrative Running Costs (the costs in relation to maintaining increased resource for the proposed period that development will cease for), which will need to be covered during the break in payment within 28 days of receiving a request from HNP.</p> <p>HNP has 14 days to approve the level of Administrative Running Costs – any dispute is to be referred to arbitration or mediation.</p>	
Delay in construction programme	<p>NWP may revise its impact assessment in accordance with the terms below if there is a delay of more than 1 month in the construction timetable.</p>	
Monitoring data	<p>NWP must be provided with all monitoring data in relation to:</p> <ul style="list-style-type: none"> <li>• The Workers Accommodation Portal – this data must as a minimum set out how many workers are currently employed by HNP and where they are living; and</li> <li>• Traffic and Transport – this data must as a minimum show the number of additional vehicles using the roads in North Wales as a direct consequence of the Project, in accordance with the provisions below.</li> </ul>	
Revised impact assessment	<p>NWP may request monitoring data (see above) from HNP no more than bi-annually.</p> <p>The data must be received within 14 days of receiving a request.</p> <p>Following receipt of the monitoring data NWP may prepare an updated impact assessment (if deemed necessary) and submit this to IACC and HNP for review. This must set out the justification for any revised calculations for the mitigation requirements.</p> <p>HNP has a period of 14 days to review the revised impact assessment and confirm whether it is agreed.</p>	Following the first payment and no more than once a year.



	<p>If HNP does not agree with the report, it has a right to reply and make comments/ counter proposals within 35 days of receiving the report.</p> <p>If NWP do not agree with any revisions proposed by HNP, the process can be referred to arbitration or mediation, which requires the process to be dealt with in full within a 28 day period. That decision is binding and final.</p>	
Decommissioning	<p>At the point of decommissioning, HNP must supply NWP with a copy of the environmental impact assessment in order that NWP can carry out an assessment on the impacts of decommissioning on NWP resources (<b>decommissioning assessment</b>).</p> <p>HNP must make any additional payments identified by the decommissioning assessment in accordance with the timings set out in the assessment.</p> <p>If HNP do not agree with the mitigation proposed by NWP, the process can be referred to arbitration or mediation, which requires the process to be dealt with in full within a 28 day period. That decision is binding and final.</p>	
Contingency fund for emergency services	<p>A contingency fund for emergency services must be secured within the section 106 agreement.</p> <p>The administration procedures must be set out to ensure there is a robust set of criteria against which any request for funds can be considered by WNMPOP.</p> <p>There must be an obligation that requires HNP to make a payment to NWP from the contingency fund in the event that unforeseen mitigation is required in relation to a one-off event which falls outside of the scope of the impact assessment (e.g. an evacuation event or a protest).</p> <p>HNP must apply to WNMPOP for a payment which will be assessed against the criteria for funding requests before the application is determined.</p>	-

<p>Emergency Services Consultation Group</p>	<p>HNP must establish an Emergency Services Consultation Group (ESCG), which must consist of at least one representative from each emergency service. The ESCG must have a representative sitting on board of the WNMPOP, or, if the WNMPOP is not considered the most robust mechanism to review and monitor various plans and documentation, the ESCG will sit as a standalone consultee group.</p> <p><b>Role in relation to plans</b></p> <p>The ESCG must convene to review the operation of the relevant plans secured through the DCO and consider whether the plans remain appropriate once approved. It must also be notified of any proposed changes to these plans submitted to IACC by HNP and given an opportunity to comment on these changes.</p> <p>The ESCG may also suggest any changes deemed necessary to IACC for approval, provided those changes do not lead to materially new or different environmental effects.</p> <p>Any changes must also be reported to the Applicant who have 14 days to comment on the changes. If no agreement can be reached the matter should be referred to mediation or arbitration.</p> <p>The relevant plans are:</p> <ul style="list-style-type: none"> <li>• Code of construction practice;</li> <li>• Code of operational practice;</li> <li>• Sub codes of construction practice for associated developments;</li> <li>• Code of conduct;</li> <li>• Supplier code of conduct;</li> <li>• Workforce accommodation strategy;</li> <li>• Community safety management strategy;</li> </ul>	<p>Prior to commencement of development.</p> <p>At least four times a year for the first 10 years following commencement of development and twice a year thereafter for the lifetime of the development.</p>
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	<ul style="list-style-type: none"> <li>• Health and Wellbeing strategy;</li> <li>• Operational travel strategy;</li> <li>• (Offsite) Site security plan;</li> <li>• Protest management strategy;</li> <li>• Traffic incident management plan;</li> <li>• Construction traffic management strategy;</li> <li>• Operation traffic management strategy;</li> <li>• MOLF operational plan; and</li> <li>• Abnormal Indivisible Load Management Plan.</li> </ul> <p><b>Role in relation to other changes</b></p> <p>The ESCG must be notified of any other change to the schemes construction or operation, applied for by HNP to IACC pursuant to Schedule 19 of the DCO (see submissions on Schedule 19 in the ISH2 DCO note) and given an opportunity to comment on these changes.</p> <p>The ESCG may also suggest any alterations to the proposed changes deemed necessary to IACC for approval, provided those alterations do not lead to materially new or different environmental effects.</p>	
Approval of plans	<p>ESCG must give prior approval of the following plans before IACC as discharging authority approve these plans:</p> <ul style="list-style-type: none"> <li>• Code of Conduct and Supplier Code of Conduct (if separate);</li> <li>• Protest management strategy;</li> <li>• Traffic incident management plan;</li> <li>• Health and wellbeing strategy (if it includes safeguarding); and</li> </ul>	

	<ul style="list-style-type: none"> <li>• MOLF operational plan.</li> </ul> <p>ESCG must be consulted on the following plans prior to being approved by IACC:</p> <ul style="list-style-type: none"> <li>• Code of construction practice;</li> <li>• Code of operational practice;</li> <li>• Sub-Code of construction practice;</li> <li>• Site Security Plan;</li> <li>• Operational travel strategy;</li> <li>• MOLF Operational Plan;</li> <li>• Construction traffic management strategy;</li> <li>• Operation traffic management strategy; and</li> <li>• Abnormal Indivisible Loads Management Plan</li> </ul> <p><i>This may be secured within the wording of the requirements in the DCO rather than forming part of the s106 obligations.</i></p>	
Community safety management strategy (CSMS)	<p>The CoCP states that the "Emergency Services Engagement Sub-Group" (EESG) will prepare the CSMS at paragraphs 3.4.6 to 3.4.10. The EESG contains a wider group of stakeholders than the ESCG, containing a number of other bodies, including IACC.</p> <p>On this basis, the EESG must give prior approval of this strategy before IACC as discharging authority approves the CSMS.</p>	
Community Impact Fund	<p>The ESCG Emergency Services Engagement Group must be notified of any applications for funds from the Community Impact Fund.</p> <p>The ESCG must be given two weeks to review the application and decide whether the application affects or relates to community safety.</p>	-

	If the ESCG Group decides the application does affect or relate to community safety, it will be appointed as one of the bodies responsible for determining the application. A mechanism must be established within the Section 106 Agreement in order to ensure that the Community Impact Fund is properly distributed and controlled.	
Temporary Police Facility	HNP must pay £683,000 to NWP to construct a new police station to accommodate the additional policing resource.	Upon completion of the s106 agreement.
Police arbitration/mediation clause	<p>The disputes clause (clause 12) included in the draft s106 but requires some changes.</p> <ul style="list-style-type: none"> <li>the parties must be updated to include NWP and ESCG;</li> <li>a set timescale is required for the appointment of an expert (15 working days);</li> <li>the appointment of a solicitor must be as soon as reasonably practicable following referral to the Law Society president;</li> <li>there must be timescales for notifying the parties of a hearing date or that a decision will be made on the papers (15 working days); and</li> <li>the expert must be required to make requests for submissions or supporting material within a set timeframe (10 working days).</li> </ul> <p>If a deed of covenant is to be used, NWP intend to include its own disputes clause.</p>	-
Professional fees	To pay all reasonable professional fees incurred by NWP in connection with the negotiation and completion of the section 106 agreement.	Upon completion of the section 106 agreement.
Indexation	All payments payable to NWP should be index linked to the Retail Price Index ( <b>RPI</b> ), but NWP have the right to review this provision if at any time inflation exceeds RPI.	

	The current s106 draft uses CPI, therefore additional wording needs to be included in Schedule 9 to confirm an alternative index applies.	
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### 3. JUSTIFICATION FOR CONTRIBUTION

#### 3.1 Police Resourcing Requirement

3.1.1 In Wales there is a strong positive correlation between population and reported incidents and crime, meaning areas with larger populations experience more reported incidents and crime. Models based on this principle show the estimated population increase of 7000 at the point of the Peak Worker Scenario in 2023 as defined by Horizon is likely to result in a 7.8% increase in crime and a 6.1% increase in reported incidents.

3.1.2 The Impact Assessment sets out in detail the need for additional resourcing, but a summary of the additional fulltime employees required and associated costs are shown in the table below:

Function	Year 0		Year 1		Year 2		Year 3		Year 4		Year 5		Year 6		Year 7		Year 8		Year 9	
	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k
Local Policing	9	154	6	281	9	408	13	583	17	768	17	768	17	768	9	408	3	154	9	154
Custody	0	0	0	0	0	0	0	0	1	41	1	41	1	41	0	0	0	0	0	0
Operational and Emergency Planning	1	48	1	48	1	48	2	96	2	96	2	96	2	96	2	96	1	48	1	48
Road Policing Unit – RPU and Commercial Vehicle Unit	9	455	18	868	22	1,059	26	1,250	26	1,250	26	1,250	26	1,250	22	1,059	9	455	9	455
Force Control Centre	1	36	1	36	1	36	2	73	2	73	2	73	2	73	1	36	1	36	0	0
Managed Response Unit	0	0	0.25	8	0.25	8	0.5	15	0.5	15	0.5	15	0.25	15	0.25	8	0	0	0	0
Investigation Support Unit	0	0	0.25	8	0.25	8	0.5	15	0.5	15	0.5	15	0.25	15	0.25	8	0	0	0	0
Crime Services	3	143	3	143	4	191	5	239	5	239	5	239	5	239	4	191	3	143	2	96

Function	Year 0		Year 1		Year 2		Year 3		Year 4		Year 5		Year 6		Year 7		Year 8		Year 9	
	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k	FTE	£k
Administration of Justice	0	0	0.5	15	0.5	15	1	30	1	30	1	30	1	30	0.5	15	0	0	0	0
Programme Management and Support	2	96	2	96	2	96	2	96	2	96	2	96	2	96	2	96	2	96	2	96
Training	5	239	4	191	3	144	3	144	2	96	2	96	2	96	2	96	2	96	2	96
Overheads		351		508		603		762		815		815		815		603		308		283
Exit Costs		0		0		0		0		0		0		0		272		272		272
Total Requirement	24	1,523	36	2,201	43	2,615	55	3,302	59	3,533	59	3,533	59	3,533	43	2,886	21	1,608	19	1,499

### 3.2 Policing Capital Requirement

In addition to resource, capital investment in infrastructure is also required to support the core policing. This has been broken down into four main elements. The total investment required over years 0-9 is £3,065,000 with all costs based on current 2018-19 costs is set out below.

Function	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Total
<b>Facilities</b> (Using land which is currently part of the NWP estate and building a new police station)	683	0	0	0	0	0	0	0	0	0	683
<b>Vehicle Costs</b> (Based on three models currently used by NWP, a full breakdown is	285	184	110	101	199	224	95	0	0	0	1,237



Function	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Total
available in the Impact Assessment)											
<b>Equipment Costs</b> (ANPR cameras, average speed cameras and ProLaser)	642	0	0	0	0	300	0	0	0	0	942
<b>IT Infrastructure</b> (Laptops, desktops, tablets, airwave radios, mobiles etc)	62	43	11	18	42	18	11	0	0	0	204
<b>Total Costs £k</b>	<b>1671</b>	<b>227</b>	<b>121</b>	<b>119</b>	<b>241</b>	<b>542</b>	<b>105</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,065</b>



**HEDDLU GOGLEDD CYMRU**  
Gogledd Cymru diogelach

**NORTH WALES POLICE**  
A safer North Wales

**WYLFA NEWYDD NUCLEAR POWER STATION PROJECT DEVELOPMENT CONSENT ORDER  
APPLICATION**

**PLANNING INSPECTORATE REFERENCE: EN010007**

**Deadline 4 Submission: ISH SOCIO-ECONOMICS, 7 JANUARY 2019  
ON BEHALF OF NORTH WALES POLICE**

**Doc Ref: WN-NWP-ISHS-E-DL4 v1**

**17<sup>th</sup> January 2019**

## **1. INTRODUCTION**

- 1.1 These submissions have been prepared following the Issue Specific Hearing regarding socio-economic issues held on 7 January 2019. These submissions are based on the submissions made at the hearing on behalf of NWP, but contain more detail.
- 1.2 The following attendees spoke on behalf of North Wales Police at the Issue Specific Hearing:
  - 1.2.1 Jennifer Holgate, Legal Advocate, Womble Bond Dickinson LLP;
  - 1.2.2 Ben Lewis, Infrastructure & Energy Director, Barton Willmore;
  - 1.2.3 Chief Superintendent, Nigel Harrison, Operation Support Services, North Wales Police;
  - 1.2.4 James Davies, Programme Manager, North Wales Police: and
  - 1.2.5 Laura Williams, Business Analyst, North Wales Police.
- 1.3 CVs for the people listed above are appended to this document as Appendix 1.

## **2. SUMMARY OF KEY ITEMS RELATIG TO THIS ISH**

- 2.1 NWP consider the Project as the most significant policing challenge for North Wales Police for a generation, due to the sheer size of increase in population along with the inevitable increase in demand and breadth of that demand. To put it into context, the second largest town on Anglesey is Llangefni, which has a population of 5,000 people and this development will result in a population increase of 7,000 people.
- 2.2 NWP has liaised on numerous occasions with Avon and Somerset Constabulary and has used "lessons learned" from Hinkley Point C Nuclear Generating Station to prepare the impact assessment submitted at Deadline 2 [REP2-345]. This assessment is based on the standard methodology used across the police force. It has been dealt with by using the established model adopted by numerous police forces across England and Wales, which looks at population increase and the impact this has on police demand.
- 2.3 The Applicant's socio-economics assessment vastly underestimates the potential impact on NWP, as it is not confined to the KSA, which is the Applicant's own stated assessment area. Instead, the Applicant incorrectly utilises the North Wales crime rate figure. When the correct area is assessed, the Applicant and NWP conclude a similar level of impact .
- 2.4 In very broad terms, the key concerns for NWP are as follows:
  - 2.4.1 As drafted the section 106 agreement is not fit for purpose – NWP need to see the mitigation set out in its Heads of Terms and the Assessment included in the drafting;
  - 2.4.2 NWP needs control over any plans which are relevant to community safety. These are set out in more detail in NWP's submissions on ISH2 on the DCO (9 January 2019);
  - 2.4.3 NWP needs to ensure data collection is robust and fit for purpose; NWP's prime concern is being able to monitor accurately the number of non-local workers on the island and the locations of where they are living. NWP submit that the section 106 agreement is amended so that it is mandatory for all workers to register on the workers accommodation portal and register when they move into accommodation, what it is and where it will be. NWP then are provided access to such data; and
  - 2.4.4 NWP needs the ability to monitor the Project throughout construction and ensure the impacts proposed have not changed.
- 2.5 The Applicant has made reference to the £3m mitigation fund provided to Avon and Somerset Constabulary for Hinkley Point C, in comparison to the £29.3m required by NWP. The two

scenarios are in no way comparable and, as already explained, the sum has been calculated through "lessons learnt" from Hinkley Point C. The Project is a completely different nuclear power station, in a different part of the Country, being consented at a much later date. The assessment results in part from the way "things were done" at Hinkley Point C, but is not comparable.

