

National Infrastructure Planning
Temple Quay House
Temple Quay
Bristol
BS1 6PN

For the Attention of Ms Kay Sully

19 February 2019

DCRM Ref. No: WN0902-HZDCO-PAC-LET-00003

Dear Ms Sully

Wylfa Newydd DCO Project: Deadline 6 Matters

1. This letter sets out Horizon Nuclear Power Wylfa Limited's ("Horizon") response to matters allocated to the Applicant for Deadline 6 as outlined in the Rule 8(3) and 13 – Variation to Timetable for the Examination letter published by the Examining Authority ("ExA") on 12 February 2018 ("Rule 8 letter").

Matters contained within Horizon's Deadline 6 submission

2. In accordance with the Rule 8 letter and the additional information requested by the ExA at the Issue Specific Hearings ("ISHs") held on 7 to 11 January 2019, and in the published action points of the aforementioned hearings [OD-005 to OD-009], Horizon is submitting the documents listed in Appendix 1 to the ExA for Deadline 6. Further comments in respect of these documents are set out below.

Summary of documents Horizon is submitting at Deadline 6

3. Below is a short summary of the documents that Horizon is submitting at Deadline 6 (as identified in Appendix 1):
 - a. *Comments on Responses to ExA's Further Written Questions:* Further to the publication of the Responses to the ExA's Further Written Questions at Deadline 5 Horizon has undertaken a review of all the submissions and is submitting a targeted response that addresses, where necessary, matters of relevance raised by interested parties.

- b. *Response to Hearing Requests for Information* Following various requests for information by the ExA during the ISHs held on 7 to 11 January 2019, and in the published action points of the aforementioned hearings, Horizon is submitting an additional response document at Deadline 6. For ease, Horizon is submitting a single document that contains responses to the remaining actions raised across all of the January hearings, 7 to 11 January 2019 inclusive.
- c. *Final Statements of Common Ground*: Horizon has continued to work with stakeholders to develop finalised Statements of Common Ground ("SoCGs") which are submitted to the ExA at Deadline 6. Despite these endeavours, it has not been possible to agree final, endorsed SoCGs with all parties, partly because statements within them rely on changes to updated control documents which were only submitted at Deadline 5, or relied on clauses within the draft DCO s.106 agreement which are yet to be fully resolved. Where Horizon has not been able to reach agreement, it is submitting final draft SoCGs which have been developed collaboratively with each party and are to Horizon's knowledge an accurate reflection of the agreed, disagreed and ongoing matters.

The Statement of Commonality submitted at Deadline 6 includes a table of the status of each of the SoCGs at Table 2-1. As at Deadline 6, it has not been possible to agree final endorsed SoCGs for IACC, North Wales Police, North Wales Fire and Rescue Service, and the Nuclear Decommissioning Authority. All other SoCGs are being submitted as final documents, endorsed by both parties.

Horizon will continue to work collaboratively with consultees to resolve ongoing issues following the submission of final, updated SoCGs submitted at Deadline 6.

- d. *Draft DCO Section 106*: A further updated copy of the draft DCO s.106 agreement and status note are being submitted at Deadline 6.
- e. *Statement of Reasons, Book of Reference (including redacted versions for publication), Land Plans and Crown Land Plans*: Updates to the Statement of Reasons, Land Plans and Crown Land Plans have been made to reflect changes to the Book of Reference and the scope of acquisition which are also being submitted at Deadline 6. The changes reflect the classification of Welsh Government Land as Crown Land, and some changes to the class of land held by the NDA.
- f. *Mitigation Route Map and Code of Construction Practice Progress Update*: Following the Deadline 5 updates to the draft DCO and control documents, Horizon is submitting an updated version of the Mitigation Route Map and a Mitigation Summary Table.

The Mitigation Route Map, which outlines all mitigation being offered as part of the DCO application, has been updated to include additional mitigation that has been offered by Horizon since Deadline 2 and to respond to requests by the ExA in the First Written Questions. Alongside the Mitigation Route Map, Horizon has also prepared a Code of Construction Practice Progress Update to summarise the areas of agreement and disagreement between Horizon and stakeholders on mitigation since the January hearings.

Horizon will continue to engage with stakeholders to resolve outstanding concerns ahead of the submission of the final Mitigation Route Map at Deadline 7.

