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National Infrastructure Planning
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By email only

Our Ref: 27102/A3/BL/D6/190219
19th February 2019

Dear Kay,

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Horizon Nuclear Power for an Order Granting Development Consent for the Wylfa Newydd Nuclear Power Station (Ref: EN010007)

Response to Examination Deadline 6

Further to our recent telephone conversation, we write on behalf of our clients, North Wales Police (NWP), to provide an initial response to the Deadline 5 submissions made by the Applicant and Interested Parties. Unfortunately, given the short timescales between the Deadline 5 documents being uploaded onto the National Planning Infrastructure website and Deadline 6, NWP have not had sufficient time to fully review and provide comments on all the information submitted at Deadline 6. Particularly, there were 83 documents submitted, over 20 of which are potentially relevant to NWP, including:

- Responses to the Examining Authority's written questions submitted by the Isle of Anglesey County Council (IACC), the Welsh Government and Horizon Nuclear Power (HNP);
- The revised Code of Construction Practice (CoCP) and sub CoCPs;
- The revised DCO and explanatory memorandum;
- The revised DCO s106 agreement and accompanying note;
- The revised Code of Operational Practice (CoOP); and
- The Phasing Strategy.

However, it is not simply the quantum of information provided at Deadline 5 that has made matters



difficult for NWP, but the fact that HNP has significantly altered its approach to the Wylfa Newydd engagement framework and the operation of the engagement groups. It has removed all references to the WNMPOP and engagement sub-groups - and amended the CoCP and the approval mechanisms proposed through the DCO for its control documents, schemes and management plans. These changes and new proposals require detailed consideration by NWP, however this has not been possible in the time available between Deadlines 5 and 6. It would have of course not been envisaged by the Examining Authority at the time of putting together such a timetable that such a quantum of changes to key documents would occur at this specific time, with such a short timeframe being available to provide any meaningful response.

NWP note that although the section addressing the Community Safety Management Strategy has been substantially rewritten, it still does not address the submissions presented to the Examining Authority and HNP by NWP in written form at Deadlines 2, 3 and 4 and at the Issue Specific hearings in January. As stated at Deadline 5, NWP intend to continue the dialogue with HNP regarding the function of the Emergency Services Engagement Group and its role in plan control throughout the construction and operation of the Wylfa Newydd Nuclear Power Station. It is however simply not possible to submit detailed representations at this stage.

Initial Response to HNP's Response to NWP Examination Submissions

NWP submitted its Impact Assessment at Deadline 2 and its Road Policing Unit Impact Assessment at Deadline 3, both of which were provided in December 2018. Despite the meeting held between HNP and NWP on 24th January 2019, only now has NWP received a substantive response to its Impact Assessments and the quantum of mitigation being sought. It is simply not equitable for the Applicant to take almost two months to respond to NWP's assessment and then expect NWP to review and respond to the Applicant's assessment in less than a week, particularly as the detailed methodology of the 'Alternative Demand Model' put forward by Gore Associates was not provided at the meeting on 24th January 2019. NWP were advised in the meeting of the likely quantum of mitigation relating to the s106 contribution that Gore would be putting forward on behalf of HNP, however Deadline 5 is the first time NWP have received any of the detail behind that figure.

In its Deadline 5 submission, NWP provided a detailed update on dialogue with HNP, along with a substantive response to the assessment findings presented by Gore Associates at the meeting on 24th January 2019. Despite engaging with Gore Associates subsequent to the meeting and providing further and updated data sets, NWP was surprised to note that this data has not been accounted for in HNP's Deadline 5 submission - Response to NWP Examination Submissions.

In relation to the data requested by Gore Associates, NWP received a Freedom of Information (FOI) request from HNP on 20th December 2018. Unfortunately, the questions posed under the FOI request were not clearly defined and NWP sought clarification from HNP on 21st and 24th December 2018. Clarification from HNP was received by NWP on 3rd January 2019. The responses to the FOI request were collated, split into the following five lots, and supplied to HNP within the FOI period:

- Custody – sent to HNP 8th January 2019
- Crimes – sent to HNP 15th January 2019
- Abnormal Indivisible Loads (AIL's) – sent to HNP 15th January 2019
- Resources – sent to HNP 15th January 2019

- Planning – sent to HNP 17th January 2019

At the meeting on 24th January 2019, however, NWP were advised that Gore Associates had concerns over the accuracy of some of the data supplied under the FOI request. NWP revisited the data issued to HNP and provided an updated version of the Crimes data on 28th January 2019. All other data supplied to HNP was correct based on the questions asked.

Since the meeting on the 24th January 2019, NWP has supplied additional information to HNP and Gore Associates beyond the scope of the original FOI data requests, including further clarification on the methodology for the Police Impact Assessment (as detailed in NWP's Deadline 5 submission), information on AILs and responses to additional questions posed by HNP. As such, NWP's Deadline 5 comments (Ref: REP5-071) on the work undertaken by Gore Associates remain valid.

NWP does not accept the criticisms raised in the Gore Associates report (Appendix 1-1 to the Horizon's Response to North Wales Police Examination Submissions) submitted at Deadline 5. The Gore Associates report contains a number of contradictions, inaccuracies and shows a fundamental misunderstanding of methodology applied by NWP in its assessment, including that for resource modelling which is used by significant number of other forces and recommended by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).