### 3. NWP SUBMISSIONS ON AGENDA ITEMS

#### Agenda item 3: Accommodation

***(a) To establish whether there has been any change in the position of Interested Parties (IPs) regarding the accommodation needs of the project and how they might be fulfilled since those stated by IPs at deadlines (D) 2 and 3.***

- 3.1 There are no material changes to the position submitted by NWP at Deadlines 2 [REP2-345] and 3 [REP3-062]. The Applicant has responded to NWP's Deadline 2 submission [REP3-020]). This is merely a signposting document and includes within it a number of cross references but it does not seek to address NWP's concerns in any detail. The Applicant has now confirmed verbally at the hearing that a full response will be provided to NWP for Deadline 5. NWP welcomes this response but notes that this means no response to any of the items raised will be provided until 12 February 2019. Whilst NWP acknowledges that the review of the impact assessment submitted at Deadlines 2 and 3 will require specific analysis, it is considered that certain areas can, and should be, agreed and discussed prior to this date.

***(b) To establish what the effects of providing the TWA on-site would have on Welsh language and culture; health and well-being; recreation and tourism and law and order.***

- 3.2 In response to the request to have sight of the phasing strategy raised by Isle of Anglesey County Council (**IACC**) and the Welsh Government, NWP wishes to have sight of, and comment upon, any phasing strategy produced by the Applicant, as it may affect the conclusions of the impact assessment submitted.
- 3.3 NWP agree with the concerns put forward by IACC at the hearing that any housing contingency fund or mitigation should be provided at the earliest date possible. This is because if workers are seeking accommodation, this potentially constrains the housing market and creates difficulty finding accommodation on the Island of Anglesey or within Gwynedd Council's area. This could ultimately affect the involvement of NWP and their resourcing requirements. For example, an increase in demand for housing may prevent some residents and workers being able to find suitable housing. This could lead to an increase in nuisance and anti-social behaviour.
- 3.4 The effect of the Wylfa Newydd development on NWP is very clearly set out in the impact assessment appended to REP2-345. In NWP's written representations submitted at Deadline 2 (paragraphs 5.60 and 5.61 of REP2-345), NWP explain why they disagree with the way that the Applicant has undertaken their socio-economics assessment and has undertaken a more focused assessment of increase in workforce population and the consequent increase in crime incidents. The assessment relates to the number of workers that will require accommodation during the construction lifetime of the Project. NWP have evidenced that effect, justified and submitted it and a response from the Applicant is awaited.

***d. To establish what effects providing TWA at an alternative location(s) would have on the Welsh language and culture; health and well-being; recreation and tourism and law and order.***

- 3.5 NWP has no objection to the Temporary Workers' Accommodation (**TWA**) being provided at an alternative location, particularly with reference to the Land and Lakes Development. If however a different location was going to be provided, clearly this has implications for the assessment that has been undertaken to date as part of the Environmental Impact Assessment. In addition, changes in, for example, traffic and transport movements of workers and the location of workers would have implications for the assessment produced by NWP. That assessment would require review, likely revision and resubmission and that would need to be taken into account by the Applicant, other interested parties and indeed the Examining Authority. This may alter the

mitigation quantum required by the NWP and could affect documentation such as the section 106 agreement as a result. NWP would want to ensure that the timings for all of this were factored into the providing of the TWA at any alternative location.

***f. To understand whether these differences could be resolved through additional work, mitigation or changes to requirements of the draft development consent order (dDCO).***

- 3.6 It has been confirmed by the Applicant that an updated Workforce Management Strategy (**WMS**) will be submitted at Deadline 4. NWP's comments on the WMS made at Deadline 3 remain although they may be refined further following sight of that document.
- 3.7 NWP has not seen any evidence that the TWA will reach full capacity and there is no obvious mechanism that will ensure that this will take place.
- 3.8 NWP's prime concern is being able to monitor accurately the number of non-local workers on the island and the locations of where they are living. The workers accommodation portal presents an ideal instrument through which to record this data and NWP suggest that the section 106 agreement is amended so that it is mandatory for all workers to register on the workers accommodation portal and register when they move into accommodation, what it is and where it will be. However, NWP are willing to explore other mechanisms through which this data can be collected, but ultimately there must be a requirement or obligation on Horizon to collect this data and share it with NWP.
- 3.9 As set out in its Deadline 3 Written Representation, NWP also considers that the WMS, the Workforce Accommodation Strategy and the Workforce and Supplier Codes of Conduct should be secured by requirement and be subject to formal approval post-consent but prior to the commencement of development. The Applicant has stated at paragraph 1.12.17 of its response to NWP's written representation [REP3-020] that NWP will have the opportunity to be included in the development and monitoring of the Code of Conduct, however this is not secured in any of the DCO documents. It needs to be expressly set out in the wording of the requirements that the WMS, the Worker Accommodation Strategy and the Workforce and Supplier Codes of Conduct must be approved by IACC in consultation with NWP.
- 3.10 The section 106 agreement should also make express provision for NWP, through an Emergency Services Consultation Group (**ESCG**), to be fully involved in the initial preparation and finalisation of the WMS, the Workforce Accommodation Strategy and any Codes of Conduct before they are approved.

**Agenda item 4: Welsh language and culture**

- 3.11 NWP commented that this is an important issue for NWP, but it will not be making any specific submissions on this topic.

**Agenda Item 5: health and wellbeing**

***Agenda item 5(b) To better understand the potential effect on existing health and wellbeing services that may arise from construction and operational workers residing in the KSA or DCCZ and whether these would be adequately mitigated.***

- 3.12 NWP are often required to respond to incidents in a coordinated and supportive role to WAST and NWFRS. In certain instances, should WAST not be appropriately resourced, then NWP could be expected to respond, for example, instances where an individual's mental health may create a danger to themselves or others. As such, it is critical that all emergency services receive appropriate levels of financial contributions from the Applicant to ensure that their service provision to the community can be maintained during construction and operation.

**Agenda item 7: Law and Order**

***a. To establish whether there has been any change in position of the IPs regarding the effects of the proposal on law and order since those stated by IPs at D2 and D3.***

- 3.13 In response to the Applicant's summary of the position between the parties, NWP confirmed it had made it clear in both meetings and its written representations [REP2-345], that it would be submitting the road police unit (RPU) impact assessment at Deadline 3, rather than Deadline 2, which it did. NWP has not to date received any substantive responses from the Applicant, the Deadline 3 response just signposts back to other documents. There has however been good dialogue with the Applicant to date and NWP are currently trying to arrange a meeting with the Applicant on 24 January 2019.
- 3.14 NWP want to continue to engage with both parties to ensure that NWP's concerns are resolved and all parties are satisfied with the result. At the moment, NWP are nowhere near any agreement for the reasons outlined here and in other summary notes submitted for Deadline 4.
- 3.15 The Applicant has also previously been proactive in assisting NWP in supporting their involvement in the DCO process. This is of course welcomed and we would expect that to continue. NWP has recently felt frustrated that whilst meetings have taken place to consider the section 106 agreement, for example, NWP not had sight of that at all, or any part of it, until Deadline 3 submission. NWP has not seen the terms of reference referred to by the Applicant in the Deadline 3 submission response. These are barriers to constructive dialogue and NWP need to be more closely involved in the section 106 agreement terms that are relevant to them.

**b. To examine the potential effects on the provision of existing services within the KSA and DCCZ with particular reference to:**

***(i) safeguarding the existing community;***

***(ii) policing of the night time economy;***

- 3.16 Several years ago, when NWP first engaged with the Wylfa Newydd Project, a number of concerns were raised, originally based on a number of factors including, in part, the way that Avon and Somerset Constabulary undertook their assessment for the Hinkley Point C nuclear generating station. Those concerns included safeguarding and the night-time economy. Through a number of discussions with Avon and Somerset Constabulary, NWP decided to alter the way they undertook their assessment, in order to ensure it was more robust and fit for purpose and was also more realistic when looking at the way resource is deployed. NWP are therefore concerned about the effect on the night-time economy and safeguarding, albeit NWP will be able to resource any impact through the increase in responses officers and other services. NWP did not specifically model it in the impact assessment as an individual impact.
- 3.17 In response to the Examining Authority's questions regarding safeguarding and night time economy, NWP confirmed that the assessment as drafted ensures that the resourcing will be sufficient to deal with any increase in issues relating to safeguarding and night time economy.
- 3.18 Laura Williams, NWP Business Analyst, who assisted in preparing the impact assessment, explained at the ISH that NWP did look at including different demographics in the assessment, such a specific data relating to safeguarding and the night time economy, however this data was considered to be unreliable and not the most robust way to carry out an assessment of this type. Instead NWP used the general relationship between the population figure and the crime rates to carry out the assessment. By doing it this way, any problems with night time economy are automatically built into the assessment, but not independently assessed. This means the assessment does not actually assess worst case as it assumes an increase in population across an evenly spread demographic, rather than a high influx of male workers.

***(iii) potential increase in incidents/crimes requiring police attention;***

- 3.19 NWP has statutory obligations relating to community safety and the prevention of crime and disorder. Any major development of size and scale such as Wylfa Newydd has to be carefully scrutinised in order to ensure that the force can continue to service the needs of the community in the same way that they have been doing before. Given the concerns NWP has, the potential impact has been taken very seriously. It has had the absolute buy in from the entirety of the organisation to undertake an assessment, which is based on standard and established practices and principles, to understand what will happen and what is needed.
- 3.20 If the impacts of the Project are not properly mitigated, then – as for other emergency services impacts – this ultimately comes out of the public purse, which is not bottomless.
- 3.21 Nigel Harrison, Chief Superintendent, then made submissions on the concerns felt by NWP. Chief Superintendent Harrison is the Gold Commander ultimately responsible for making sure that North Wales policing response is not compromised by the Wylfa Newydd development. He is presently responsible for all specialist operations across North Wales including roads policing, firearms, operational planning and control room. He is also a specialist firearm and public order commander. His biography is appended for reference. He has spent the vast majority of his 22 year policing career based in Anglesey and has been the divisional commander for both Gwynedd and Anglesey for the past four years prior to taking up his current position. Chief Superintendent Harrison's presentation to the Panel at the hearing is set out below:
- 3.21.1 "I see this is as the most significant policing challenge for North Wales Police for a generation, the sheer size of increase in population along with the inevitable increase in demand and breadth of that demand all of which will require careful planning. Tregle and the surrounding area is small stable law abiding community. I cannot over emphasise the changes this development will make to both the demographic of Anglesey and the way of life to the local population. To put it into context, the second largest town on Anglesey is Llangefni, which has a population of 5,000 people and this development will result in a population increase of 7,000 people. This area is right at the end of our policing area and already poses difficulties in providing good policing services due to geography and infrastructure. Anglesey is home to one of the biggest ports in the United Kingdom and also the UK fast jet training base along with us seeing an influx of tourists in the summer months all of which is serviced by a small finite resource. The extra demand we have articulated in our submissions is not insignificant and without sufficient mitigation in terms of resources and control over certain plans, the potential for this to compromise policing is significant. We are a force that covers the whole of north Wales and I have particular concerns how this will affect the road network and the impact this increase in traffic will have. I strongly believe we should have a legally binding agreement with the developer that we can manage, we are not devolved from Welsh Government we are held to account by a locally elected Police and Crime Commissioner as such we require that independence to safeguard policing for north Wales. I perhaps would finish with the thought that a small island off the coast of Wales, serviced by relatively small public service is to potentially host one of the biggest developments ever seen in the UK, which will need multiple billion pounds of investment to realise, the very least we can expect is that local services are not compromised and local people are well looked after as it is them and us who will shoulder the impacts of this national programme. This is a big deal, to me, the police service and the local community we serve, there is only one chance to get it right. Diolch yn fawr."
- 3.22 In very broad terms, the key concerns for NWP are as follows:
- 3.22.1 As drafted the section106 agreement is not fit for purpose – NWP need to see the mitigation set out in its Heads of Terms and the Assessment included in the drafting;
- 3.22.2 NWP needs control over any plans which are relevant to community safety. These are set out in more detail in NWP's submissions on ISH2 on the DCO (9 January 2019);

- 3.22.3 NWP needs to ensure data collection is robust and fit for purpose; and
- 3.22.4 NWP needs the ability to monitor the Project throughout construction and ensure the impacts proposed have not changed.
- 3.23 NWP has taken the time speak to Avon and Somerset Constabulary and has used "lessons learned" from Hinkley Point C Nuclear Generating Station to prepare the impact assessment submitted at Deadline 2 [REP2-345]. This assessment is based on the standard methodology used across the police force. The assessment has not been undertaken or scrutinised in the same way as with Hinkley Point C. It has been dealt with by using the established model adopted by numerous police forces across England and Wales, which looks at population increase and the impact this has on police demand. It is a reasonably straightforward premise – an increase in people means the police need more resource. The assessment considers the cost in two ways:
  - 3.23.1 Resourcing costs – if the various staffing and costs that are needed, including overheads; and
  - 3.23.2 Capital costs – i.e. the cost of physical "kit" that is needed.
- 3.24 The way the assessment approach has not focused separately on response times, however the mitigation set out will ensure the maintenance of the current service level including response times. NWP does however acknowledge the other blue light groups have focused on this aspect specifically.
- 3.25 The assessment considers resourcing and capital costs. Each team within NWP has assessed the information provided by Horizon to assess and work out the impact the population increase will have on its department.
- 3.26 It was agreed at the ISH between NWP and the Applicant that when using the North Wales crime rate figure this leads to a 0.5 to 1% increase in crime. NWP submit that this is why the Applicant's socio-economics assessment vastly underestimates the potential impact on NWP, as it is not confined to the KSA, which the Applicant's own stated assessment area. However, when considering just the Anglesey and Northern Gwynedd areas (i.e. the assessment area for the Project), the Project would lead to a higher percentage increase in crime. NWP's calculation concludes a 7.8% increase. The Applicant's calculation estimated approximately a 6% increase for Anglesey, however this does not include Northern Gwynedd.
- 3.27 Having been asked by the Examining Authority, Chief Superintendent Harrison confirmed that the nearest police station is in Amlwch, but that it is not a 24 hour station and Llangefni and Holyhead are the nearest 24 hour stations. Amlwch police station is currently at capacity.
- 3.28 NWP also explained that at the ISH that, whilst useful, Team Wales meetings should not be relied upon to discuss all aspects of the Project with interested parties and that the information shared with IACC and the Welsh Government is not being disseminated.
- 3.29 It is disappointing that the first time NWP hear the Applicant's considers their assessment to be flawed is at this hearing. The Applicant need to engage positively, respond accordingly and as quickly as possible as to the results of the NWP assessment and the various mechanisms they require.

**c. To understand whether these differences could be resolved through additional work, mitigation or changes to the requirements of the dDCO:**

- 3.30 NWP's concerns in relation to socio-economic impacts can be resolved through amendments to the DCO and section 106 as follows:
  - 3.30.1 CoCP, sub-CoCPs and CoOP. These documents are not finalised, as acknowledged by the Applicant at paragraph 1.12.3 of its response to NWP written representations [REP3-020]. On the basis these documents are still being refined in consultation with



stakeholders and there is no guarantee they will be finalised before the examination ends, it is surely appropriate to secure approval of the final form of these documents post-consent in a requirement.