- g. *Water Framework Directive*: The Water Framework Directive Compliance Assessment and Water Framework Directive Information to support Article 4(7) derogation have been updated in response to issues previously raised by NRW through the Statement of Common Ground process and in its relevant and written representations [REP1-029, REP2-325].
- h. *DCO Application Errata*: Horizon is submitting an errata document that identifies errata within the DCO application. Errata are errors within the DCO application documents, which are minor in nature and do not change the meaning of documents, analysis or any assessment. Errata items have not been included for documents that have been updated during the Examination process and any errata that have been identified with the Environmental Statement are being presented within the Environmental Statement Addendum [WN0902-HZDCO-PAC-REP-00243] as an appendix and are therefore not shown within this document.
- i. *Environmental Statement Addendum*: Horizon is submitting an Addendum to the Environmental Statement at Deadline 6. The Addendum captures and provides a record of the environmental assessment taking into account updated information on the development that has arisen since the application for DCO was made. The Addendum presents an assessment of updates to the DCO application including plans, design principles and mitigation secured in control documents that have been submitted during the course of Examination.
- j. *Construction Visualisations*: Further to Horizon's response to the requests made by the ExA in their Further Written Questions (Q.2.7.5) [REP5-002] Horizon is submitting illustrative construction visualisations to provide an indication of how the Wylfa Newydd Development Area ("WNDA") may appear during Main Construction of the Power Station. These visualisations are for information purposes only and do not form part of the Environmental Statement.
- k. *Horizon's Responses to Representations on the Batch 2 RfNMCs*: Following comments from IACC on the Batch 2 Requests for Non-Material Changes relating to Working Hours, Shift Patterns and HGV Delivery Windows [REP4-011 to REP4-013], Horizon is submitting its responses to the each of the comments made.
- l. *Examination Hearing Note on CPO Compensation*: Following the recent suspension of the Wylfa Newydd DCO Project, Horizon is submitting a note into Examination that outlines its proposal to address any concerns from the ExA or Interested Parties in relation to security of funding for compulsory acquisition.
- m. *Horizon's Response to Welsh Government's Deadline 5 submission on Health Professionals*: Further to Welsh Government's Deadline 5 submission on Health Professionals [REP5-080] Horizon is submitting a response in order to provide clarification on some of the matters raised.
- n. *Other Consents and Licences*: Following the recent suspension of the Wylfa Newydd DCO Project, Horizon is submitting an update to the Other Consents and Licences document that provides the latest update on the progression of the other consenting regimes and Horizon's intentions for them moving forward.

Compulsory Acquisition Objections Schedule

4. Given the short timeframe between Deadline 5 and Deadline 6, there have been no further updates to the Compulsory Acquisition Objection Schedule submitted at Deadline 5. As such, Horizon will not resubmit the Deadline 5 version at Deadline 6 but will provide an updated schedule at Deadline 7 (14 March 2019), following the Compulsory Acquisition Hearings.

Natural Resources Wales

5. Horizon has reviewed the comments provided by NRW at Deadline 5 [REP5-081] and is submitting a response to the majority of matters raised. In relation to NRW's comments on the draft DCO Horizon is considering these further and will revert to NRW shortly, but notes, as outlined in its response to Further Written Questions, that it has agreed in principle to the separate fee mechanism for NRW under Schedule 19 of the draft DCO already and included a new article (49) within the draft DCO submitted at Deadline 5 (Revision 4.0) [REP5-003] which clarifies the effect of the Marine and Coastal Access Act 2009 in relation to the power under the DCO.

North Wales Police

6. Horizon has reviewed [REP5-071] submitted by Barton Willmore on behalf of North Wales Police (NWP). Horizon is of the opinion that there are a number of inaccuracies within the representation which it would like to draw to the attention of the ExA and which are captured in Appendix 2 of this letter.

Additional Questions Raised During the Accompanied Site Inspections

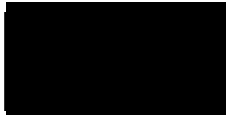
7. During the Accompanied Site Inspections (ASIs), held on 13 and 14 February 2019, the ExA had some additional questions for Horizon which it requested be responded to as part of Horizon's Deadline 6 submission. Given the short timeframe between the ASIs and Deadline 6 (19 February 2019) it is proposed, subject to the ExA's discretion, that Horizon will prepare and submit the requested information by close of business on 22 February 2019. This would allow Horizon with time to ensure that the ExA's requests for further information are satisfied, as far as is reasonably practicable.

