



Meeting note

File reference	EN010007
Status	Final
Author	Siân Evans
Date	21 September 2017
Meeting with	Natural Resources Wales
Venue	Temple Quay House
Attendees	The Planning Inspectorate Hannah Pratt (Senior EIA and Land Rights Advisor) Helen Lancaster (Senior EIA and Land Rights Advisor) Richard Kent (Senior EIA and Land Rights Advisor) Chris White (Infrastructure Planning Lead) Kay Sully (Case Manager) Siân Evans (Case Officer) Natural Resources Wales Henry Aron Iwan Williams Scott Leighton Gail Butterill Bryn Griffiths
Meeting objectives	To discuss the Wylfa Newydd Generating Station project
Circulation	All attendees

Summary of key points discussed and advice given

Introduction

Natural Resources Wales (NRW) and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate outlined its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s51 of the Planning Act 2008 (PA2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which NRW (or others) can rely.

Project update

NRW has been informed by Horizon that DCO submission for the Wylfa Newydd project is now expected in early 2018. NRW welcomed this revised submission date as they now have an opportunity to review draft documents and will be providing feedback on key issues and any gaps in information. NRW is also seeking to agree draft Statements of Common Ground with Horizon in advance of the DCO Examination phase.

The Inspectorate advised that they are also currently reviewing draft documents. Feedback will mainly be based on compliance with the s55 checklist and on the process and not the merits of the application. A note of any advice given will be published on the Inspectorate's website.

NRW understand that Horizon is aiming to submit the Marine Licence to them at the same time as the application for the DCO to the Inspectorate, although NRW will continue to engage with Horizon regarding the timing of the submission. NRW is discussing internally whether to apply an exception to the requirement for it to carry out EIA for the marine works, pursuant to regulation 10(1)(b) of the Regulation 10(1)(b) of the Marine Works (Environmental Impact Assessment) Regulations 2007.

The Inspectorate enquired what progress could be made on the Marine Licence if it is submitted at the same time as the DCO. NRW advised that this is something they are considering at the moment.

Environmental Permitting

NRW explained that is expecting the following environmental permit applications to be submitted:

- Nuclear RSR - October 2017
- Operational permits – late 2017/ early 2018
- Construction permit – early 2018

NRW will aim, if possible, to reach a draft decision for the environmental permits during the DCO Examination phase.

The need for Abstraction Licenses for dewatering activity will depend on whether proposed changes to the Water Resources Act 1993 (to remove exemptions) are made by the Government.

Water Framework Directive

NRW have reviewed the Article 4.7 memo and have clarified their role and responsibilities with respect to WFD with Horizon. The Inspectorate confirmed that it had explained to the Applicant that the Secretary of State (SoS) is the decision-maker (for the DCO) but that NRW will be a statutory advisor to the SoS. NRW enquired when Horizon would need to submit evidence to support the derogation process for the DCO (if necessary). The Inspectorate would advise that this is prepared as soon as possible so that it can be provided with the DCO application when it is submitted. The Inspectorate advised that derogations are likely to be required for works under both the DCO and Marine Licence.

Habitats Regulations Assessment

NRW advised that they are currently reviewing the draft Appropriate Assessment. This is a large document which NRW has found difficult to navigate. NRW has advised Horizon to provide a single Habitats Regulations Assessment (HRA) for the project as a whole but to use clear signposting to the evidence of what effects would be caused by the works under the DCO, the Marine Licence and each Environmental Permit.

During the Examination the Examining Authority will examine the HRA and NRW may be asked questions about it. If there are any outstanding issues the SoS may consult in the decision period. The Inspectorate advised that usually two thirds of the way through the Examination a Report on the Implications for European Sites (RIES) is issued. The RIES will compile, document, and signpost the information and evidence available at that point in time. It would be published during Examination and all Interested Parties would be invited to provide comment by a given deadline. The SoS may choose to rely on the consultation to fulfil its duties under Regulation 61 of the Habitations Regulations, if an appropriate assessment is required. Therefore it is advisable for NRW to submit their comments on the HRA during the Examination.

AOB

It was agreed that the next meeting would be held early November, after the review of draft documents is complete.