3.30.2 Inclusion of wording in certain requirements that provides NWP as part of the ESCG with the right to review and agree contents of plans before they are approved by IACC. This will require amendments to the wording of certain requirements, the CoCP and the section 106 agreement in order that the plans are approved by IACC subject to the agreement of ESEG, or in consultation with ESEG. These proposals are set out in more detail in NWP's submissions for ISH2 on the DCO (9 January).

3.30.3 Amendments to the WNMPOP provisions in the s106 agreement. NWP are agreeable to the creation of WNMPOP in principle, however a member of the ESEG must sit on the Board. Horizon has stated in paragraph 1.12.6 of its response to NWP's written representations [REP3-020] that there are two principal purposes of the WNMPOP:

(a) being a forum for resolving strategic planning matters; and

(b) acting as a decision maker in the release of contingency funds.

NWP need to see the details as to how WNMPOP resolve strategic planning matters set out and secured in the section 106 agreement. It is important to NWP that as part of this strategic role, the ESCG are consulted on the list of plans set out in Table 7.1 in NWP's written representations [REP2-345] and any changes to these plans throughout the Project. The way of implementing this mechanism is contained within the submissions made by NWP on ISH 2 DCO hearing.

3.30.4 Incorporation of NWP heads of terms into the 106 agreement. NWP are awaiting a response from the Applicant on the heads of terms submitted at Deadline 2.

#### **4. ADDITIONAL SUBMISSIONS BY NWP – HINKLEY POINT C**

4.1 In the Applicant's Deadline 3 response to NWP's submissions [REP3-020], reference is made to the £3 million contribution provided to Avon and Somerset Constabulary as justification as to the potential quantum NWP should expect to receive. The total quantum of mitigation that needs to be provided by Horizon to NWP is approximately £29.3m. There are several points that need to be made when looking at the Hinkley Point C Nuclear Power Station (**HPC**) and sums of mitigation sought:

4.1.1 Simply because a nuclear power station is built pursuant to the same regime in the UK, it does not mean that the mitigation will be the same. There are similarities and some useful drafting, plans and methods of "doing things" taken from HPC, but equally there are many sums, plans, drafting changes and alterations that are completely different. Wylfa Newydd is a different type of nuclear power station, being built in a very different location, which will inevitably have different impacts and different structural requirements.

4.1.2 HPC was an early DCO in the Planning Act 2008 regime, granted in 2013. Much has changed since then and the understanding of potential impacts and how different bodies are affected in practice when constructing large nationally significant infrastructure projects has become more sophisticated. Naturally this will lead to a more sophisticated method of undertaking impact assessments using the data available.

4.1.3 The way that the assessment has been undertaken has been informed through a number of meetings with Avon and Somerset Constabulary. The way that the mitigation sought has been itemised, listed and reviewed has been discussed during those meetings. This has involved a number of important "lessons learnt" when discussing this with Avon and Somerset Constabulary and this is one important way the assessment has evolved.

## **APPENDIX 1**

### **CVs**

#### **1.1 Chief Superintendent Nigel Harrison, Operation Support Services, North Wales Police**

T/Ch. Supt Harrison has 22 years policing experience and is currently responsible for all specialist operations including Firearms, Roads policing, Operational Planning, Force Control Centre and Administration of Justice. He lived on Anglesey for 16 years, only 2 miles from Wylfa A and has policed operational all areas of the island. He has been involved in the Wylfa Newydd project since 2013.

2010 - 2013 - Chief Inspector of Operations for the Western Area including Anglesey

2013 - 2015 - Superintendent Community safety covering North Wales including custody provision

2015 - 2018 - Area commander for the Western Area (Division) responsible for all policing activity in Gwynedd and Anglesey. Within this time he was additionally Temporary Chief Superintendent responsible for all operational policing across North Wales.

2018 – Temporary Chief Superintendent, Operation Support Services

As part of his current responsibilities he is both a tactical and strategic public order and firearms commander and force lead for these disciplines along with being Chemical, Biological, Radiological and Nuclear (CBRN) commander.

In addition Chief Superintendent Harrison has spent time in The Welsh Extremism and Counter Terrorism Unit (WECTU), held responsibility for Ports Policing across North Wales and served with the Force Intelligence section as Detective Inspector investigating serious and organised crime across North Wales.

#### **1.2 James Davies - Programme Manager, Portfolio Management Office, North Wales Police**

James has 16 years policing experience and is currently the programme lead for the north wales police safer Anglesey programme which incorporates Wylfa Newydd and the north wales connection (national grid) projects along with other proposed developments on and around the island. He has been involved in the Wylfa Newydd project since 2014.

For the land and lakes planning application James led the review and assessment for north wales police and successfully negotiated and secured the s106 agreement.

James was the North Wales Police Project Manager for the North Wales Prison (now called HMP Berwyn) in Wrexham. The prison is the second largest in Europe and he led a multiagency approach to deliver policing facilities, procedures and relationships never seen before in a prison in the UK.

Prior to his time in project management James was a forensic video analyst providing expert witness evidence and specialist evidence recovery both local for north wales police and as part of a national team. He taught and advised other agencies and has attended specialist training in the USA and the Netherlands.

#### **1.3 Laura Williams - Senior Business Analyst, North Wales Police**

Laura has worked with North Wales Police for 13 years, with the last 8 years spent in the role of senior business analyst within the Business Intelligence Department and more recently within the Demand & Capability Unit.

Laura has provided the analytical support for numerous force reviews and projects, and was the analytical lead for the force's efficiency review, which was set up to make recommendations to improve efficiency whilst ensuring the organisation had effective structures and systems in place. The analytical input ensured the demands facing the service were comprehensively analysed and reviewed, and formed the foundation of the evidence base for the recommendations made.

Laura's current role within the Demand & Capability Unit is to use data and information to provide insight to the organisation to enable better decision making, both operationally and from a resource perspective. She is currently responsible for the development and delivery of predictive analytics and resource modelling within North Wales Police, which aim to provide a comprehensive understanding of both current and future demand and an evidence base to plan work force allocation.

Prior to her role as senior business analyst, Laura was a performance analyst, specialising in crime, incident and resource analysis.

#### **1.4 Ben Lewis, Infrastructure & Energy Director, Barton Willmore**

Ben is a Chartered Town Planner with over eighteen years' experience in the private sector. As national lead for the practice's infrastructure team, Ben specialises in large scale infrastructure and energy proposals. Ben is a Council Member of the National Infrastructure Planning Association.

Ben has experience providing strategic planning advice, he has specialist infrastructure planning and consenting expertise and is an experienced project manager. He brings considerable experience of working on a wide variety of projects across the UK and has experience of leading and working in large multidisciplinary teams.

Key experience includes:

##### **Nationally Significant Infrastructure Projects**

Project Lead on the approved Development Consent Order for a 240MW enhancement and extension of power generating facilities at Tata Steel's existing steelworks in South Wales.

Planning project lead on the approved Development Consent Order for a 99MW pumped hydro storage facility in North Wales.

DCO process and strategy advice and preparation of representations :

- Nugen's proposed Nuclear Power Station at Moorside
- Horizon's Wylfa Newydd proposed Nuclear Power Station
- National Grid's proposed North West Connections Corridor
- EDF's proposed Nuclear Power Station at Sizewell C
- Sunderland International Advanced Manufacturing Park
- Confidential waste client on s35 direction
- Confidential European interconnector project

Strategy advice, representations and advocacy for London Boroughs of Lewisham, Southwark and Hackney at the Examination for Transport for London's proposed Silvertown Tunnel.

##### **Nuclear Decommissioning Authority**



**HEDDLU GOGLEDD CYMRU**  
Gogledd Cymru diogelach

**NORTH WALES POLICE**  
A safer North Wales

**WYLFA NEWYDD NUCLEAR POWER STATION PROJECT DEVELOPMENT CONSENT ORDER  
APPLICATION**

**PLANNING INSPECTORATE REFERENCE: EN010007**

**Deadline 4 Submission: ISH DCO 2, 9<sup>th</sup> January 2019**

**ON BEHALF OF NORTH WALES POLICE**

**Doc Ref: WN-NWP-ISHDCO2-DL4 v1**

**17<sup>th</sup> January 2019**

## **1. INTRODUCTION**

- 1.1 These submissions have been prepared following the Issue Specific Hearing regarding the draft Development Consent Order (DCO) held on 9 January 2019. These submissions are based on those made at the hearing on behalf of NWP, however they contain further submissions that were unable to be made at the hearings in full, given the Agenda time constraints.
- 1.2 The following attendees spoke on behalf of NWP at the Issue Specific Hearing:
  - Jennifer Holgate, Legal Advocate, Womble Bond Dickinson LLP;
  - Ben Lewis, Infrastructure & Energy Director, Barton Willmore; and
  - Chief Superintendent, Nigel Harrison, Operation Support Services, North Wales Police.
- 1.3 CVs for the people listed above are appended to this document as Appendix 1.

## **2. SUMMARY OF KEY ITEMS RELATING TO THIS ISH**

- 2.1 NWP has undertaken a reasonable and proportionate assessment of impacts upon the force. What is being asked for is only what is necessary and required to maintain the current service offering. No more, no less. NWP wants to engage with parties and want to ensure that they can actively manage and police the North Wales area to ensure community safety and the prevention of crime and disorder.
- 2.2 In this regard, it is imperative to ensure that NWP and the Emergency Services Consultation Group (ESCG) can input into and inform plans and documentation, rather than having to react to changes that directly affect them. There is a vital need for pro-activity, it is not sufficient to take a reactive approach as this will not work for NWP from a practical resourcing perspective.
- 2.3 A key area of concern for NWP is the interaction of the various plans and requirements proposed by the Applicant as a means of securing the delivery of an appropriate form of development and any required mitigation. Currently the majority of the plans and strategies are secured through the CoCP, however this document does not contain enough detail and is not fit for purpose. NWP needs to ensure all plans and strategies which may impact on its statutory functions are adequately secured, to achieve this the requirements need updating and adding to so that the relevant plans and strategies are secured in Schedule 3 of the DCO. The changes that NWP expects to see in the next revision of the draft DCO are set out in the table at Appendix 2.
- 2.4 NWP also has concerns regarding the role of the WNMPOP and the Emergency Services Engagement Sub-Group (ESESG) as proposed by the Applicant in relation to the CSMS. Currently its remit is very narrow, given the primary role of NWP is to ensure community safety, the ability of NWP to approve certain key elements of mitigation, or appropriate plans, is a crucial aspect of ensuring NWP can fulfil this role. The WNMPOP does not currently allow for this, so NWP consider there is a need for a standalone Emergency Services Consultation Group (ESCG), which would play a wider role in the approval of plans relevant to the emergency services and their functions. Details of the ESCG's proposed role in the relevant plans is set out in Table 1.
- 2.5 NWP have concerns regarding the current draft of the section 106 agreement. Schedule 9 (emergency services) as drafted is unacceptable and NWP have submitted revised heads of terms at Deadline 4, which must be incorporated into the draft section 106 agreement. This is vital to secure the appropriate mitigation and ensure the impacts of the Project on NWP and its resources can be adequately monitored throughout construction.
- 2.6 In summary NWP seeks the following outcomes:
  - 2.6.1 The inclusion of a series of requirements for the formal approval of the plans and strategies identified in the application submission;

- 2.6.2 A consultation and agreement role in the approval of management plans and strategies which are relevant to its statutory duties;
- 2.6.3 The definition of the structure, governance and role of the WNMPOP (if it is to apply and exist) through an article in the DCO;
- 2.6.4 The inclusion of a change management and review mechanism on approved plans and strategies through amended requirements of the s106 agreement; and
- 2.6.5 The establishment of an Emergency Services Consultation Group (based on terms of reference secured in the s106 agreement) involving NWP, North Wales Fire & Rescue Service (NWFRS) and Welsh Ambulance Service NHS Trust (WAST) that can act as a consultation body for the approval of plans and strategies across a number of topic areas and have an active representative on the Programme Board / WNMPOP.

### 3. SUBMISSIONS ON AGENDA ITEMS

#### *Agenda item 3: Articles and schedules of the draft DCO (excluding Schedules 3, 4 and 15)*

- 3.1 NWP were asked to summarise the comments made in their written representations at Deadline 2 [REP2-345], which related to specific definitions in the draft DCO:
  - 3.1.1 Definition of "commencement": NWP submitted that the extent of pre-commencement works in the definition of "commence" is very wide and includes works that may necessitate a number of transport movements, such as remedial works, site preparation and clearance, the erection of construction plant and equipment and erection of temporary buildings and structures. NWP are concerned with the impact of these pre-commencement works on the road network and suggest the definition is narrowed accordingly to exclude such pre-commencement works, or that a specific Construction Traffic and Transport Management Strategy must be prepared and approved before these types of pre-commencement works commence. The Applicant confirmed at the hearing that "site preparation and clearance" would be carved out of the definition of "commencement" but did not provide further explanation as to other effects. NWP consider that it would be prudent to require the submission of a specific plan for pre-commencement works that could have an associated impact on the road network and have been assessed in the Environmental Statement.
  - 3.1.2 Definition of "Marine Off-Loading Facility" (**MOLF**): This is only defined in relation to the works plan and is not given a full definition. NWP has a particular concern regarding waterborne protests and how these will be managed. The DCO must properly control the construction and use of the MOLF. In addition, the MOLF's traffic from water to land must be fully controlled and the Examining Authority need to be satisfied that this has been properly assessed. NWP's concerns are set out in its written representations, at paragraphs 5.38 to 5.51 [REP2-345].
  - 3.1.3 Definition of "maintain": this definition is currently very wide, allowing the full replacement of infrastructure. NWP's comments principally concern ongoing monitoring and change management. A key concern for NWP is ensuring that that "maintenance" (and other changes on site, see below at section 5) is capable of being monitored by NWP and that those impacts that may result are communicated effectively to both the local community and key stakeholders, including "blue light" services (which comprise NWP, Welsh Ambulance Service NHS Trust (**WAST**) and North Wales Fire and Rescue Service (**NWFRS**)). NWP are aware that this is an ongoing concern and a "live" issue at Hinkley Point C Nuclear Power Station, which causes an administrative burden. Therefore it is vital that procedures for change management are set out in detail and are unambiguous.
  - 3.1.4 NWP also confirmed its concern regarding the wide definition of "other associated development" in Schedule 1, being that works that fall outside of the scope of the environmental assessment could have unknown impacts.

- 3.2 In relation to Schedule 19, the Applicant made a submission at the hearing that the procedure would apply to all approvals, including any subsequent changes to plans or additional works permitted under the definition of "maintenance" in Article 1 and "other associated development" in Schedule 1 provided they do not have "materially new or different" environmental effects. NWP's view, however, is that as drafted Schedule 19 may be deemed to only apply to a formal discharge of requirement or formal approval pursuant to a requirement.
- 3.3 Notwithstanding the submissions made in relation to the definition of "maintenance" in Article 1, "other associated development" in Schedule 1 and Schedule 3 paragraph 1(4) in this document, it needs to be made clear that where the Applicant is seeking to carry out additional works outside of what has been assessed or to make subsequent changes to approved plans by engaging Schedule 3 paragraph 1(4), the procedure set out in Schedule 19 must also apply and the Applicant must make a formal application to IACC, in order that it may have regard to whether there are "materially new or different" environmental effects.