Attendance and Representation at March Hearings

8. Horizon confirms that it will attend the Compulsory Acquisition Hearing, the Open Floor Hearing, and ISHs on the WNDA, draft DCO and Draft DCO s.106 Agreement, Off-site Power Station Facilities site and other Associated Development Sites outside the WNDA and Biodiversity (HRA; Terrestrial Ecology; Birds; Marine Works and Environmental Impacts; Coastal Change) scheduled for 4 to 8 March 2019 at the Trearddur Bay Hotel, Trearddur Bay, Isle of Anglesey. The following people will represent Horizon at the hearings:
 - a. *WNDA ISH (4 March 2019)*: Michael Humphries QC (FTB Chambers), who will be the principal speaker, Elizabeth Hardacre, Katie Kempthorne and Mark Mulholland (Clifford Chance LLP), Jonathan Dempsey (Heritage Expert Witness), Richard Jones (Design – Planning Expert Witness), Giles Grant (Design – Parameters Expert Witness), Steve Knott (Landscape and Visual Expert Witness), James Cook (SSSI

Expert Witness), Matthew Bowell (HRA Expert Witness) and Stuart Smith (WFD Expert Witness);

- b. *Compulsory Acquisition Hearings (5 March 2019)*: Michael Humphries QC (FTB Chambers), who will be the principal speaker, Nigel Howorth and Anneke Theelan (Clifford Chance LLP), Kieran Somers (DCO Expert Witness), Carl Hughes and Alex Blake (Land Expert Witnesses), and Jamie Pickup (Land Referencing Expert Witness);
 - c. *Draft DCO and Draft DCO s.106 Agreement ISH (6 March 2019)*: Michael Humphries QC, who will be the principal speaker, Nigel Howorth and Katie Kempthorne (Clifford Chance LLP), Kieran Somers (DCO Expert Witness), Sarah Price (Planning Expert Witness) and Giles Grant (Parameter Approach Expert Witness);
 - d. *Off-site Power Station Facilities site and other Associated Development Sites outside the WNDA ISH (7 March 2019)*: Michael Humphries QC (FTB Chambers), who will be the principal speaker, Elizabeth Hardacre and Mark Mulholland (Clifford Chance LLP), Kieran Somers (DCO Expert Witness), Jonathan Dempsey (Heritage Expert Witness), Phil Raynor (Flood Risk Expert Witness), Steve Knott (Landscape and Visual Expert Witness), Nick Clark (Terrestrial Ecology Expert Witness), Gary Vaughan (Highways Expert Witness) and James Cook (SSSI Expert Witness); and
 - e. *Biodiversity ISH (8 March 2019)*: Michael Humphries QC, who will be the principal speaker, Kieran Somers (DCO Expert Witness), Elizabeth Hardacre, Katie Kempthorne and Mark Mulholland (Clifford Chance LLP), Sian John (HRA Expert Witness), Nick Clark (Terrestrial Ecology Expert Witness), Rob Bromley (Marine Expert Witness) and Phil Raynor (Flood Risk/Coastal Flooding Expert Witness).
9. I would be grateful if you could confirm receipt of these enclosures. If we can be of any assistance in that regard, please do not hesitate to contact us on 0800 954 9516.



Kieran Somers

Head of Planning

Horizon Nuclear Power Wylfa Limited

Appendix 1 – Matters contained within Horizon's Deadline 6 submission

Document Title	Horizon Reference	Rev
Comments to Responses on ExA's Further Written Question's		
Comments to Responses on ExA's Further Written Question's	WN0902-HZDCO-PAC-REP-00273	1.0
Deadline 6 responses to actions set in Issue Specific Hearings		
Horizon's Deadline 6 Responses to Actions set in Issue Specific Hearing on 7 - 11 January 2019	WN0902-HZDCO-PAC-REP-00277	1.0
Statements of Common Ground and Statement of Commonality		
8.25 Statement of Commonality for Statement of Common Ground	WN0902-HZ-PAC-REP-00009	3.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and the Isle of Anglesey County Council	WN0902-HZDCO-PAC-REP-00046	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Welsh Government	WN0902-HZDCO-PAC-REP-00007	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Natural Resources Wales (NRW)	WN0902-HZDCO-PAC-REP-00008	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Gwynedd County Council	WN0902-HZDCO-PAC-REP-00009	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Conwy County Council	WN0902-HZDCO-PAC-REP-00010	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and National Trust	WN0902-HZDCO-PAC-REP-00011	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and North Wales Wildlife Trust (NWWT)	WN0902-HZDCO-PAC-REP-00012	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and	WN0902-HZDCO-PAC-REP-00013	2.0

