

Meeting Note

File reference	EN010007 Wylfa
Status	FINAL
Author	Eleri Davies

Meeting with	Isle of Anglesey County Council (IACC) and Anglesey Energy Island Programme (EIP)
Meeting date	25 November 2011
Attendees (IPC)	Janet Wilson (Head of Case Management) (JW) Eleri Davies (Bilingual Case Officer) (ED)
Attendees (non IPC)	Sasha Wynn Davies (SD) Dylan Williams (DW) Christian Branch (CB) Rhys Jones (RJ) David Price Jones (DJ) Edward Gwyndaf Jones (EGJ) Arwel Rees Roberts (AR) Gareth Hall (GH)
Location	Anglesey Business Centre, Llangefni

Meeting purpose	IACC/EIP update meeting
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Summary of key points discussed and advice given	<p>The IPC advised IACC/EIP of its openness policy and that a note would be taken of the meeting and published on the IPC's website. Under s.51 of the Planning Act 2008 (PA 2008), the IPC is not able to advise on the merits of applications and any advice given under s.51 of the Act does not constitute legal advice upon which the applicant or others can rely.</p> <p><u>Energy Island Programme (EIP) Overview</u></p> <p>IACC/EIP: EIP launched 18 months ago by IACC's Economic Development section with the objectives of job creation and sustainability through major and minor energy projects.</p> <p>IACC/EIP: At the pre-application stage, IACC/EIP will prepare topic-specific impact reports to include matters of relevance to each topic. At examination, IACC/EIP will assess the developer's proposals against the matters in each topic-specific impact report and these will form the basis of the Local Impact Report (LIR).</p> <p>IACC/EIP: IPC outreach event with the local community and statutory consultees to coincide with the developer's first phase pre-application consultation (PAC1) would be useful.</p>
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IACC/EIP Queries

IACC/EIP: queried why the IPC is not part of the developer's Statutory Working Group (SWOG) when all other consenting bodies (e.g. Environment Agency Wales) are.

IPC: advised that the IPC would consider attending a SWOG meeting if invited to give advice on the IPC process. As required by the Planning Act 2008 (PA 2008), a note of any meeting the IPC attends would be taken and published.

IACC/EIP: can the IPC give advice if IACC and the developer do not reach agreement on what should be included as part of the NSIP application? Is there a mechanism in the PA 2008 for seeking the equivalent of a Lawful Development Certificate (LDC) for a proposed use or development under the Town and Country Planning Act 1990 (TCPA 1990)?

IPC: the IPC is not able to give a view on whether separate elements would be the NSIP, integral development or associated development. It is for the developer to consider what elements of the proposed development will form part of the nationally significant infrastructure project (NSIP) and thus be sought as part of the DCO application; and that consent for other elements are sought from the appropriate consenting body. The IPC highlighted the very limited scope for seeking consent for associated development in Wales. The IPC advised that there is no equivalent to the LDC under the TCPA 1990. If IACC/EIP has any concerns about the developer's approach, then these should be raised at the pre-application stage with the developer and, if necessary, during examination directly to the Examining authority (ExA).

IACC/EIP: queried the way that the IPC works in Wales and with the Welsh Government (WG).

IPC: advised that it holds liaison meetings with WG officials every 6 months to discuss matters of relevance to the IPC and WG, such as WG policies and IPC project updates.

IACC/EIP: is there industry standard or best practice available for assessing the developer's pre-application consultation?

IPC: advised that the tests set out in section 55 of the PA 2008 are that the applicant has complied with Chapter 2 of Part 5 (pre-application procedure). The local authority's adequacy of consultation representation is a representation about whether the applicant has complied with sections 42, 47 and 48 of the PA 2008. JW/ED unaware of any best practice in this area but will ask IPC colleagues and feedback to IACC/EIP.

	<p><u>Other IPC Advice Given</u></p> <p>IPC: the procedural decision made after the Preliminary Meeting will include the timetable for the examination, including, for example, the dates for submission of the LIR, written representations and any hearings. It is important to consider these dates in relation to the IACC Committee timetables.</p> <p>IPC: there is limited scope for amending an application following submission. Developers will usually include limits of deviation in their applications which allow for construction within the lateral and/or vertical limits set. The worst case scenario would have to be assessed as part of the Environmental Impact Assessment (EIA) process.</p> <p>IPC: the Localism Act 2011 makes changes to the PA 2008 regime which will become effective from April 2012. This does not affect the devolution settlement as it currently exists between the UK and Welsh Governments.</p> <p>IPC: due to the 28 day deadline in the PA 2008 for making a decision at the 'acceptance' stage, local authorities are invited to submit their adequacy of consultation representations within 14 days. To assist this process, the IPC encourages the developer to share draft documents, including the consultation report, with LAs and other consultees prior to formal submission.</p>
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Specific decisions/ follow up required?	<ul style="list-style-type: none"> • IPC to arrange an outreach event for the local community to coincide with PAC1 in January/February 2012. • IPC to arrange for all attendees to be added to the email circulation list for the IPC newsletter. • JW/ED to ask IPC colleagues whether there is any industry standard or best practice available for assessing the developer's pre-application consultation.
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Circulation List	Attendees