#### ***Agenda Item 4: Requirements of the DCO***

- 3.4 The **interaction of plans and requirements** is NWP's key area of concern. It has set out in detail the changes that it expects to see in the next revision of the draft DCO in the table at Appendix 2. These changes are summarised below. In these submissions, NWP have summarised the role of the body known as the "WNMPOP" and NWP's interaction with this group at the beginning of this section. Whilst this was discussed in the hearings at a later junction, NWP consider it is helpful to summarise this earlier in the document to provide appropriate context.

#### **Role of WNMPOP**

- 3.5 The draft CoCP (Rev.2) [REP2-031] sets out the proposed role and purpose of the WNMPOP. This was clarified in paragraph 1.12.6 of the Applicant's response to NWP's written representations [REP3-020] that there are two principal purposes of the WNMPOP:
- 3.5.1 a forum for resolving strategic planning matters; and
- 3.5.2 acting as a decision maker in the release of contingency funds.
- 3.6 NWP is agreeable to the creation of WNMPOP in principle, but assuming it exists in the consent as granted, a member of the Emergency Services Consultation Group (as proposed and referred to as ESCG in this document) must sit on the Board and be able to comment on any matters which are relevant to or may impact upon the roles of the emergency services. If any other equivalent mechanism exists at the grant of consent, the same principle applies.
- 3.7 NWP notes the Applicant's position as set out in its response to NWP's answer to FWQ 4.0.114 [REP3-005] that it is not intended that NWP will form part of the WNMPOP. It was however proposed as part of the original application as submitted that NWP would have a seat on the Programme Board (at paragraph 3.2.5 of the original CoCP [APP-414]), but when this document was revised to incorporate the WNMPOP, the emergency services were no longer part of the WNMPOP. No justification was provided for this change and NWP considers that no appropriate justification exists.
- 3.8 In terms of WNMPOP, NWP needs involvement with the plans and management of those plans going forward (i.e. change management). There are terms of reference for the WNMPOP, which references an "emergency services sub-group", however NWP has not had sight of these. NWP requests sight of this document as soon as possible from the Applicant.
- 3.9 As currently drafted in the s106 agreement and CoCP the concept of the WNMPOP does not seem to hold together particularly well and is currently ambiguous. NWP will need to review and agree a suitable mechanism which allows emergency services involvement. The CoCP as drafted sets out the role of the "Emergency Services Engagement Sub-Group" (**ESESG**) in preparing the CSMS at paragraphs 3.4.6 to 3.4.10. The ESESG is a wider group of stakeholders than the ESCG, containing as it does a number of other bodies, including IACC.

- 3.10 The Applicant's response to the interested parties' responses to FWQ 4.0.114 [REP3-005] sets out their view as to the role of the emergency services sub-group as follows:
- 3.10.1 Work with Horizon to inform preparation of the CSMS;
  - 3.10.2 Monitor implementation of CSMS;
  - 3.10.3 Review and input into reports from the Community Involvement Officer re emergency services matters;
  - 3.10.4 Review any actual or potential community tension arising from the project;
  - 3.10.5 Feed back to the WNMPOP community concerns not captured through monitoring;
  - 3.10.6 Feed back to the WNMPOP issues seen from NWP's area of expertise; and
  - 3.10.7 Feed back to panel any issues related to implementation of the Worker Management Strategy in so far as it effects the emergency services.
- 3.11 There appear to be contradictory statements being made in relation to the role of the "emergency services sub-group" and there is no reference to WNMPOP's role in strategic planning matters set out in any of the documents submitted by the Applicant as yet.
- 3.12 NWP suggests that a similar approach is taken to WNMPOP as was taken to the Silvertown Tunnel Implementation Group (STIG) as part of the Silvertown Tunnel DCO. The STIG was established as a consultative body on defined matters relating to the implementation of the authorised development, including the extent, nature and duration of monitoring, proposals for initial bus services, monitoring reports, revisions to the charging policy; and the level of charges required for use of the tunnels and any exemptions and discounts. The structure, governance and role of the STIG was clearly defined in Article 66 of the DCO (see Appendix 3 to this submission for the full article).
- 3.13 Ultimately NWP does not mind what form the panel takes, however it needs the ESCG to be involved and have a say on any matters that may affect community safety.

#### **Emergency Services Consultation Group**

- 3.14 NWP's view is that the emergency services will make an important contribution to the preparation of a number of plans and strategies across different topic areas, and a mechanism to enable consultation with the emergency services is required as part of the DCO.
- 3.15 As such, NWP considers that the 'emergency services sub-group' (as proposed by the Applicant in the CoCP), which forms part of the WNMPOP, does not have a wide enough remit and should, instead, be established as a standalone group which has a role in agreeing and being consulted on certain plans relevant to the functions of all the emergency services. Members of the standalone group would sit on the WNMPOP (assuming it exists), commenting only on plans and documentation relevant to the standalone group. The group also needs to be consulted on any proposed changes to these plans during construction and operation before these changes are approved by IACC. For clarity, and to distinguish this from the ESESG responsible for approving the CSMS, this is titled the "Emergency Services Consultation Group" (ESCG).
- 3.16 The primary role of NWP is to ensure community safety, therefore the ability of NWP to approve certain key elements of mitigation, or appropriate plans, is a crucial aspect of ensuring NWP can fulfil this role. The WNMPOP does not currently allow for this. It is important to note that there may be a wide range of matters relating to safety that affect certain plans, which other statutory bodies, such as IACC, will not be aware of. This is why it is important that a member of the proposed ESCG is able to review plans and community fund requests and confirm that they are acceptable.
- 3.17 To therefore summarise, in order to clearly distinguish between:



3.17.1 the ESESG, which applies to the CSMS; and

3.17.2 an emergency services group that has wider monitoring, change management and approval roles and is a key consultee body,

the emergency services consultation group proposed by NWP has been titled the "ESCG". As already explained, NWP understands that terms of reference exist that explain the role of an "emergency services sub-group" in relation to the WNMPOP. To the extent these terms are at all helpful, or relevant, they would relate to the ESCG at titled here, not the ESESG.

3.18 It is also noted that during the hearing, the Applicant submitted that WNMPOP's sole function was to approve "contingency funds". This seems to be at odds with the various other roles for WNMPOP and its sub-groups discussed in more detail in paragraphs 2.37 to 2.39 above. Given this level of contradiction and uncertainty (and assuming this is the case) then the ESCG needs to be formed as a standalone group, separately to the WNMPOP. NWP would like to see ESCG's various roles set out in one cohesive document and suggest full details of ESCG's role should be set out in the s106 agreement.

3.19 NWP submits that the ESCG should comprise NWP, NWFRS and WAST. Both NWFRS and WAST support and agree that the ESCG should be:

3.20 This role should consist of ESCG being:

3.20.1 a consultee across a number of the required plans and strategies to varying degrees (i.e. in relation to those topic areas which the emergency services are either most qualified to advise or which impact upon their operational duties) in relation to any changes made to plans throughout construction and operation of the Project;

3.20.2 a named consultee to the IACC in the discharge of requirements relating to the approval of plans and strategies; and

3.20.3 a body who is involved in the signing off of specific plans and strategies requiring pre-construction approval by requirement, e.g. the Community Safety Management Strategy, before approval by IACC is granted.

3.21 NWP wishes to secure the ongoing monitoring and review of the DCO plans considered relevant to NWP's statutory functions through the ESCG as part of a robust review mechanism in the DCO section 106 agreement. This is explained more fully in the revised NWP Heads of Terms submitted at Deadline 4.

3.22 NWP does not consider that the way of effectively dealing with this is complicated. The ESCG group, and its remit, should be clearly set out in the s106 agreement. A member of the ESCG group needs to sit on the WNMPOP board (as was originally envisaged by the Applicant in the Revision One CoCP). If the WNMPOP group mechanism is not considered robust, the role of ESCG can be set out separately in the s106 agreement and it should be documented that ESCG will have input in relation to, and be consulted on, specific plans and documentation (as set out in Appendix 2). Ultimately NWP does not mind what form the panel takes, however it does require the ESCG to be involved and have a say on any matters that may affect community safety and the operational duties of the emergency services.

3.23 The mitigation requested to be secured in the draft section 106 agreement is absolutely necessary to allow the emergency services to comply with their statutory duties and is therefore necessary to make the development acceptable in planning terms. Therefore, the emergency services are not merely interested parties with impacts requiring mitigation. Instead, the mitigation requested by the emergency services has a direct bearing on the carrying out of their specific statutory functions.

3.24 The schedule in Appendix 2 sets out in detail the plans and strategies where the ESCG (or NWP in isolation if the ESCG is not taken forward in the DCO) requires an approval or consultation

role. The specific detail of each plan or strategy is also set out in the body of these submissions. These are as follows:

**TABLE 1: SUMMARY OF PLANS / STRATEGIES REQUIRING NWP/ESCG INVOLVEMENT**

<b>Plans / Strategies</b>	<b>IACC approval in consultation with NWP / ESCG</b>	<b>IACC must have agreement from ESCG before granting approval</b>	<b>NWP / ESCG consultation on any post-consent changes</b>
Wylfa Newydd Code of Conduct		✓	✓
Supplier Code of Conduct		✓	✓
Protest Management Strategy		✓	✓
Community Safety Management Strategy		✓	✓
Traffic Incident Management Plan		✓	✓
Health & Wellbeing Strategy (approval required only if it includes safe-guarding)		✓	✓
Wylfa Newydd Code of Construction Practice	✓		✓
Wylfa Newydd Code of Operational Practice	✓		✓
Sub codes of Construction Practice for associated developments	✓		✓
Workforce Management Strategy	✓		✓
Operational Travel Strategy	✓		✓
Site Security Plan (Off-site)*	✓		✓
MOLF Operational Plan*	✓		✓
Abnormal Indivisible Loads Management Plan*	✓		✓
Construction Traffic Management Strategy	✓		✓
Workforce Accommodation Strategy			✓

\*these plans are proposed as necessary by NWP but were not proposed by the Applicant in the application as submitted

- 3.25 A range of approaches have been taken in previous DCOs to securing the plans and strategies required to ensure the effective delivery of necessary mitigation, whether that is approval of the CoCP post-consent but prior to the commencement of development, or pre-commencement approval of all plans and strategies identified in the certified CoCP submitted with the application. It is standard and accepted practice for approval of and compliance with these documents to be secured by requirement. For example:

- 3.25.1 The Silvertown Tunnel Order 2018: Requirement 5: Code of construction practice and related plans and strategies;
  - 3.25.2 The Eggborough Gas Fired Generating Station Order 2018 - Requirement 18: Construction environmental management plan, Requirement 20: Construction traffic management plan, Requirement 21: Construction workers travel plan; and
  - 3.25.3 The Glyn Rhonwy Pumped Storage Generating Station Order 2017 - Requirement 6: Code of Construction Practice; Requirement 7: Other required plans and strategies; Requirement 8: Compliance with outline plans.
- 3.26 Relevant extracts of the above requirements are included in Appendix 3 to this submission.

#### **Draft Code of Construction Practice (REP2-031)**

- 3.27 NWP has provided comments on the draft Code of Construction Practice (CoCP), the sub-Codes of Construction Practice (sub-CoCPs) and draft Code of Operational Practice (CoOP) at Deadline 2 and Deadline 3. NWP shares the views expressed by the other interested parties in their written submissions and at the second ISH on the DCO that the current submitted draft (REP2-031) does not contain enough detail and is not fit for purpose. The Applicant has also prepared sub-CoCPs for associated development. These plans are certified documents and compliance is secured through requirements WN1, WN24, OPSF1, PR1, LC1 and OH1.
- 3.28 NWP does not consider that the CoCP or sub-CoCPs contain enough detail and should therefore be certified as **outline** plans only which will inform the detailed plans to be prepared and submitted prior to construction. This would be in line with the approach taken in the Glyn Rhonwy Pumped Storage Generating Station Order 2017 under Article 30 Certification of plans etc, Requirement 6: Code of Construction Practice, and Requirement 8: Compliance with Outline Plans.
- 3.29 NWP submits that the CoCP should be certified as an outline document with the requirements (PW7 and WN10) securing detailed plans to be prepared in accordance with the outline plans prior to construction or operation as appropriate.
- 3.30 NWP has noted that the Applicant intends that the documents will be developed and refined throughout the Examination. However, in alignment with the comments made by other parties at the ISH, NWP firmly believes that agreement will not be reached during the Examination and as such the draft DCO should include a requirement to secure post-consent approval of the CoCPs and CoOP.
- 3.31 In addition NWP submitted that it is also not appropriate to secure the majority of the plans through the CoCP and CoOP. As with other DCOs, any plans that are sufficiently detailed to warrant separate approval and consultation by other bodies should be extracted and secured by separate requirements, such as the Community Safety Management Strategy. It is imperative NWP are involved in the preparation of certain plans. On this basis, NWP agreed to submit a list of plans that affect NWP and are relevant to its statutory function at Deadline 4. This list is attached as Appendix 2 to this submission and sets out how NWP's involvement in these plans should be secured.
- 3.32 In terms of specific comments on the draft CoCP, NWP's position is set out below in Table 2.