The Royal Society for the Protection of Birds (RSPB)		
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Betsi Cadwaladr University Health Board (BCUHB)	WN0902-HZDCO-PAC-REP-00014	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Public Health Wales	WN0902-HZDCO-PAC-REP-00015	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Welsh Ambulance Service	WN0902-HZDCO-PAC-REP-00016	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and North Wales Police	WN0902-HZDCO-PAC-REP-00017	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and North Wales Fire and Rescue Service	WN0902-HZDCO-PAC-REP-00018	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and National Grid	WN0902-HZDCO-PAC-REP-00019	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Dwr Cymru Welsh Water	WN0902-HZDCO-PAC-REP-00020	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Magnox	WN0902-HZDCO-PAC-REP-00021	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and North Anglesey Councils Partnership	WN0902-HZDCO-PAC-REP-00022	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Destination Anglesey Partnership	WN0902-HZDCO-PAC-REP-00023	2.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Nuclear Decommissioning Authority	WN0902-HZDCO-PAC-REP-00024	2.0

Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Llanbadrig Community Council	WN0902-HZDCO-PAC-REP-00263	1.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Mechell Community Council	WN0902-HZDCO-PAC-REP-00264	1.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Fforwm Iaitn Môn (FfIM)	WN0902-HZDCO-PAC-REP-00265	1.0
Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and Fforwm Iaitn Môn (FfIM) (Welsh Translation)	WN0902-HZDCO-PAC-REP-00265	1.0
Draft DCO Section 106 Agreement		
Section 106 Agreement Status Note	WN0902-HZDCO-PAC-REP-00266	1.0
Draft DCO s.106 Agreement	WN0902-HZDCO-PAC-REP-00093	3.0
Draft DCO s.106 Agreement (Track Change)		
Statement of Reasons		
Statement of Reasons	WN0902-CLC-PAC-REP-00003	2.0
Book of Reference		
4.3 Book of Reference (Part 1 of 3)	WN0902-BRK-PAC-REP-00001	4.0
4.3 Book of Reference (Part 1 of 3) _REDACTED	WN0902-BRK-PAC-REP-00001	4.0
4.3 Book of Reference (Part 2 of 3)	WN0902-BRK-PAC-REP-00001	4.0
4.3 Book of Reference (Part 2 of 3) _REDACTED	WN0902-BRK-PAC-REP-00001	4.0
4.3 Book of Reference (Part 3 of 3)	WN0902-BRK-PAC-REP-00001	4.0

4.3 Book of Reference (Part 3 of 3) _REDACTED	WN0902-BRK-PAC-REP-00001	4.0
Plans		
2.2 Land Plans	N/A	4.0
2.5 Crown Estate Land Plans	N/A	2.0
Mitigation Route Map and Mitigation Summary Table		
8.14 Mitigation Route Map - Reacting to developments and concessions through examination (PDF and Excel versions)	WN0902-JAC-PAC-REP-00009	3.0
Code of Construction Practice Progress Update	WN0902-HZDCO-PAC-REP-00275	1.0
Water Framework Directive		
8.26 Water Framework Directive Compliance Assessment	WN0902-JAC-PAC-REP-00064	2.0
8.27 Water Framework Directive Information to Support Article 4(7) Derogation	WN0902-JAC-PAC-REP-00065	2.0
DCO Application Errata		
DCO Application Errata	WN0902-HZDCO-PAC-REP-00242	1.0
Environmental Statement Addendum		
Environmental Statement Addendum	WN0902-HZDCO-PAC-REP-00243	1.0
Environmental Statement Addendum - Appendices	WN0902-HZDCO-PAC-REP-00282	1.0
Construction Visualisations		
Illustrative Construction Visualisations	WN0902-HZDCO-PAC-REP-00250	1.0
Wireline Construction Visualisations	WN0902-HZDCO-PAC-REP-00251	1.0
Batch 2 RfNMCs		

Horizon's Responses to Representations made on the Batch 2 RfNMC's	WN0902-HZDCO-PAC-REP-00274	1.0
Guide to the Application		
Guide to the Application	WN0902-HZCON-PAC-REP-00001_English	7.0
Guide to the Application (Welsh Translation)	WN0902-HZCON-PAC-REP-00001_Welsh	7.0
CPO Compensation and Funding		
Examination Hearing Note on CPO compensation	WN0902-HZDCO-PAC-REP-00284	1.0
Response to Welsh Government		
Horizon's Response to Welsh Government's Deadline 5 submission on Health Professionals	WN0902-HZDCO-PAC-REP-00285	1.0
Response to Natural Resources Wales		
Horizon's Response to Natural Resources Wales' Deadline 5 submission	WN0902-HZDCO-PAC-REP-00286	1.0
Other Consents, Licences and Agreements		
Other Consents and Licenses	WN0902-HZDCO-PAC-REP-00051	4.0

