



## Meeting note

<b>Project name</b>	Sizewell C New Nuclear Power Station (Sizewell C)
<b>File reference</b>	EN010012
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	11 November 2019
<b>Meeting with</b>	Environment Agency
<b>Venue</b>	Telecon
<b>Meeting objectives</b>	To initiate discussions between the Environment Agency and the Planning Inspectorate in relation to its role in nuclear build developments and engagement throughout the process
<b>Circulation</b>	All attendees

### ***Summary of key points discussed and advice given***

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### ***Overview of Environment Agency's Regulatory role***

#### **Environmental Permitting**

The Environment Agency (EA) gave a brief overview of its role and explained that it was the regulatory authority for Nuclear Projects in terms of Environment – both construction and operation and will be the regulatory authority for the Sizewell C project. The EA advised that it has responsibility for the issue of permits and licences relating to environmental matters, such as:

- Pollution control
- Discharge of water
- Radioactive substances
- Standby diesel generators

Other departments are responsible for permits and licences for other aspects of the proposed development.

The EA also provided a brief overview of where it was in relation to the application and its ongoing discussions with the Applicant.

#### **Habitat Regulations Assessment**

The EA explained that it was also the competent authority for Habitat Regulations Assessments (HRA) where the activities to be carried out under permit or licence could affect sites designated under the Habitats Directive.



The Inspectorate emphasised the need for co-ordination between competent authorities and especially where multiple competent authorities exist under the PA2008 process. The Inspectorate referred EA to the advice set out in Advice Note 10 to Applicants in this regard.

The EA and the Inspectorate agreed to hold discussions outside of this meeting in support of consultees working together with the Applicant to develop working practices. The EA have a national HRA team and will provide the Inspectorate with contact details.

The Inspectorate advised the EA that the Environmental Services Team within the Inspectorate are responsible for advising the appointed Examining Authority on HRA and permitting aspects for the project as part of the Examination.

## ***Planning/permitting interface***

### **Context**

The EA gave an overview of how the planning and permitting processes work. The EA explained that it had been working closely with the Applicant to agree a position statement prior to the draft Development Consent Order (dDCO) application submission, however, this is very dependent on the timing of the permit application and the quality of the submission. The Inspectorate emphasised the importance of the EA input in the Pre-Application consultation. The EA acknowledged this and explained that it had been and would continue to work closely with the Applicant for the Sizewell C project to agree a position statement as far as they can prior to the dDCO application submission.

The EA's assessments for the Operations Environment Permit and other permits can take place alongside the DCO application, however the EA advised that due to: the use of novel technology, the HRA complexity and high public interest, they would expect to run two consultations, with a draft position statement issued before the start of the second consultation. As such, early submission of the permit application would enable the EA to provide detailed comments during the Examination of the dDCO application (should this be accepted) and facilitate timely decision making.

The EA advised that they have been engaged with the Applicant regarding Sizewell C for over 10 years and this includes discussion with the Applicant regarding timing of applications under the different consenting regimes i.e. the radioactive substances regulation permit and Environmental Permit. The EA confirmed they continue negotiations with the Applicant. The Inspectorate advised the use of early Statements of Common Ground (SoCG) (even where matters were not agreed) are encouraged prior to Examination.

## ***Forward look to formal submissions***

### **Development Consent Order and Requirements**

The EA advised that negotiations were ongoing with the Applicant, they have a mixture of workstreams which have identified several unresolved issues. The EA acknowledged the approaching submission date for the application, and it expected there would be a number of unresolved issues going into the DCO process.

The EA advised it will be entering a busy period of reviewing the Sizewell C application documents over the next few months. The EA explained that certain technical areas will



be its main focus for the Pre-application phase, and these include associated development sites, design of river crossings for roadworks and understanding outputs from modelling. The EA are happy with the progress of negotiations in relation to the main development site, however, the EA highlighted that it had been waiting for assessment outcomes on Marine Ecology for the main site.

As previously stated, the EA acknowledged that they will have on-going engagement with the Applicant throughout the Pre-examination phase in readiness for the application submission early in 2020.

The EA also advised that it had been engaging with Natural England (NE) and the Marine Management Organisation (MMO).

### ***Actions***

- The Inspectorate to arrange a tripartite meeting with the Applicant and the EA
- The Inspectorate requested that the Applicant and / or the EA provide an Agenda for the tripartite meeting
- The Inspectorate is set to review Sizewell C application draft documents (draft timescale for review of this early 2020)
- EA to provide the Inspectorate with contact details for the Bradwell B, Sizewell C and Hinkley C material change projects