**TABLE 2: NWP COMMENTS ON DRAFT COCP (REP2-031)**

PARAGRAPH	RELEVANT TEXT	NWP COMMENTS
2.2.10	<i>The Workforce Management Strategy (APP-413) is also the subject matter of DCO Requirements and is a control document in its own right. Other assessments such as the Health</i>	NWP submits that the strategies and plans listed within the CoCP should be secured by requirements within the DCO requiring the approval of the documents by the discharging

PARAGRAPH	RELEVANT TEXT	NWP COMMENTS
	<i>Impact Assessment Report (APP-429) and Welsh Language Impact Assessment (APP-432 and APP-433), as well as strategies that are not 'control' documents such as the Jobs and Skills Strategy (APP-411) and Workforce Accommodation Strategy (APP-412), provide information for the DCO application and are not secured by a DCO Requirement in their entirety. Individual commitments are secured as appropriate, by way of entry in a control 'certified' document secured by DCO Requirement, such as this Wylfa Newydd CoCP for example.</i>	authority, in consultation with other bodies, where relevant.
2.3.3	<i>This Wylfa Newydd CoCP and the sub-CoCPs 'management strategies' contain sufficient detail to demonstrate that the mitigation described in the Environmental Statement will be secured.</i>	NWP disputes this point. It is considered that the terminology used in the CoCP is more akin to an outline strategy. As submitted, it is not considered that the CoCP lacks the detail required to give sufficient confidence that the mitigation in the submitted ES will be secured.
2.3.4	<i>Horizon is open to further refinement of this Wylfa Newydd CoCP, the sub-CoCPs and other management strategies through the examination process, in response to comments from the Examining Authority and other parties. At the close of the DCO examination period, this Wylfa Newydd CoCP and sub-CoCPs will be secured as approved documents as described in section 2.6.</i>	NWP has serious doubts that the CoCP, sub-CoCPs and other management strategies will be agreed through the Examination process. In light of this, it is imperative that a requirement is included within the DCO which requires the submission of the final CoCP to the discharging authority for approval (in conjunction with the relevant statutory bodies) prior to the commencement of development.
2.3.5	<i>Subsequent proposed revisions to this Wylfa Newydd CoCP or sub-CoCPs would be submitted to and approved by the relevant planning authority. Upon approval of a revision by the relevant planning authority, the construction of the authorised development must be carried out in accordance with the revised Wylfa Newydd CoCP or revised sub-CoCPs.</i>	It is considered that the Applicant clearly recognises the need for proposed revisions to the CoCP or sub-CoCPs to require approval by the relevant planning authority, therefore, it must recognise that the initial CoCP also has to go through the same process.
2.4.2	<i>The CEMP is a delivery document that details how the practical execution of the construction works will be planned, managed and controlled to meet the requirements of this Wylfa Newydd CoCP and relevant sub-CoCPs, other necessary consents, legislation and common good</i>	It is NWP's view that the CEMP should also be subject to approval by the discharging authority, in consultation with a relevant statutory body if necessary. This will provide a "check and balance" mechanism to ensure that the CEMPs prepared by the appointed contractors are in line

PARAGRAPH	RELEVANT TEXT	NWP COMMENTS
2.4.3	<i>practices.</i>  <i>The appointed construction contractors will be contractually required to prepare a CEMP to cover their works in accordance with this Wylfa Newydd CoCP and relevant sub-CoCPs. The contractual requirement set out by Horizon Nuclear Power Wylfa Ltd is therefore one of the mechanisms that will secure the mitigation requirements set out in the Environmental Statement and other related impact assessments where the works are to be undertaken by a third party.</i>	with the approved CoCP.  It is understood from para 13.1.3 of the submitted Transport Assessment (APP-101) that the Contractor's Construction Traffic Management Plans (CTMPs) will form part of the CEMP. These would include both bespoke and industry standard measures.  The CoCP lacks sufficient detail on the CTMP and CEMP and this has not been secured by way of requirement in the DCO.
2.4.4	<i>CEMPs will be reviewed and accepted by Horizon Nuclear Power Wylfa Ltd before the commencement of activities relevant to the construction works the CEMP covers.</i>	
3.2.22	MONITORING  <i>It is recognised that some of the above data would come from monitoring carried out by IACC and other organisations, including emergency services, e.g. school enrolment and homelessness, and that not all monitoring information would be provided by Horizon.</i>	The Applicant should be responsible for providing all monitoring data, rather than reliance being placed on the obtaining of data from other organisations. NWP require an active role in the monitoring of worker accommodation and traffic and transport movements. NWP is willing to discuss requests for data with the Applicant in more detail to understand what might be needed during the construction period.
3.2.27	MONITORING  <i>Horizon will provide annual monitoring reports covering the topics listed above for the WNMPPOP to review.</i>	In addition to the topics listed at 3.2.22, NWP requires monitoring data to be provided on traffic and transport and on the number of workers employed by Horizon and the locations of their accommodation.
3.4	COMMUNITY SAFETY MANAGEMENT STRATEGY	NWP note that half of the Community Safety Consultation Zone extends into the Irish Sea, NWP has no jurisdiction from the foreshore, so although the CSMS is being developed primarily with NWP and the emergency services, half of the area is outside of NWP's control. It is NWP's view that it is more appropriate to adjust the zone and extend it so that it mirrors the KSA.
3.4.6	Emergency Services Engagement Sub-Group <b>for the CSMS:</b>	NWP are content that the ESESG are confined to the role of the review, implementation and management of

PARAGRAPH	RELEVANT TEXT	NWP COMMENTS
	<p>This is proposed to comprise:</p> <ul style="list-style-type: none"> <li>North Wales Police</li> <li>North Wales Fire and Rescue Service</li> <li>The Ambulance Service</li> <li>Community Liaison Group</li> <li>Isle of Anglesey County Council Emergency Planning Service</li> <li>Health and Safety Executive</li> <li>Nuclear Safety Advisory Committee</li> </ul>	the CSMS.
3.4.20	<p>Monitoring and Manage the Approach to Car Parking:</p> <p>The updated CoCP at proposes a "monitor and manage" approach to car parking.</p>	NWP does not consider that this will be effective in requiring workers to utilise the alternative provision available. NWP submits that it would be necessary to secure a commitment to car sharing, including a specific number of car sharing parking spaces on site. Non-compliance of this should be managed more robustly than simply stating that spot checks could result in refusal of entry to the site.
4.7	<p><b>Protest management strategy</b></p> <p><i>Development and implementation of a protest management strategy in consultation with North Wales Police and other relevant stakeholders.</i></p>	<p>NWP do not consider this is adequately secured. A requirement should be included in the DCO to submit the Protest Management Strategy to IACC for approval, subject to NWP's agreement and then to comply with this strategy.</p> <p>The Applicant has submitted that it is not appropriate for NWP to have approval rights over this strategy which will form part of the wider Site Security Plan, but that it will be consulted as a stakeholder. However, any protests are likely to occur in the vicinity of, but outside the nuclear site and therefore fall under the jurisdiction of NWP to police and manage. On this basis it is entirely appropriate that NWP is able to review and comment on the Protest Management Strategy.</p>
4.10 – code of conduct	<p><i>Expected standards to be placed on construction workers in relation to their conduct and behaviour whilst employed on the Wylfa Newydd DCO Project are set out in the Workforce Management Strategy (APP-413). Construction workers will comply with Horizon's expected standards by means of a Code of Conduct, which will be in line with the principles set</i></p>	The main concern for NWP in relation to contractual arrangements between tiers is behaviour and compliance specific plans, such as the code of conduct, and ensuring that all contractors are aware of this document, sign up to it and comply with it. At the moment no compliance measures exist in relation to this process and there is no guarantee

PARAGRAPH	RELEVANT TEXT	NWP COMMENTS
	<i>out in the Workforce Management Strategy (APP-413). The Code of Conduct will cover expected standards of behaviour in the local community, housekeeping and behaving in an environmentally and socially responsible manner.</i>	that there will be adherence to that document.
5.9 – Traffic Incident Management Plan	<p><i>Horizon has no statutory authority in the event of a traffic incident on the road network. However, Horizon will assist with incident management planning through the following measures:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Maintaining a site-based delivery management team as a contact point for contractors, emergency services and the highway authorities. This team will help manage and coordinate Horizon and its supply chain's response to an incident.</i></li> <li>▪ <i>Controlling the number and frequency of HGVs on the designated HGV routes.</i></li> <li>▪ <i>Establishing an appropriate communications protocol for workers, bus drivers transporting construction workers and HGV drivers.</i></li> <li>▪ <i>Communicating incident management information to all workers, contractors making a delivery, and bus operators transporting workers.</i></li> <li>▪ <i>Holding HGVs and buses at appropriate locations, including the Logistics Centre, during an incident.</i></li> </ul>	The Traffic Incident Management Plan ( <b>TIMP</b> ) is discussed in the CoCP, however there is no proposal to prepare a plan or strategy. This is a vital plan for NWP and it needs to be secured by a standalone requirement or be expressly included within the requirement which secures the CTMS. The CoCP does not sufficiently secure the production of this plan. The ESCG will require the ability to review and comment on the TIMP prior to its approval by IACC.

## Code of Conduct

- 3.33 In relation to the Code of Conduct (see Row 1 in schedule in Appendix 2), this is currently secured by requirement PW8, however, the requirement does not provide for any body to approve this document as drafted. The Applicant has responded to say that the principles are set out in the Workforce Management Strategy, which is a certified document and therefore the Code of Conduct does not need further approval.
- 3.34 NWP do not agree with this submission, the document must be reviewed to ensure it is in accordance with the principles in the Workforce Management Strategy and NWP need to have the ability to review and comment on the content as the document relates to safety and security. NWP therefore ask that the requirement is amended so that IACC approve this document, subject to agreement from the ESCG.

## Community Safety Management Strategy (CSMS)

- 3.35 NWP also need to fully input into the CSMS (see Row 4 in schedule in Appendix 2), which is currently secured by requirement PW11. NWP note the CoCP as drafted sets out the role of the "Emergency Services Engagement Sub-Group" (EESG) in preparing the CSMS at paragraphs 3.4.6 to 3.4.10. The EESG contains a wider group of stakeholders than the ESCG, containing a number of other bodies, including IACC.
- 3.36 NWP wants it to be set out on the face of the draft DCO that the EESG will be consulted on this document and agree its content before the CSMS is approved by IACC. This is particularly important given that EESG are to be responsible for implementing the CSMS, thereby creating an administrative and financial burden on the blue light services. It is not sufficient to merely be involved in the development of the CSMS as proposed by the Applicant in its response to NWP's written representations [REP3-020] as this strategy, more so than any other plan or strategy, goes to the heart of NWP's core functions. NWP note that in Hinkley Point C Nuclear Power Station project, the Emergency Services and Local Authorities Group was given the role of overseeing the delivery of the Community Safety Management Plan and was given the ability to review and update the plan as necessary.
- 3.37 NWP made clear at the hearing that it was not, at this stage, making submissions that it should be a discharging authority in relation to certain plans and documents. The priority for NWP and ESCG is full involvement in the plans that are relevant to them as a group and this needs to be documented and secured.

### Other plans needing requirements

- 3.38 **The Workforce Accommodation Strategy** (see Row 10 in schedule in Appendix 2) forms part of the application documents [Ref: APP-413] but is not a certified document. The mitigation table states that this is to be secured as a section 106 obligation and the document itself states *"although the Workforce Accommodation Strategy is not a certified document, the measures within it will be secured through the other mechanisms. For example, the Housing Fund and the Workforce Accommodation Management Service will be secured through a section 106 obligation. In addition the requirement to use the WAMS will be secured through the Code of Conduct contained in the Workforce Management Strategy, which is secured by a DCO requirement in the draft Order"*.
- 3.39 NWP has no objection to the WAMS and the Housing Fund being secured through a section 106 obligation and can confirm that the draft section 106 agreement does secure these functions. However, it does not expressly secure compliance with the Workforce Accommodation Strategy. NWP's position is that this strategy contains additional mitigation separate from those mechanisms secured within the section 106 agreement and compliance with the Workforce Accommodation Strategy should also be secured by a requirement in the DCO.
- 3.40 The **Protest Management Strategy** (see Row 3 in schedule in Appendix 2) is referred to in the CoCP and will be "developed and implemented in consultation with NWP", however NWP do not consider this is adequately secured. A requirement should be included in the DCO to submit the Protest Management Strategy to IACC for approval, subject to ESCG's agreement and then to comply with this strategy. The Applicant has submitted that it is not appropriate for NWP to have approval rights over this strategy which will form part of the wider Site Security Plan, but that it will be consulted as a stakeholder. However, any protests are likely to occur in the vicinity of, but outside, the nuclear site and therefore fall under the jurisdiction of NWP to police and manage. On this basis it is entirely appropriate that NWP are able to review and comment on the Protest Management Strategy.
- 3.41 There are then several standalone plans, not currently proposed, which NWP wish to see prepared and secured by requirement.
- 3.42 A **Supplier Code of Conduct** (see Row 2 in schedule in Appendix 2) is not currently being proposed. Yet, as drafted the Wylfa Newydd Code of Conduct does not appear to apply to suppliers and it is not clear from the Applicant's response to NWP's written representations



[REP3-020] whether the code will apply to suppliers. It is imperative to NWP that the Wylfa Newydd Code of Conduct contains a section which applies to suppliers or that a standalone code of conduct is prepared for suppliers.

- 3.43 If a separate document is prepared, this should be secured by a requirement and should be approved by IACC, subject to agreement with ESCG.
- 3.44 Although not currently proposed, a requirement should be included within the DCO to submit a **Health and Wellbeing Strategy** (see Row 6 in schedule in Appendix 2) to secure compliance with the strategy. The Applicant states that the health and wellbeing commitments are fully integrated through the core documentation of the DCO application and therefore it does not form one standalone document. It is not clear where or how the commitments are set out in the core documentation and the emergency services require the production of a standalone strategy which is secured by a requirement. This strategy needs to be submitted as a cohesive document and approved by IACC, subject to agreement with ESCG.
- 3.45 In relation to the **Site Security Plan** (see Row 15 in schedule in Appendix 2) the CoCP addresses security principles at paragraph 4.7, but there is no reference to preparing a specific plan or strategy. A requirement should be included in the DCO which ensures a Site Security Plan is prepared in line with the principles in the CoCP. NWP note that the plan will be approved by the Office for Nuclear Regulation (**ONR**), but only in relation to the Main Power Station Site. NWP requires the site security plan to be address security provisions outside the remit of the ONR and the Civil Nuclear Constabulary i.e. in relation to the associated development proposed and protests outside, but in the vicinity of, the Main Power Station Site. Therefore it is entirely reasonable for ESCG to be consulted on the aspects of the plan which address security outside of the Main Power Station Site.
- 3.46 The principles of the construction traffic and transport management strategy are currently set out at section 5 of the CoCP [REP2-031] and sub-CoCPs. As stated above the CoCP does not contain enough detail as drafted, rather it contains high level principles that will require refinement prior to commencement of development, although NWP notes the Applicant's response that the documents will be further refined throughout Examination. In any event, there should be a requirement in the DCO to submit a standalone **Construction Traffic Management Strategy (CTMS)** (see Row 12 in schedule in Appendix 2) , which accords with the principles in the CoCP prior to commencing development and secures compliance with this standalone strategy. The ESCG should be consulted on this strategy prior to approval by IACC.
- 3.47 The principles for the operational traffic and transport strategies are set out in the CoOP [REP2-037] and as with the Construction Traffic Management Strategy there are only four pages of text. These contain high level principles which do not constitute a detailed strategy.
- 3.48 The **Operational Travel Strategy** (see Row 11 in schedule in Appendix 2) is set out at section 5.3 of the CoOP [REP2-037] over two pages. As above, the detail set out in the CoOP is too high level and a separate detailed Operational Travel Strategy should be prepared in accordance with the principles in the CoOP prior to the start of the operational period. There should be a requirement in the DCO to submit a standalone strategy and to secure compliance with the strategy. NWP notes the Applicant's response to this submission; however it is standard practice to submit a standalone travel strategy and NWP want to see this secured by a separate requirement. ESCG should be consulted on this strategy prior to approval by IACC.
- 3.49 The **Traffic Incident Management Plan** (see Row 5 in schedule in Appendix 2) is discussed at paragraph 5.5 of the CoCP, however there is no proposal to prepare a plan or strategy. This is a vital plan for NWP and it needs to be secured by a standalone requirement or be expressly included within the requirement that secures the CTMS. The CoCP does not sufficiently secure the production of this plan. The ESCG will require the ability to review and comment on the TIMP prior to its approval by IACC.
- 3.50 NWP requires sight of a **MOLF Operational Plan** (see Row 16 in schedule in Appendix 2), to be prepared and submitted to ESCG for agreement prior to the operation of the MOLF. By way of background:

- 3.50.1 Ports Policing in North Wales is delivered through North Wales Welsh Extremism and Counter Terrorism Unit (**WECTU**). WECTU is a collaboration of the four Welsh Police Forces. The current North Wales WECTU Borders team are committed 24/7 to the two million plus annual passenger movements through Holyhead Port. They are a key link in the national defence against terrorism and in addition, they are also responsible for the policing of the many small airstrips and marinas across North Wales and the 400 miles of its coastline.
- 3.50.2 The Unit works closely with other agencies such as Her Majesty's Revenues & Customs (**HMR&C**), to provide a visible and effective deterrent to cross border crime throughout North Wales. There is not the capacity to take on significant extra duties without removing resources necessary to complete core duties.
- 3.50.3 Current expectations are that officers accredited under the Terrorism Act 2000 board vessels of interest identified by National Maritime Operations Centre and examine crew members. In addition crew members going ashore are frequently reported on to ensure their transit or presence in country is not abused.
- 3.50.4 The lack of detail contained in the application and the uncertainty as to the frequency, ports of origin, crew numbers and nationalities that will use the MOLF means that NWP are unable to undertake an assessment of the required capability.
- 3.51 The Applicant's response states that the management principles are secured through Marine Works CoCP, however the marine sub-CoCP does not address the impacts NWP are seeking to address through the MOLF Operational Plan. This is namely: monitoring arrangements; the control of freight movement and how the commitment to receive 60% to 80% of deliveries will be achieved; contingency measures should the MOLF not be available (for example, in bad weather); how effective border security protocols will be delivered; and measures to be put in place to address any waterborne protest. Therefore, the MOLF Operational Plan needs to be prepared as a standalone document and secured by a requirement. The ESCG should be consulted on this plan prior to approval.
- 3.52 Finally, an **Abnormal Indivisible Loads (AILs) Management Plan** (see Row 17 in schedule in Appendix 2) has been suggested by the Welsh Government and NWP support the production of this plan. NWP must be notified of any journeys being made by AILs by law and the police may provide trained escorts. Therefore NWP require the ESCG to be consulted on this plan before it is approved.