Appendix 2 – Horizon’s Response to North Wales Police Deadline 5 Submission

Response to Barton Willmore Deadline 5 Submission on behalf of North Wales police

- 1.1.1 Horizon has reviewed REP5-071 submitted by Barton Willmore on behalf of North Wales Police (NWP). Horizon feels compelled to respond formally as it contains a number of inaccuracies which are misleading to the Examining Authority as to Horizon's engagement with NWP.

Engagement with NWP

- 1.1.2 In relation to the Police Impact Assessment (PIA) Horizon has sought to be very proactive in seeking engagement with the NWP. Despite offering a number of dates that Horizon’s consultant (Gore Associates) or Horizon staff could meet with NWP prior to 24 January, NWP was not available to attend. Horizon requested a focussed meeting prior to 24 January to ensure a common understanding of approaches used and data sets, and subsequently offered several opportunities to discuss data sets including by teleconference. These have all been declined by NWP.

Development of the PIA

- 1.1.3 At the meeting on the 24 January 2019 Gore Associates presented an independent assessment, on behalf of Horizon, on the NWP PIA. The presentation incorporated a review of the methodology adopted by NWP, an alternative model, based upon the current police-operating model in North Wales, and a preferred model. It should be noted that the model, based on utilising the existing police allocation formula, with an increase in resident population of 7,000 yields a very minor increase in resourcing requirements and very significantly less than the almost £30 million stated in the NWP impact assessment.
- 1.1.4 With regard to the statement in REP5-071 that Gore Associates were using incorrect data, it is noted that that the data used was provided to it by NWP, and which was only provided following a Freedom of Information request submitted on 19 December 2018. It was openly acknowledged by NWP on 24 January that some of the data provided to Gore was incorrect and despite assurance that new accurate data would be promptly provided, this has to date not been provided in full.
- 1.1.5 As regards the Road Policing Unit, the demand is clearly excessive. There is no reasonable justification for an additional 26 officers for a roads policing unit (given the total NWP PRPU force resource is 52 posts). At the meeting on the 24 January there was clear recognition that this request from NWP appeared excessive. In any event the Gore Associates funding model includes an increase in RPU which allows for an increase in RPU which is higher than the current resource allocation of 1 PC for approx. 5,400 residents. It also compares favourably when benchmarked with other major infrastructure projects.
- 1.1.6 Gore Associates remains of the view that its PIA is robust. It has not misunderstood how the NWP PIA reached its conclusions, it considers the NWP PIA model is fundamentally flawed in approach and is not suitable to be used to calculate demand and resource levels. The full Gore report submitted at Deadline 5 is referred to.
- 1.1.7 The statement that Horizon is negotiating s106 sums to make the project "attractive" is not appropriate and ignores the fact that the Gore assessment and conclusion on an appropriate model (and the funding for that model) was undertaken prior to the Hitachi announcement. Horizon is confident that all sums set out in the s.106 are evidence based and robust.
- 1.1.8 Horizon remains committed to engaging with NWP on mitigation.

Timeframes

- 1.1.9 Horizon appreciates that timeframes requested for review and comments on documents have been tight on occasion. The ExA will be well aware that the DCO examination is a very time constrained process, and Horizon was simply attempting to provide opportunities for NWP to comment on documents prior to those documents being submitted to meet deadlines. However, Horizon itself is of course striving to provide updated documents, responses to questions and manage feedback from multiple stakeholders as demanded of within those deadlines, which it clearly cannot unilaterally extend.

Resourcing

- 1.1.10 REP5-071 indicates that NWP has been prejudiced in terms of funding support. NWP has applied for over £450,000 in funding from Horizon since April 2018 to cover its expenses, external legal advice and planning consultants. Horizon has paid significant sums to date and is currently reviewing the additional costs requested. By way of comparison, BCUHB has sought circa £50,000, and the relevant s106 schedule is largely agreed. NWP is of course able to choose the level of resourcing it wishes to commit to the Project and the extent to which it wishes to review and comment on areas outside its core areas which are appropriately dealt with by the local authority and regulators. However, it is not reasonable to seek to require an applicant to fund that.