

HORIZON

NUCLEAR POWER



Wylfa Newydd Project

Site Preparation and Clearance Planning Permission and Section 106 Agreement Status Note

PINS Reference Number: EN010007

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Revision 1.0

Examination Deadline 1

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1 Status Note on the SPC Planning Permission and Section 106 Agreement

1.1 Introduction

- 1.1.1 The status and scope of Horizon's site preparation and clearance (SPC) planning permission was raised in the Development Consent Order (DCO) Hearing held on Tuesday 24 October 2018. Specific questions have also been raised as part of the Examining Authority's First Written Questions (FWQ).
- 1.1.2 This note has been prepared by Horizon to:
- assist the Examining Authority in understanding the scope of the SPC planning permission, including as against Work No. 12 as described in Schedule 1 (*Authorised Development*) of the draft DCO; and
 - provide an overview of the associated draft SPC s.106 agreement which is being agreed with Isle of Anglesey County Council (IACC).
- 1.1.3 Horizon will respond to the SPC specific FWQ at Deadline 2.
- 1.1.4 In addition, Action Item 3 in the "*Action Points from the Development Consent Order hearing Wednesday 24 October 2018*" (published by the Examining Authority on 5 November 2018) requires the Applicant to liaise with the Welsh Government and others in relation to site clearance, as a Deadline 1 matter. Horizon met with the Welsh Government on the SPC proposals on 8 November 2018, and this is reported on directly in Horizon's response to the Examining Authority's 5 November letter.

1.2 SPC Planning Permission

- 1.2.1 IACC resolved to grant planning permission 38C310/F/EIA/ECON for the SPC works on 5 September 2018 subject to entry into a s.106 agreement, and finalising conditions. A decision on call-in by the Welsh Government is pending.
- 1.2.2 The SPC planning permission would authorise the following activities:
- site clearance (including vegetation clearance and management, removal of fencing, walls, gates, field boundaries, existing structures (including buildings), scrub, trees, and other above ground features);
 - site establishment works (including installation of a new crossing of the existing Magnox power station access road, formalisation of existing vehicular crossing points across Cemlyn Road, formalisation of vehicular routing, installation of construction fencing around the perimeter of the site, establishment of laydown areas, material storage compounds, construction compounds and associated temporary office/welfare buildings, car parks, associated footpath link from between main site compound to the former Wylfa Sports and Social Club car park, fuel store, security fencing, drainage and security features);

- ground improvement works (including establishment of a remediation processing compound and associated fencing, storage of treated/processed material, establishment of associated access tracks, drainage, excavation and treatment of soils likely to be contaminated, and treatment and removal of invasive non-native species);
- diversion and/or closure of Cemlyn Road with controlled access to Ty Croes (Fisherman's Car Park);
- other associated works; and
- a scheme of restoration to return the site to an acceptable condition in the event the Power Station does not proceed.

1.2.3 The scope of the works proposed by the SPC planning application is consistent with the works contained in Work No. 12 of the draft DCO, except that Work No. 12 also includes a watercourse diversion. The SPC works do not include blasting.

1.2.4 IACC circulated 36 conditions to the SPC planning permission on 8 November 2018, these are near finalised. The conditions (when finalised) will be brought into the DCO at Schedule 4.

1.3 SPC s.106 agreement

1.3.1 The parties to the SPC s.106 agreement are Horizon and IACC. The obligations within the agreement comprise a mix of financial and non-financial matters. The payment of financial obligations is structured so that they are payable directly to IACC. An overview of the obligations in the current draft of the SPC s.106 agreement is set out at **Appendix 1** to this note.

1.3.2 The front end of the SPC s.106 agreement contains more 'boilerplate' provisions for how the agreement will operate and has been drafted so that the DCO s.106 agreement can align as far as possible with this structure in order to build continuity.

1.3.3 In terms of the relationship with the DCO s.106 agreement, both agreements currently anticipate that the SPC s.106 agreement would continue to operate alongside the DCO s.106 agreement rather than be replaced by it. (This means that the SPC s.106 agreement including the restoration obligations would continue to cover the SPC works whether those are undertaken pursuant to the SPC permission or as Work No. 12 under the DCO.)

1.3.4 Negotiation of the SPC s.106 agreement is advanced; the parties are working towards finalising the agreement.

Appendix 1: Draft SPC s.106 Agreement – Summary of Obligations

Sch	Topic	Financial	Non-financial
1	<i>Draft of the planning permission</i>	-	-
2	Local facilities and services contribution	Contribution to develop and maintain meeting facilities and/or provide services in the vicinity of the development	
3	Tourism	Contribution to fund an IACC tourism officer and for tourism resilience measures	
4	Heritage and archaeology	Contribution to fund an IACC heritage and archaeology officer and for promotion of heritage and archaeology matters	
5	Welsh language and culture	Contribution for Welsh language resilience measures	<ul style="list-style-type: none"> • Provision of Welsh language materials to the workforce • Require its lead contractors to nominate and advise of a Welsh Language Relationship Manager to provide a Welsh speaking point of contact for the community • Implement a Welsh Language Scheme for the promotion and enhancement of the Welsh language
6	Economic Development Officer	Contribution to fund up to two IACC economic development officers	

Sch	Topic	Financial	Non-financial
7	SPC Employment and Skills Service		<ul style="list-style-type: none"> • Maintain involvement with the existing Wylfa Newydd Employment and Skills Service (WNESS) • Advertise job vacancies for the development and use reasonable endeavours to promote its contractors' and supply chains' job vacancies via the WNESS. • Provide the WNESS with a resource plan detailing anticipated workforce profile related to the development
8	Supply Chain Service Working Group		<ul style="list-style-type: none"> • Maintain involvement in the existing Supply Chain Service Working Group • Open and thereafter operate a Supply Chain Portal
9	SPC Accommodation	Contribution for studies, designs and related activities relating to the provision of residential accommodation for residents who may be displaced by workers employed on the Wylfa Newydd development	
10	Community Resilience Contribution	Contribution for additional mitigation or compensatory measures identified by the Council or the community or the Developer as required a result of impacts from the development, and/or to enhance or capture the	Work with its contractors to deliver a corporate social responsibility policy in which the workforce would undertake works in the community.

Sch	Topic	Financial	Non-financial
		potential benefits of the development	
11	Landscape restoration	Establishes obligations for provision of security for restoration work should the DCO project not proceed	
12	Environment	Contribution to fund an IACC environmental officer and to monitor environmental effects of the development.	Prepare a Wylfa Head Management Plan and thereafter implement it for the duration of the development.
13	SPC Noise Survey Scheme		<ul style="list-style-type: none"> • Provide IACC with the SPC Noise Survey Scheme (the Scheme) • Within three of providing IACC with the Scheme, notify residential properties within the Local Noise Mitigation Plan of the existence of the Scheme and that it is open for applications • Thereafter undertake such surveys.
14	Public Rights of Way	Contribution for enhancement and maintenance of public rights of way and local beaches in the vicinity of the development	
15	Implementation and monitoring	To enable IACC to monitor compliance with the obligations	

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