#### ***Agenda Item 7: Proposed Section 106 Agreement***

##### **a. to consider legitimacy; governance arrangements; and the adequacy of the financial and other resources likely to be made available**

- 3.53 In relation to the section 106 agreement NWP made the following submissions:

##### **Signatory and direct payment of contributions**

- 3.54 NWP is not in a dissimilar position to the Welsh Government, in relation to wanting to be a party to the agreement, as set out in the section 106 note submitted at Deadline 2 Appendix 4 to REP2-345. NWP at present submit it should be a contractual party to the section 106 agreement and the contributions should be paid immediately to NWP. It is vital that NWP has a direct contractual relationship with the Applicant, for a number of important reasons, including the creation of reciprocal obligations. IACC's position is noted and NWP's submission at Deadline 3 [REP3-062] provides comment on its position in Table 5.3. In summary, it is not appropriate in this instance for the payments to be made to IACC or for NWP to have to rely on IACC to take enforcement action, given the consequences if the mitigation funding is not received. NWP disagree with the Applicant's response at the hearings that NWP are not an "important" enough statutory consultee to warrant the entering into of a section 106 agreement.

- 3.55 NWP have noted the suggestion of using a deed of covenant to create a direct contractual relationship and facilitate direct payments in its response to NWP's written representations [REP3-020]. NWP require further detailed assurances from the Applicant that appropriate mitigation will be secured and the draft Heads of Terms [originally REP2-345 and revised and submitted separately for Deadline 4] produced will be properly incorporated before considering any such deed of covenant.

#### **Quantum and heads of terms**

- 3.56 As stated above, NWP has submitted section 106 agreement heads of terms to the Applicant for review (Appendix 5 to REP2-345 and revised at Deadline 4), which contain detailed mechanisms, some of which are reciprocal, in relation to the payment and review of the contribution. For example, one such head includes mechanisms requiring NWP to report on how the money is being spent and to return any unspent monies to the Applicant. NWP is still waiting for a response from the Applicant, but as drafted Schedule 9 (emergency services) is too brief and vague, and NWP expects its heads of terms to be incorporated into the agreement.

#### **Monitoring – Revising the impact assessment.**

- 3.57 There is a need to monitor the impacts of the Project, particularly in relation to traffic and transport and workforce numbers in order to monitor whether the effects are the same as those set out in the Environmental Statement. If the impacts differ, NWP must be able to update its own impact assessment, to reassess the mitigation required. Therefore NWP's heads of terms in its written representation [REP2-345] include a provision, which allows NWP to request monitoring data and prepare an updated impact assessment where necessary.
- 3.58 NWP only want to ensure that they have ongoing involvement and an appropriate level of control in relation to the creation, then change management and monitoring, of plans and documentation that are relevant to them and ESCG. This is a nuclear power station and is larger in scale than Hinkley Point C – appropriate mechanisms must be in place to account for this.
- 3.59 The purpose of NWP's representations is not to cause difficulties between any parties, in fact entirely the opposite. It is to ensure that there is a proactivity by NWP and ESCG in being able to input into and inform plans and documentation, rather than having to react to changes that directly affect them. That simply is not going to work for NWP from a practical resourcing perspective. There is a vital need for pro-activity, it is not sufficient to take a reactive approach. AILs are a good example – NWP need advance of warning of an AIL making a delivery to any part of the development by law and therefore should be consulted on any strategy relating to AILs.
- 3.60 To put this aforementioned statement into context, NWP utilise a number of resource modelling methods and tools to calculate resource requirements. These can be used to forecast changes to resource requirements given an anticipated change in policing demand. For frontline officers and staff, resources levels are required to meet four fundamental criteria:
- Ensure public safety
  - Maintain officer safety
  - Deal with incoming demand
  - Deliver proactive activity.
- 3.61 Whilst very short term changes in demand can be resourced dynamically, i.e. additional resources being allocated to the area of demand from another, this can result in reduced capability in other areas. Longer term changes in demand need to be modelled and planned for in order to maintain community safety, quality and efficiency of service. Long term resource planning is vital to NWP as it takes around 18 months to recruit and train a police officer. It is therefore very important that NWP are afforded the ability to plan well in advance through the timely sharing of information from the applicant.

**b. to consider the suite of mirror provisions that would be required in the DCO in the event that the s106 agreement is not agreed and signed before the close of the examination**

- 3.62 During the hearing, the Examining Authority explored the option of transposing the contents of the section 106 agreement into the DCO if the agreement is not finalised and completed before the close of the examination.
- 3.63 NWP do not object to this approach in principle and indeed it seems preferable if a bilateral agreement has not been completed. NWP will however work with the Applicant to try and achieve a robust and workable solution in advance of the Examination closing. NWP are able to submit suggested wording incorporating its section 106 heads of terms into the DCO for Deadline 5 (and as soon as possible in advance of that date to the Applicant), if this is considered appropriate and in order to assist the Examining Authority.
- 3.64 The Applicant also submitted at the hearing that it may present the DCO obligations to the Examining Authority in the form of a unilateral undertaking. NWP do not consider this approach to be suitable or appropriate. It is imperative for a development of this size and complexity that IACC as the relevant planning authority are satisfied that all necessary mitigation has been secured. It is also important that obligations are reciprocal, given that a number of complex mechanisms exist that require the approval of IACC and other parties. If an agreement cannot be reached on the section 106 obligations, it is wholly inappropriate for the Applicant to submit its own agreement without approval from the relevant planning authority.
- 3.65 In addition, as drafted the section 106 agreement places various covenants on IACC (e.g. Schedule 7, paragraph 1.2 - employing a transport officer). If the obligations are secured unilaterally, IACC will not be bound by these covenants. This aligns with the National Assembly for Wales – Planning – Section 106 agreements quick guide (July 2015) which states that only in a limited number of cases, where only the applicant needs to be bound by a planning obligation and not the LPA, instead of a S106, a developer may make a "unilateral undertaking".

**4. ADDITIONAL SUBMISIONS ON DRAFT S106 AGREEMENT**

**Clause 6 - WNMPOP**

- 4.1 This clause as drafted within the current section 106 agreement, attempts to allow the Council, the Applicant and the Welsh Government to agree and implement an alternative mechanism if the WNMPOP or a sub-group are affecting the delivery of the Project, without consultation with any other members of WNMPOP or the sub-groups.
- 4.2 This is not a review mechanism, but an attempt to circumvent the statutory provision that requires all variations to planning obligations to be effected by deed, and be subject to approval by the Secretary of State.
- 4.3 The Agreement needs to secure the establishment of a panel who can then monitor and where necessary enforce the mitigation proposed by the Applicant to make the development of the Project acceptable in planning terms. It should not be in the Applicant's gift to disband the panel, even if its actions impact on the delivery of the Project.

**Clause 12 – Disputes**

- 4.4 The expert determination provision is lacking in detail of timescales at present and NWP want to see more robust timescales in the disputes clause.
- 4.5 A set timescale is required for the appointment of an expert, the appointment of a solicitor must be as soon as reasonably practicable following referral to the Law Society president and there must be timescales for notifying the parties of a hearing date or that a decision will be made on the papers. Finally the expert must be required to make requests for submissions or supporting material within a set timeframe.

## **Schedule 5 – Worker Accommodation**

- 4.6 The definition and remit of the Worker Accommodation Portal (**the Portal**) is not currently fit for purpose. It needs to be expanded upon in order that the Portal accurately monitors workforce numbers, as well as fulfilling the role of assisting the workforce find accommodation. NWP notes the Applicant stated during the ISH1 hearing in relation to socio-economic issues on Monday 7 January that registration on the Portal by workers will be mandatory; this commitment needs to set out in the section 106 agreement.
- 4.7 The Accommodation Monitoring Data should be reported to the ESCG in addition to the Accommodation, Tourism and Leisure Sub-Group as set out in NWP's heads of terms. ESCG should also be entitled to request to have sight of such data at regular intervals, for the purpose of ensuring compliance with various plans and that mitigation is as assessed and concluded within the Environmental Statement. It is imperative that NWP/ESCG know how many workers are living or staying on the island at any one time.
- 4.8 Alternatively, NWP are open to exploring another way to provide the data required by NWP. This mechanism must however be secured in the section 106 agreement.
- 4.9 The Environmental Statement is based on the assumption that 4,000 workers will reside in the on-site campus. This underpins the various assumptions and worst case scenarios used to carry out the impact assessment. Whilst NWP understand there are sensitivities in predicting certain elements of choice, there is absolutely no guarantee that the accommodation will be taken up. NWP support the representations made by IACC and the Welsh Government in ensuring that there are mechanisms secured in the section 106 agreement to ensure that the uptake of on-site workers' accommodation is maximised.

## **Schedule 7 – Traffic and transport**

- 4.10 Traffic and Transport monitoring data needs to be reported to ESCG as well as the Transport Sub-Group, or, there is a mechanism allowing ESCG to request site of that data on a regular basis. As stated above, for such data ESCG should also be entitled to request to have sight of it at regular intervals, for the purpose of ensuring compliance with various plans and that mitigation is as assessed and concluded within the Environmental Statement.

## **Schedule 12 – Community Fund**

- 4.11 NWP and ESCG need to be able to comment on any community fund applications that relate to community safety. This should be achieved by ensuring a representative from ESCG sits on the main WNMPOP, or that this remit is clearly set out in a separate Schedule (likely Schedule 9) to the section 106 agreement.

## **Schedule 16 – WNMPOP and payment of contingency fund**

- 4.12 As drafted the Section 106 Agreement does not permit NWP or the ESCG to apply for contingency funding or unforeseen mitigation impacts of any kind. This is unacceptable and the ESCG must be provided with access to make an application. The DCO section 106 agreement for the Hinkley Point C Nuclear Power Station provided for a contingency fund to be available to the emergency services under certain circumstances, a request could be made by the Avon and Somerset Constabulary for funds and payment would be made directly to the Avon and Somerset Constabulary.
- 4.13 The drafting refers to WNMPOP Terms of Reference, but these are neither defined nor appended to the Section 106 Agreement. These need to form part of and be secured by the section 10 agreement. These terms should set out the procedure and detailed criteria for the allocation of contingency funds and must provide that if a member of WNMPOP applied for contingency funding, they must not sit on the Board and decide upon that particular application.

- 4.14 As such, if any Applicant forms part of the decision making group within the WNMPOP, they would need to step down temporarily from the WNMPOP whilst that decision takes place. This includes NWP.

## **5. ADDITIONAL SUBMISSIONS ON CUMULATIVE "CREEP" AND CHANGE MANAGEMENT**

- 5.1 NWP has two additional principle concerns in relation to the flexibility currently adopted within the DCO:

- 5.1.1 Schedule 3(4) allows for the subsequent amendment and revision to a number of documents, which includes the CoCP, sub-CoCPs and Community Safety Management Strategy;
- 5.1.2 Throughout the DCO, there is the ability of the Applicant to make specific changes to various documents and plans, due to the caveated wording "unless otherwise agreed in writing with the Relevant Planning Authority" which is included in a lot of the requirements (e.g. requirements: PW7, PW11, SPC1, SPC2, SPC13, WN1, WN10, WN24, PR1, OH1, LC1 and OPSF1)
- 5.1.3 Amendments to the Project as defined in the DCO are permitted in various forms, subject to the caveat that "the change does not give rise to any materially new or materially different environmental effects" by Schedule 3 paragraph 1(4) of the DCO [REP2-020], which states:

*"where an approval of details or other document is required under the terms of any requirement or where compliance with a document contains the wording "unless otherwise agreed" by the discharging authority, such approval of details or of any other document (including any subsequent amendments or revisions) or agreement by the discharging authority is not to be given except in relation to minor or immaterial changes or deviations where it has been demonstrated to the satisfaction of the discharging authority that the subject matter of the approval or agreement sought does not give rise to any materially new or materially different environmental effects to those assessed in the Environmental Statement."*

- 5.2 The DCO therefore allows for a multitude of changes to take place, some of which (such as requirement PW7 (Wylfa Newydd CoCP and WN1 (Main Power Station Site sub-CoCP)), require the approval of the Relevant Planning Authority, whilst others (such as requirement PW8 (Wylfa Newydd Code of Conduct)) require no approval by anyone at all.
- 5.3 This raises serious concerns for NWP, for the following reasons:
- 5.3.1 There is no formal process for the delivery of change management;
- 5.3.2 Stakeholders and the local community will not be aware of the changes that are taking place and have an opportunity to express their views on those changes; and
- 5.3.3 If impacts result from the changes proposed, either individually, or cumulatively, key consultees and stakeholders currently have no obvious mechanism through which to input into those changes and to ensure they do not have a wider impact on specific functions of those stakeholders.
- 5.4 NWP consider that absent any control over change management, the possibility of a multitude of changes occurring across various aspects of the site, unmonitored, raises the serious risk of the cumulative impact of a number of supposedly not being "materially new or materially different" effects, considered together, being rendered "material".
- 5.5 The Applicant sought to provide comfort that these will be very minor everyday changes and that, given this verbal assurance, the Panel should be satisfied that such changes will be entirely appropriate and within the remit of what has been assessed. NWP disagree that a verbal

assurance is sufficient when managing a multi-site development that has a very ambitious and difficult programme to achieve for commissioning of the Project by a specific date.

