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Subject: Written Representations to Examining Authority - Wylfa Newydd Nuclear Power Station - EN010007
Date: 18 February 2019 18:56:54
Attachments: [Letter.pdf](#)

Dear Sir / Madam

EN 010007: Registration number 20011512

Please find attached Trinity House's written representations to the Examining Authority in respect of the Wylfa Newydd Nuclear Power Station for Deadline 6

A hard copy of the attached will also be sent by post.

Kind Regards

Russell



Russell Dunham ACII
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TRINITY HOUSE

18 February 2019

The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Your Ref: EN010007
Registration number 20011512

Written Representations to Examining Authority at Deadline 6 Wylfa Newydd Nuclear Power Station

Dear Sir / Madam

We wish to submit our written representations to the Examining Authority (Exa) for Deadline 6, following the ExA's further written questions to the applicant in connection with the Wylfa Newydd Nuclear Power Station.

Response to Examining Authority's Further Written Questions (ExQ1)

Q2.4.47

Please respond to the comments made by Trinity House at REP4-056 in response to First Written Questions.

Article 59 - Safety of Navigation

Trinity House confirms that it is content with the amendment to and the drafting of Article 59 as detailed in the applicant's response and within the draft DCO (Revision 4.0).

Article 78 - Arbitration Rules

Trinity House notes the applicant's response to the ExA and its proposed amendment to Article 78 by the inclusion of the following text:-

(2) This article must not apply to the provisions of the 1847 Act incorporated in this Order by article 43 or to Trinity House in the exercise of its statutory functions.

Whilst Trinity House welcomes the applicant's amendment to Article 78 as detailed in the draft DCO (Revision 4.0) it considers that the wording should be *further* amended by the inclusion of the following additional paragraph:-

"(3) This article is without prejudice to Article 71 (saving provision for Trinity House)".

Trinity House considers in this regard that the above wording would be consistent with the applicant's broader statement in its schedule of amendments to the draft DCO (Revision 4.0) **under item 23 (Reason for amendment)**, namely "*Although article 71 provides a saving for Trinity House, this article has been amended to make clear that Trinity House is not subject to arbitration proceedings.*"

Trinity House considers therefore that its proposed further amendment to Article 71, as proposed above, would make the position clear in line with the applicant's statement.

Please could you update your records to address all further correspondence regarding this matter to myself at russell.dunham@thls.org and to Mr Steve Vanstone at navigation.directorate@thls.org

Yours faithfully,

Russell Dunham ACII
Legal & Risk Advisor

Email: [Russell.dunham@thls.org](mailto:russell.dunham@thls.org)