NWP do not have enough time to undertake a thorough review of HNP's Deadline 5 Response to NWP Examination Submissions and submit a detailed response at Deadline 6, but have set out its key initial concerns below:

- The method employed by NWP to calculate a change in resource requirement is based on '*business as usual*' running of NWP and the current "*as-is*" situation of resources and demand. In order to identify the impact of the Wylfa worker influx on demand and therefore the increase in resources required, all other modelling factors (including base population and transient population) have been kept equal. The method used was designed to estimate the change in demand due to the specific population influx, not the forecasted future demand of NWP based on possible changes across all drivers of demand, as this would not have been feasible, foreseeable or accurate to produce.
- Calls data at a force level was used to calculate a communications operator requirement as lower level calls data is not available. The method employed by Gore Associates to calculate a resource requirement does not give significantly different results to the results of the NWP assessment – a difference of 0.75 FTE.
- The method employed by NWP does not assume that the worker population is more or less likely to be offenders than the general population. Neither does it assume that they are more or less likely to be victims. For the assessment, NWP assumed that the worker influx represents a statistically average population, and would therefore generate the policing demand associated with a general population. NWP is aware the worker influx does not represent a statistically average population, as it is anticipated to be almost exclusively male, employed and aged between 16 and 64, however it was felt that it was a fairer and more robust approach to assume general victimisation and offending rates, rather than take an approach that could be viewed as stereotyping the workforce. It would be anticipated that if calculations were adjusted to take the anticipated workforce demographic into account, based on established crime rates, it would lead to a larger increase in the estimated demand.

- NWP made a conscious decision to keep the formulae used to estimate the impact on demand relatively simple, and only used widely accepted correlations. It was felt that the level of uncertainty and lack of accurate data around many of the possible variables meant that their inclusion would have impaired the robustness of the formulae and eroded confidence in the results.
- NWP can confirm that the resource models that were used to calculate the resources required as a result of the estimated demand increase are sophisticated and validated for use in budget setting. They take into account:
 - What proportion of different types of incidents require resources to physically attend;
 - How many resources are dispatched to different types of incidents;
 - How long different resources spend at scene for different types of incidents;
 - What proportion of incidents become investigations;
 - What proportion of crimes and non-crimes are investigated by different resource types;
 - How long different types of investigations take;
 - How much resource time is taken up by demand not directly related to an incident or crime; and
 - Current abstraction rates.

North Wales Police provided significant detail in the North Wales Police, Police Impact Assessment Roads Policing Unit (RPU) (submitted at deadline 3, REP3-062). The Gore Associates assessment fails to deal in anyway with the RPU element. There is merely a single line within a table referencing their suggested resources for RPU, with no explanation or methodology. Throughout the Gore Associates report, it is evident that the authors have a lack of understanding of the issues faced by a police force operating across a predominantly rural area including the Isle of Anglesey. This presents a fairly unique set of geographic policing characteristics. The North Wales area presents specific locational challenges and it is NWP's view that it is critical that the characteristics are fully accounted for in any impact assessment. The Gore Associates assessment states at para 1.4.5 that "*We are awaiting further data from North Wales Police and it is anticipated that this should be provided within two weeks, following which this report will be updated.*" NWP can confirm that the further data requested has been provided to Gore Associates. The fact that the Applicant intends to submit a further update to the report, however, simply compounds the pressure on NWP to respond in line with Examination deadlines.

NWP fully acknowledges the need to keep the Examining Authority updated on the progress of negotiations with the Applicant and, as such, will submit a further response outlining NWP's main points on 1 March 2019 prior to the next Issue Specific Hearings. NWP will then be in a position to provide a full and substantive response on the revised documents prepared by HNP by Deadline 7.

Statement of Common Ground

By way of an interim update, we have enclosed a tracked changed version of the Statement of Common Ground between HNP and NWP. NWP is hopefully that further areas of agreement can be reached prior to Deadline 7, and an updated and agreed SoCG can be submitted to the Examination.

Resourcing and Procedural Fairness

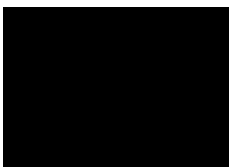
The current pressure being placed on NWP by HNP to review and respond to revised draft documents has been compounded by the recent commercial developments with respect to the project, which has now meant that NWP is no longer receiving assistance from HNP with respect to resourcing. The implications of the recent project uncertainty were clearly set out in the cover letter to NWP's Deadline 5 submission. NWP is well aware that the financing of stakeholders' involvement in the Examination process through a planning performance agreement, or other financial mechanism, is a matter for the Applicant and individual parties. If, however, an arrangement of ongoing financial support, was previously reached between the parties as to the funding of a stakeholders' assessment, with such financial support then being reneged following the inability of the Applicant to properly fund the Examination process, this to NWP is a matter of serious concern and a material point to raise as part of the process. It means that NWP do not have adequate resource to review and comment on documents within the desired timescales.

Summary of Position

In light of the above, the delay in circulating certain documents, like the DCO section 106 agreement, and the fact that the engagement framework in the CoCP has been substantially rewritten twice now, NWP is now exploring the options available to it to recover unnecessary or wasted expenses in accordance with the Awards of Costs Guidance (July 2013) issues by the Department for Communities, Housing and Local Government.

As stated earlier, NWP will be in a position to provide a full and substantive response on the revised documents prepared by HNP by Deadline 7. However, NWP does acknowledge the need to keep the Examining Authority updated on the position and is proposing to submit a summary response outlining NWP's main points on 1 March 2019 prior to the next Issue Specific Hearings.

Yours sincerely,



Ben Lewis

Infrastructure & Energy Director