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The Planning Inspectorate
National Infrastructure Planning
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By email only

Our Ref: 27102/A3/BL/D9/190410
10th April 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)

Submissions for Deadline 9

Further to the submissions made at Deadlines 7 and 8, we write on behalf of our clients, North Wales Police (NWP), to provide an update to the Examining Authority at Deadline 9.

Following our Deadline 7 and 8 submissions, there has been a significant amount of further dialogue between NWP and Horizon Nuclear Power Ltd (HNP), and between NWP and Isle of Anglesey County Council (IACC). These discussions have been on matters relating to the proposed s106 agreement (its content and quantum), the proposed Deed of Covenant, and the mechanisms for, and role of, the Emergency Services Engagement Group in the approval and change management of DCO plans, strategies and schemes.

Whilst these discussions continue, and are on-going and subject to change daily, NWP is not currently in a position to make a detailed submission at Deadline 9.

To update the Examining Authority, we can confirm that NWP is in the final stages of agreeing the wording for both the proposed s106 agreement and the deed of covenant. As these final stages predominantly relate to matters of drafting rather than principle and quantum, it is hoped that an agreed position will be reached in advance of Deadline 10, if not before.



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As has been stated in previous submissions, should agreement not be reached on specific matters and the draft s106 agreement and associated documentation, then NWP will submit a marked-up version of the draft s106 to the Examination in advance of Deadline 10. This will be accompanied by appropriate wording to secure the necessary s106 contribution through the draft Order. NWP maintains its position that if mitigation is not properly secured for the purposes of the project, the impact on community safety will be unacceptable and constitutes an unacceptable risk, such that NWP does not feel it will be able to properly protect the public.

In relation to other matters previously raised by NWP, we provide the following:

- comments on the draft Code of Construction Practice (CoCP) (Ref: REP8-047) submitted by the Applicant at Deadline 8;
- comments on the Worker Management Strategy (WMS) (Ref: REP8-064) submitted by the Applicant at Deadline 8; and
- comments on the Statement of Common Ground between the Applicant and North Wales Police (Ref: REP8-020) submitted by the Applicant at Deadline 8;

We trust this update is helpful to keep the Examining Authority informed of progress.

Horizon Nuclear Power: Deadline 8 Submission - Draft CoCP (Ref: REP8-047)

We have reviewed the updated draft CoCP (Ref: REP8-047) submitted by the applicant at Deadline 8. NWP considers that a number of improvements have been made to the CoCP since the last draft submitted at Deadline 5 (REP5-020). Alongside the revisions made to the CoCP, the draft s106 agreement has provided clarity on the role of the Emergency Services Engagement Group (ESEG) in relation to the change management of certified documents.

In overall terms, NWP has no objection to the Deadline 8 CoCP subject to the retention of the relevant requirements and Schedule 21 in the Order in relation to change management. There are, however, a number of areas where the CoCP should be amended in the interests of clarity, accuracy and consistency with the Order and the s106 agreement. These are set out in the table below:

Ref:	Matter of concern	NWP Comments
Para 1.1.6	Reference numbers for 'certified documents' are not included in the CoCP.	NWP consider that for clarity and accuracy, the references and revision numbers (consistent with Schedule 18 of the final Order) of all 'certified documents' should be included in the CoCP.
Section 3.2	Wylfa Newydd Engagement Framework	The proposed approach to post-consent engagement is a marked improvement on the previously proposed mechanisms (e.g. the WNMPOP). However, for clarity and to ensure consistency, NWP submits that the engagement groups, and their members, should be listed on the face of the CoCP.

Ref:	Matter of concern	NWP Comments
Para. 3.4.3	In respect to the Community Safety Management Scheme, it is stated that the Applicant will “continue to collaborate with emergency services for the duration of the construction period”.	In order to be consistent with the s106 agreement, this paragraph should include reference to collaboration with the ESEG.
Paras. 4.2.1 and 4.2.2	Definitions of “construction” and “construction activities”	NWP submits that the definitions of “construction” and “construction activities” are essential to the understanding of the CoCP and as such the deleted text should be retained.
Para 4.6.4	Protest Management	<p>NWP has no objection to the principles included in the CoCP in relation to the Protest Management Scheme subject to the approval mechanisms set out in Requirement WN1 and Schedule 21 of the Order.</p> <p>NWP requests the reference to ‘the police’ should, as a point of accuracy, be amended to ‘North Wales Police’ or ‘NWP’.</p> <p>This comment applies equally to the CoCP where the text refers to NWP specifically.</p>
Section 5.2	Logistics Centre	NWP maintains its concerns raised at Deadline 7 in relation to changed role of the Logistics Centre to only “control the flow of HGVs” rather than as per previous versions “the flow of goods vehicles”, and the deletion of the requirement for LGVs to pass through the Logistics Centre.
Para. 5.2.3	Table 5-1 HGV Delivery Window	NWP welcomes the clarification provided by the introduction of Table 5-1 into the CoCP.
Para 5.4.6	Abnormal Indivisible Loads Management Scheme	NWP welcomes the introduction of specific reference to an AIL Management Scheme and has no objection to the principles set out in section 5.4 of the Deadline 8 CoCP subject to the approval mechanisms set out in Requirement WN1 and Schedule 21 of the Order.
Para 5.8.2	Freight movement	NWP submits that explicit reference should be made to Requirement WN27 (as currently drafted) for consistency and accuracy.

Ref:	Matter of concern	NWP Comments
Para. 5.8.16	Notification of HGV movements outside permitted hours.	NWP requests that they, or the ESEG, are notified in advance (alongside IACC) of any HGV movements that will take place outside the permitted hours set out in the CoCP in the interests of road safety.
Para 5.9.3	Traffic Incident Management Scheme	NWP has no objection to the principles set out in section 5.9 of the CoCP subject to the approval mechanisms set out in Requirement PW7 and Schedule 21 of the Order.
Para. 5.10.9	Quarterly summary of all traffic monitoring and an analysis of the monitoring data against mode share targets.	NWP requests that the CoCP is updated to be consistent with the s106 agreement (Sch. 7, s5.1) and state that the quarterly traffic monitoring report will also be made available to the ESEG.
Para. 5.11.3	Construction traffic management	NWP requests that the CoCP is updated to be consistent with the s106 agreement (Sch. 7, s5.1) and state that the quarterly construction traffic management report traffic monitoring report will also be made available to the ESEG.

There remain a number of typographical errors in the Deadline 8 CoCP, and it is expected that these will be rectified prior to the final version being submitted. For example, reference to 'section 4.7' in para. 4.6.5. should, we believe, be reference to 'section 4.6'. We trust the Applicant will pick up all typographical errors and points of internal document consistency prior to submission of the final certified document.

Workforce Management Strategy (Ref: REP8-064)

NWP has no objection to the revised Workforce Management Strategy subject to the retention of the approval mechanisms set out in Requirement PW8 of the Order.

Statement of Common Ground between Horizon Nuclear Power and North Wales Police: Deadline 8 Submission - Draft CoCP (Ref: REP8-020)

By way of an update, we can confirm that the Statement of Common Ground (Ref: REP8-020) submitted by the Applicant at Deadline 8 is a fair reflection of the matters discussed between the two parties up to Deadline 8. NWP is hopeful that further areas of agreement can be reached prior to Deadline 10, and an updated and agreed SoCG can be submitted to the Examination.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,



Ben Lewis

Infrastructure & Energy Director