- 5.6 In any event, there is no standardised test as to what constitutes "materially new or materially different" effects. This is an entirely subjective methodology, which as currently drafted is in the Applicant's gift and control to decide. NWP consider that, specifically in relation to the drafting of the DCO, the following must be implemented to address this concern:
- 5.6.1 First and foremost, NWP considers that if there is going to be any flexibility of the type being sought here, that such changes should be limited to the parameters of the Environmental Impact Assessment.
  - 5.6.2 Secondly, all changes need to be appropriately reported to and monitored by IACC; and
  - 5.6.3 Thirdly, the Applicant needs to take into account other changes and developments occurring across the site when reporting on this to IACC and provide a statement confirming why, cumulatively, there are not any effects occurring across the entirety of the Project.
- 5.7 If any changes could impact on community safety or the operational duties of the emergency services, then ESCG must be afforded an opportunity to comment on those changes and they need to be taken into account in the decision making, monitoring and enforcement process.
- 5.8 NWP consider that it is necessary, proportionate and robust to require as follows:
- 5.8.1 The deletion of the final sub-section of the definition of Other Associated Development set out at the end of Schedule 1 (Authorised Development) in the DCO [REP2-020],  
  
*"(p) such other works as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the authorised development which do not give rise to any materially new or materially different environmental effects from those assessed as set out in the Environmental Statement."*  
  
All interested parties were in agreement at the hearing that this wording was too wide, lacked clarity and should be removed from the DCO.
  - 5.8.2 The maintenance of a register, which is kept by the relevant planning authority, which outlines all changes made to the proposed development, including plans and documentation;
  - 5.8.3 A mechanism for the dissemination of the detail of any changes made to appropriate stakeholders. Should the WNMPPOP exist as an entity in the final DCO (assuming it is granted), then this is the most appropriate mechanism for this to take place. NWP need to have full involvement in the monitoring of those plans and changes that may affect the delivery of their resource and service across North Wales. An explanation as to how this would work through the ESCG is set out in within these submissions.
  - 5.8.4 Regular updates as to impacts should be provided to the local community specifically on change management, rather than potentially generic "general updates" through ad hoc newsletters. The process for this should be explicitly set out in the CoCP.

## APPENDIX 1

### CVs

#### 1.1 Chief Superintendent Nigel Harrison, Operation Support Services, North Wales Police

T/Ch. Supt Harrison has 22 years policing experience and is currently responsible for all specialist operations including Firearms, Roads policing, Operational Planning, Force Control Centre and Administration of Justice. He lived on Anglesey for 16 years, only 2 miles from Wylfa A and has policed operational all areas of the island. He has been involved in the Wylfa Newydd project since 2013.

2010 - 2013 - Chief Inspector of Operations for the Western Area including Anglesey

2013 - 2015 - Superintendent Community safety covering North Wales including custody provision

2015 - 2018 - Area commander for the Western Area (Division) responsible for all policing activity in Gwynedd and Anglesey. Within this time he was additionally Temporary Chief Superintendent responsible for all operational policing across North Wales.

2018 – Temporary Chief Superintendent, Operation Support Services

As part of his current responsibilities he is both a tactical and strategic public order and firearms commander and force lead for these disciplines along with being Chemical, Biological, Radiological and Nuclear (CBRN) commander.

In addition Chief Superintendent Harrison has spent time in The Welsh Extremism and Counter Terrorism Unit (WECTU), held responsibility for Ports Policing across North Wales and served with the Force Intelligence section as Detective Inspector investigating serious and organised crime across North Wales.

#### 1.2 James Davies – Programme Manager, Portfolio Management Office, North Wales Police

James has 16 years policing experience and is currently the programme lead for the North Wales Police Safer Anglesey Programme which incorporates Wylfa Newydd and the North Wales Connection (National Grid) projects along with other proposed developments on and around the island. He has been involved in the Wylfa Newydd project since 2014.

For the Land and Lakes planning application James led the review and assessment for North Wales Police and successfully negotiated and secured the S106 agreement.

James was the North Wales Police project manager for the North Wales Prison (now called HMP Berwyn) in Wrexham. The prison is the second largest in Europe and he led a multiagency approach to deliver policing facilities, procedures and relationships never seen before in a prison in the UK.

Prior to his time in project management James was a Forensic Video Analyst providing expert witness evidence and specialist evidence recovery both local for North Wales Police and as part of a national team. He taught and advised other agencies and has attended specialist training in the USA and Netherlands.

#### 1.3 Ben Lewis, Infrastructure & Energy Director, Barton Willmore

Ben is a Chartered Town Planner with over eighteen years' experience in the private sector. As national lead for the practice's infrastructure team, Ben specialises in large scale infrastructure and energy proposals. Ben is a Council Member of the National Infrastructure Planning Association.



Ben has experience providing strategic planning advice, he has specialist infrastructure planning and consenting expertise and is an experienced project manager. He brings considerable experience of working on a wide variety of projects across the UK and has experience of leading and working in large multidisciplinary teams.

Key experience includes:

### **Nationally Significant Infrastructure Projects**

Project Lead on the approved Development Consent Order for a 240MW enhancement and extension of power generating facilities at Tata Steel's existing steelworks in South Wales.

Planning project lead on the approved Development Consent Order for a 99MW pumped hydro storage facility in North Wales.

DCO process and strategy advice and preparation of representations :

- Nugen's proposed Nuclear Power Station at Moorside
- Horizon's Wylfa Newydd proposed Nuclear Power Station
- National Grid's proposed North West Connections Corridor
- EDF's proposed Nuclear Power Station at Sizewell C
- Sunderland International Advanced Manufacturing Park
- Confidential waste client on s35 direction
- Confidential European interconnector project

Strategy advice, representations and advocacy for London Boroughs of Lewisham, Southwark and Hackney at the Examination for Transport for London's proposed Silvertown Tunnel.

### **Nuclear Decommissioning Authority**

Planning lead on nationwide estate services contract across eighteen UK wide sites.

DCO process and strategy advice.

Planning and EIA strategy advice for delivery of Final End State.

### **Magnox Ltd**

Preparation and implementation of planning strategy for nationwide Intermediate Level Waste (ILW) management programme, planning applications and development plan promotion.

Preparation and implementation of planning strategy at Bradwell Nuclear Power Station to secure:

- full planning permission for the import and storage of ILW from Sizewell A in Suffolk and Dungeness A in Kent;
- approval of a revised site-wide landscaping scheme;
- various approvals for retention of temporary office and other buildings; and
- prior approval for demolition of various significant buildings and structures onsite.

### **Solar Parks**

Project lead on planning application, including EIA, for a 49.9MW solar farm, with integral battery storage, on the Isle of Anglesey.

Secured consent for 12MW solar park (EIA scheme) in Carmarthenshire and 5MW solar park (planning appeal) in Pembrokeshire on behalf of Elgin Energy.

### **Welsh Government**

Promotion of Llanbedr Spaceport in Snowdonia Enterprise Zone.

## **APPENDIX 2**

### **Schedule of Plans & Strategies requiring NWP / ESCG involvement**

## Schedule of Plans & Strategies requiring NWP / ESCG involvement

	Plan / Strategy	Proposed Mechanism	Mechanism / approach required by NWP / ESCG			
			Required as Certified Document?	DCO	Change Mechanism	Comments
	PLANS / STRATEGIES REQUIRING IACC APPROVAL IN AGREEMENT WITH, OR CONSULTATION WITH, NWP /ESCG & CONSULTATION ON ANY POST-CONSENT CHANGES					
1.	Wylfa Newydd Code of Conduct	Requirement PW8 requires a Code of Conduct to be prepared in accordance with the Workforce Management Strategy. The requirement does not include any formal approval mechanism for the initial plan or subsequent revisions.	Yes – in outline	Amend requirement PW8 to require approval by IACC, <b>subject to agreement with ESCG</b> , prior to commencement of development and to secure compliance with the approved strategy.	Change mechanism will be covered by requirement.	
2.	Supplier Code of Conduct	The preparation of this strategy is not currently being proposed by HNP.	No	Include requirement for approval by IACC, <b>subject to agreement with ESCG</b> , prior to commencement of development and to secure compliance with the approved strategy.	Change mechanism will be covered by requirement.	A Supplier Code of Conduct is not currently being proposed. However, as drafted the Wylfa Newydd CoCP does not appear to apply to suppliers and it is not clear from the Applicant's response to NWP's written representations [REP3-020] whether the code will apply to suppliers. It is imperative to NWP that the Wylfa Newydd Code of Conduct contains a section which applies to suppliers or that a standalone code



	Plan / Strategy	Proposed Mechanism	Mechanism / approach required by NWP / ESCG			
			Required as Certified Document?	DCO	Change Mechanism	Comments
						of conduct is prepared for suppliers.
3.	Protest Management Strategy	This plan is referred to in the CoCP, but is not secured by requirement.	Yes – in outline	Include requirement for approval by IACC, <b>subject to agreement with ESCG</b> , prior to commencement of development and to secure compliance with the approved strategy.	Change mechanism will be covered by requirement.	NWP / ESCG would be appropriate approval body for Protest Strategy.  We note HNP's DL3 comment that this will be covered by the Site Security Plan and as such is not required as a standalone plan. However, HNP's DL3 response also states that NWP do not have a role in the SSP as it falls within CNC/ONR remit.
4.	Community Safety Management Strategy	The production of this plan is secured by requirement PW11. It must be submitted to IACC for approval prior to the commencement of development.	No	Amend requirement PW11 to require approval by IACC, <b>subject to agreement with EESG</b> , prior to commencement of development and to secure compliance with the approved strategy.	Change mechanism will be covered by requirement.	<b>DCO precedent</b> – Natural Resources Wales is the discharging authority for Requirement 22, Part 2, Schedule 1 in relation to the emergency flood plan in the Glyn Rhonwy Pumped Storage Generating Station Order 2017.
5.	Traffic Incident Management Plan	Traffic Incident Management is discussed at paragraph 5.5 of the CoCP, however there is no proposal to prepare a plan or	No	Include requirement to require approval by IACC, <b>subject to agreement with ESCG</b> , prior to commencement of development and to	Change mechanism will be covered by requirement.	If covered in CTMS, then ESCG will require an approving role for the CTMS.



	Plan / Strategy	Proposed Mechanism	Mechanism / approach required by NWP / ESCG			
			Required as Certified Document?	DCO	Change Mechanism	Comments
		strategy		secure compliance with the approved strategy.		
6.	Health & Wellbeing Strategy	The preparation of this strategy is not currently being proposed by HNP	No	Include requirement to require approval by IACC, <b>subject to agreement with ESCG</b> , prior to commencement of development and to secure compliance with the approved strategy.	Change mechanism will be covered by requirement.	Assumes safeguarding is included in HWBS.
7.	Wylfa Newydd Code of Construction Practice	Certified document  Compliance secured through requirement PW7	Yes – in outline	Amend requirement PW7 to require approval by IACC, <b>in consultation with ESCG</b> , prior to commencement of development and to secure compliance with the approved strategy.	Change mechanism will be covered by requirement.	
8.	Wylfa Newydd Code of Operational Practice	Certified document  Compliance secured through requirement WN10	Yes – in outline	Amend requirement WN10 to require approval by IACC, <b>in consultation with ESCG</b> , prior to commencement of operation and to secure compliance with the approved strategy.	Include a mechanism in the s106 agreement which permits the ESCG to monitor and recommend enforcement on implementation, and to comment on any proposed changes.	



	Plan / Strategy	Proposed Mechanism	Mechanism / approach required by NWP / ESCG			
			Required as Certified Document?	DCO	Change Mechanism	Comments
9.	Sub codes of Construction Practice for associated developments	Certified documents  Compliance secured through requirements WN1, WN24, OPSF1, PR1, LC1 and OH1	Yes – in outline	Amend requirements to require approval by IACC, <b>in consultation with ESCG</b> , prior to commencement of development and to secure future compliance with approved strategy.	Include a mechanism in the s106 agreement which permits the ESCG to monitor and recommend enforcement on implementation, and to comment on any proposed changes.	
10.	Workforce Management Strategy	Certified document  No requirement to secure compliance with the strategy  To be secured as a section 106 obligation	Yes – in outline	Include requirement for approval by IACC, <b>in consultation with ESCG</b> , prior to commencement of development and to secure future compliance with approved strategy.	Include a mechanism which permits the ESCG to monitor and recommend enforcement on implementation, and to comment on any proposed changes.	
11.	Operational Travel Strategy	This strategy forms part of the CoOP and therefore compliance is secured through requirement WN10	No	Include requirement for approval by IACC, <b>in consultation with ESCG</b> , prior to commencement of operation and to secure future compliance with approved strategy.	No	
12.	Construction Traffic Management Strategy	This strategy is set out in the CoCP and sub-CoCPs	Yes – in outline	Include a requirement to submit a standalone CTMS for IACC approval, <b>in consultation with</b>	Include a mechanism within the requirement which permits the ESCG to comment on and request changes to this strategy.	



	Plan / Strategy	Proposed Mechanism	Mechanism / approach required by NWP / ESCG			
			Required as Certified Document?	DCO	Change Mechanism	Comments
				<b>ESCG</b> , prior to commencing development and to secure compliance with this standalone strategy.		
	<b>PLANS / STRATEGIES NWP / ESCG REQUIRE INVOLVEMENT IN DURING PREPARATION &amp; CONSULTATION ON ANY POST-CONSENT CHANGES, NOT PRE APPROVAL</b>					
13.	Workforce Accommodation Strategy	<p>Workforce Accommodation Management Service will be secured through a section 106 obligation.</p> <p>The requirement to use the WAMS will be secured through the Code of Conduct contained in the Workforce Management Strategy, which is secured by a DCO requirement in the draft Order.</p>	No	Include a requirement to secure compliance.	Include a mechanism in the s106 agreement to secure the WAMS and Housing Fund, and a s106 mechanism which permits ESCG to monitor and recommend enforcement on implementation, and to comment on any proposed changes	
14.	Workers Accommodation Portal	This is to be operated by the Workforce Accommodation Management Service, which is to be secured as a section 106 obligation	No	No	Include a mechanism for establishing and operating the Workers Accommodation Portal, and permits the ESCG to monitor and recommend enforcement on	





	Plan / Strategy	Proposed Mechanism	Mechanism / approach required by NWP / ESCG			
			Required as Certified Document?	DCO	Change Mechanism	Comments
					implementation, and to comment on any proposed changes	
	<b>NEW PLANS / STRATEGIES REQUESTED FOR INCUSION IN THE DCO, SUCH PLANS REQUIRING CONSULTATION WITH ESCG AND ONGOING CONSULTATION POST APPROVAL</b>					
15.	Site Security Plan (Off-site)	The preparation of this strategy is not currently being proposed by HNP The CoCP addresses security principles at paragraph 4.7, but there is no reference to preparing a specific plan or strategy.	No	A requirement should be included in the DCO which ensures a Site Security Plan (Off-site) is prepared in line with the principles in the CoCP and submitted to IACC for approval ( <b>in consultation with ESCG</b> ).	Include a mechanism in the requirement which permits the ESCG to monitor and recommend enforcement on implementation, and to comment on any proposed changes	NWP require a site security plan to be prepared for off-site security provision outside the remit of CNC / ONR.
16.	MOLF Operational Plan	The preparation of this plan is not currently proposed by HNP	No	Include a requirement for approval by IACC, <b>in consultation with ESCG</b> , prior to the commencement of MOLF construction, and to secure compliance with the approved strategy.	Include a mechanism in the requirement which permits the NWP / ESCG to monitor and recommend enforcement on implementation, and to comment on any proposed changes	
17.	Abnormal Indivisible Loads Management Plan	The preparation of this plan is not currently proposed by HNP	Yes – in outline	Include a requirement for approval by IACC and WG, <b>in consultation with</b>	Include a mechanism in the requirement which permits the NWP / ESCG to monitor and recommend	



	Plan / Strategy	Proposed Mechanism	Mechanism / approach required by NWP / ESCG			
			Required as Certified Document?	DCO	Change Mechanism	Comments
				<b>ESCG</b> , prior to the commencement of construction, and to secure compliance with the approved strategy.	enforcement on implementation, and to comment on any proposed changes	

### **APPENDIX 3**

#### **Extracts from recent Development Consent Orders**



# The Silvertown Tunnel Order 2018

## Requirement 5: Code of construction practice and related plans and strategies

(1) The authorised development must be carried out in accordance with the code of construction practice.

(2) No part of the authorised development may be commenced until the following plans and strategies, required by the code of construction practice, have been prepared for that part of the authorised development—

(a) Construction Site River Strategy: to be prepared in consultation with the relevant planning authority and the PLA;

(b) Emergency Plan: to be prepared in consultation with the local emergency services and the relevant planning authority;

(c) Fire Plan: to be prepared in consultation with the London Fire and Emergency Planning Authority;

(d) Lighting Management Plan: to be prepared in consultation with the relevant planning authority, the PLA and the Environment Agency; and

(e) Site Waste Management Plan: to be prepared in consultation with the relevant planning authority and the Environment Agency.

(3) No part of the authorised development may be commenced until the following plans and strategies, required by the code of construction practice, have been prepared for that part of the authorised development and approved by the relevant planning authority, the Environment Agency or the PLA (as the case may be)—

(a) Air Quality Management Plan: to be approved by the relevant planning authority including in the London Borough of Newham, such scheme of ventilation at the Hoola building as necessary to reduce the exposure of first floor residential accommodation to nitrogen oxide to acceptable levels;

(b) Archaeological Written Scheme of Investigation: to be prepared in consultation with Historic England and, in respect of any elements within the river Thames, the PLA and the MMO, and approved by the relevant planning authority;

(c) Community Engagement Plan: to be approved by the relevant planning authority;

(d) Construction Materials Management Plan incorporating commitments to river transport: to be approved by the relevant planning authority;

(e) Construction Traffic Management Plan: to be approved by the relevant planning authority, in consultation with the relevant highway authority;

(f) Ecology Management Plan: to be prepared in consultation with Natural England and approved by the relevant planning authority;

(g) Flood Warning and Evacuation Plan (which forms part of the Emergency Plan to be prepared under sub-paragraph (2)(b)): to be approved by the relevant planning authority, in consultation with the Environment Agency;

(h) Groundwater Monitoring and Verification Plan: to be approved by the Environment Agency;

(i) Noise and Vibration Management Plan: to be approved by the relevant planning authority;

(j) Passage Plan: to be approved by the PLA; and

(k) Construction Environmental Management Plan: to be approved in consultation with the relevant planning authority and the PLA

(4) The relevant highway authority for the purposes of sub-paragraph (3)(e) is each highway authority for the highways affected by the Construction Traffic Management Plan.

(5) The authorised development must be carried out in accordance with the plans and strategies prepared or approved under sub-paragraphs (2) and (3).

(6) TfL must make the plans and strategies prepared or approved under sub-paragraphs (2) and (3) available in an electronic form suitable for inspection by members of the public until the authorised development has been opened for public use.



## **Article 66 - Silvertown Tunnel Implementation Group**

(1) TfL must establish and fund the reasonable secretarial and administrative costs of a consultative body to be known as the Silvertown Tunnel Implementation Group (in this Order referred to as “STIG”).

(2) STIG will comprise one representative of each of the following bodies—

- (a) TfL;
- (b) the GLA;
- (c) the Council of the London Borough of Barking and Dagenham;
- (d) the Council of the London Borough of Bexley;
- (e) the Council of the London Borough of Bromley;
- (f) the City of London Corporation;
- (g) the Council of the Royal Borough of Greenwich;
- (h) the Council of the London Borough of Hackney;
- (i) the Council of the London Borough of Lewisham;
- (j) the Council of the London Borough of Newham;
- (k) the Council of the London Borough of Redbridge;
- (l) the Council of the London Borough of Southwark;
- (m) the Council of the London Borough of Tower Hamlets;
- (n) the Council of the London Borough of Waltham Forest; and
- (o) Highways England, or any other person which in place of Highways England—
  - (i) is for the time being the traffic authority for the Dartford river crossings between Dartford, Kent and Thurrock, Essex; or
  - (ii) is for the time being the traffic authority for the proposed new river crossing known as the Lower Thames Crossing east of Gravesend, Kent and Tilbury, Essex, if the crossing is granted development consent under the 2008 Act.

(3) Each body mentioned in paragraph (2)(b) to (2)(o) above must notify TfL of the identity of its nominated representative.

(4) If any person nominated under paragraph (3) cannot attend a STIG meeting, the nominating body may nominate a person (on an occasional or standing basis, as it determines) to act as the nominating body's substitute representative at the meeting.

(5) TfL must consult the other members of STIG on the following matters relating to implementation of the authorised development—

- (a) the extent, nature and duration of monitoring to be implemented in accordance with the monitoring and mitigation strategy;
- (b) the proposals for the initial bus services that will operate through the tunnels when the Silvertown Tunnel opens for public use;
- (c) the monitoring reports produced in accordance with the monitoring and mitigation strategy;
- (d) any proposed revisions to the charging policy under article 53 (the charging policy); and
- (e) the level of charges required to be paid for use of the tunnels under article 54 (power to charge for use of the tunnels) and any exemptions and discounts.

(6) In taking any decision in respect of any of the matters set out in paragraph (5), TfL must have regard to any recommendations or representations made by a member of STIG in response to the consultation carried out under that paragraph.

(7) Unless otherwise agreed by STIG, TfL must convene a meeting of STIG, chaired by a representative elected by the members of STIG, at least twice a year on a date to be determined by TfL, including on each occasion that TfL publishes a monitoring report in accordance with the monitoring and mitigation strategy.



(8) The first meeting of STIG must be held not less than three years before the date on which the Silvertown Tunnel is expected to open for public use.

(9) Part VA (access to meetings and documents of certain authorities, committees and subcommittees) of the Local Government Act 1972(a) and the Public Bodies (Admission to Meetings) Act 1960(a) do not apply to STIG or to its meetings or proceedings.

(10) TfL must publish on its website agendas, reports, minutes and other relevant documents relating to the operation of STIG as soon as reasonably practicable after they become available.



# The Eggborough Gas Fired Generating Station Order 2018

## Requirement 18: Construction environmental management plan

- (1) No part of the authorised development may commence, save for the permitted preliminary works, until a construction environmental management plan has been submitted to and approved by the relevant planning authority.
- (2) The plan submitted and approved must be in accordance with appendix 5A of the environmental statement and the indicative landscaping and biodiversity strategy and incorporate—
- (a) a code of construction practice, specifying measures designed to minimise the impacts of construction works;
  - (b) a scheme for the control of any emissions to air;
  - (c) a soil management plan;
  - (d) a sediment control plan;
  - (e) a scheme for environmental monitoring and reporting during the construction of the authorised development, including measures for undertaking any corrective actions; and
  - (f) a scheme for the notification of any significant construction impacts on local residents and for handling any complaints received from local residents relating to such impacts during the construction of the authorised development.
- (3) All construction works associated with the authorised development must be carried out in accordance with the approved construction environmental management plan unless otherwise agreed with the relevant planning authority.

## Requirement 20: Construction traffic management plan

- (1) No part of the authorised development may commence, save for the permitted preliminary works, until a construction traffic management plan has been submitted to and, after consultation with Highways England and the highway authority, approved by the relevant planning authority.
- (2) The plan submitted and approved must be in accordance with chapter 14 of the environmental statement and the framework construction traffic management plan contained in appendix 14A to the environmental statement.
- (3) The plan submitted and approved must include—
- (a) details of the routes to be used for the delivery of construction materials and any temporary signage to identify routes and promote their safe use, including details of the access points to the construction site to be used by light goods vehicles and heavy goods vehicles;
  - (b) details of the routing strategy and procedures for the notification and conveyance of abnormal indivisible loads, including agreed routes, the numbers of abnormal loads to be delivered by road and measures to mitigate traffic impact;
  - (c) the construction programme;
  - (d) details of the likely programme for the demolition of the existing coal-fired power station and, in the event that peak traffic numbers from each of that project and the construction of the authorised development are likely to coincide and give rise to potentially significant effects, details of measures within the undertaker's direct control, to ensure that significant effects arising from the combined traffic on local roads are where possible avoided, reduced or mitigated; and
  - (e) any necessary measures for the temporary protection of carriageway surfaces, the protection of statutory undertakers' plant and equipment, and any temporary removal of street furniture.
- (4) Notices must be erected and maintained throughout the period of construction at every entrance to and exit from the construction site, indicating to drivers the approved routes for traffic entering and leaving the construction site.
- (5) The plan must be implemented as approved unless otherwise agreed with the relevant planning authority.



## **Requirement 21: Construction workers travel plan**

- (1) No part of the authorised development may commence, save for the permitted preliminary works, until a construction workers travel plan has been submitted to and, after consultation with the highway authority, approved by the relevant planning authority.
- (2) The plan submitted and approved must be in accordance with chapter 14 of the environmental statement and the framework construction workers travel plan contained in appendix 14A of the environmental statement.
- (3) The plan submitted and approved must include—
  - (a) measures to promote the use of sustainable transport modes to and from the authorised development by construction staff;
  - (b) provision as to the responsibility for, and timescales of, the implementation of those measures;
  - (c) details of parking for construction personnel within the construction sites; and
  - (d) a monitoring and review regime.
- (4) The approved plan must be implemented within three months of commencement of the authorised development and must be maintained throughout the construction of the authorised development unless otherwise agreed with the relevant planning authority.





# The Glyn Rhonwy Pumped Storage Generating Station Order 2017

## Article 30: Certification of plans etc

(1) The Undertaker must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of—

- (a) the book of reference;
- (b) the land plans;
- (c) access plan;
- (d) the works plans;
- (e) the indicative engineering drawings and sections;
- (f) the environmental statement;
- (g) the TPO plan;
- (h) design and access statement;
- (i) the outline excess water management strategy (revision 3);
- (j) the outline water management plan (revision 4);
- (k) the outline construction traffic management plan (revision 4);
- (l) the outline dust control and air quality management plan (revision 2);
- (m) the outline silt management plan (revision 3);
- (n) the outline baseline air quality monitoring plan (revision 2);
- (o) the outline materials management plan (revision 1);
- (p) the outline ordnance management strategy (revision 3);
- (q) the outline archaeological compensation and enhancement strategy (revision 2);
- (r) the outline land discovery strategy (revision 2);
- (s) the outline health and safety plan (revision 0);
- (t) the outline biosecurity plan (revision 3);
- (u) the outline operational noise management plan (revision 1);
- (v) the outline construction noise management plan (revision 3);
- (w) the outline code of construction practice (revision 5); and
- (x) any other plans or documents referred to in this Order (excluding the plans mentioned in requirements 19 and 20);

for certification that they are true copies of the documents referred to in this Order.

(2) A plan, management plan, strategy, management strategy, statement or document so certified will be admissible in any proceedings as evidence of the contents of the document of which it is a copy.

## Requirement 6: Code of Construction Practice

(1) No development of the authorised development may commence until a CoCP has been submitted to and approved by the relevant planning authority in consultation (where the relevant planning authority consider it appropriate) with Natural Resources Wales.

(2) The CoCP, which is to specify measures to mitigate the impacts of construction works, must incorporate the following plans—

- (a) water management plan;
- (b) pollution prevention plan;



- (c) construction traffic management plan;
- (d) dust control and air quality management plan;
- (e) landscape and reinstatement plan;
- (f) construction noise management plan;
- (g) emergency response and flood risk management plan;
- (h) waste management plan;
- (i) habitat management plan;
- (j) breeding bird method statement; and
- (k) silt management plan.

(3) Plans and strategies within the CoCP are to be in accordance with the principles and restrictions set out in the relevant requirements.

(4) Construction works for the authorised development must be carried out in accordance with the approved plans.

(5) The CoCP required under paragraph (1) must include provision to ensure that the underground excavation of Works 2 is to progress in the direction from Work 3A to Work 1A.

(6) The construction traffic management plan required under paragraph (2) must include provision to ensure that the total number of heavy goods vehicle movements during construction is restricted to the maximum projected number detailed in the Environmental Statement in:

- (a) tables 12-13 to 12-16 for movements along Ffordd Cefn Du to and from Work Nos 1A, 1B, 1C, 1D, 1E, 1F, 1G and 1H;
- (b) tables 12-17 to 12-21 for movements, none of which are to be along Ffordd Cefn Du, to and from Work Nos 2, 3A, 3B, 4A, 4B, 4C and 4D; and
- (c) table 12-22 for movements to and from Work Nos 4E and 4F.

(7) The habitat management plan required under paragraph (2) must include:

- (a) pre-commencement surveys for floating water-plantain to be undertaken in Llyn Padarn in the vicinity of the spillway infrastructure;
- (b) pre-commencement surveys to be undertaken for tree roosting bats; and
- (c) details of the process for responding to the findings of pre-commencement surveys, including the submission and approval of necessary mitigation measures before development commences.

(8) All construction works for the authorised development must be carried out in accordance with the approved CoCP, including any plans approved as part of it.

## **Requirement 7: Other required plans and strategies**

(1) Prior to the commencement of any development other than ground investigation or site clearance for temporary construction compounds or access works, the following plans and strategies must be submitted to and approved in writing by the relevant planning authority;

- (a) baseline air quality monitoring plan;
- (b) materials management plan;
- (c) ordnance management strategy;
- (d) archaeological compensation and enhancement strategy;
- (e) land discovery strategy;
- (f) health and safety plan;
- (g) biosecurity plan; and
- (h) operational noise management plan.

(2) Any plan or strategy required under this requirement must include the details set out by chapter 16 of



the environmental statement.

(3) The relevant planning authority must consult Natural Resources Wales and (where relevant) Dŵr Cymru/Welsh Water on any plan or strategy submitted under this requirement prior to any approval.

(4) The authorised development must be constructed, maintained and operated in accordance with the approved plans and strategies.

### **Requirement 8: Compliance with outline plans**

The outline plans certified under article 30 (certification of plans etc.) set out the matters that must be addressed and the minimum standards that must be complied with in the following plans:

- (a) water management plan;
- (b) pollution prevention plan;
- (c) construction traffic management plan;
- (d) dust control and air quality management plan;
- (e) landscape and reinstatement plan;
- (f) construction noise management plan;
- (g) emergency response and flood risk management plan;
- (h) waste management plan;
- (i) habitat management plan;
- (j) breeding bird method statement;
- (k) silt management plan;
- (l) baseline air quality monitoring plan;
- (m) materials management plan;
- (n) ordnance management strategy;
- (o) land discovery strategy;
- (p) health and safety plan;
- (q) operational noise management plan;
- (r) biosecurity plan;
- (s) archaeological compensation and enhancement strategy;
- (t) excess water management strategy; and
- (u) code of construction practice.

Planning lead on nationwide estate services contract across eighteen UK wide sites.

DCO process and strategy advice.

Planning and EIA strategy advice for delivery of Final End State.

### **Magnox Ltd**

Preparation and implementation of planning strategy for nationwide Intermediate Level Waste (ILW) management programme, planning applications and development plan promotion.

Preparation and implementation of planning strategy at Bradwell Nuclear Power Station to secure:

- full planning permission for the import and storage of ILW from Sizewell A in Suffolk and Dungeness A in Kent;
- approval of a revised site-wide landscaping scheme;
- various approvals for retention of temporary office and other buildings; and
- prior approval for demolition of various significant buildings and structures onsite.

### **Solar Parks**

Project lead on planning application, including EIA, for a 49.9MW solar farm, with integral battery storage, on the Isle of Anglesey.

Secured consent for 12MW solar park (EIA scheme) in Carmarthenshire and 5MW solar park (planning appeal) in Pembrokeshire on behalf of Elgin Energy.

### **Welsh Government**

Promotion of Llanbedr Spaceport in Snowdonia Enterprise Zone.