



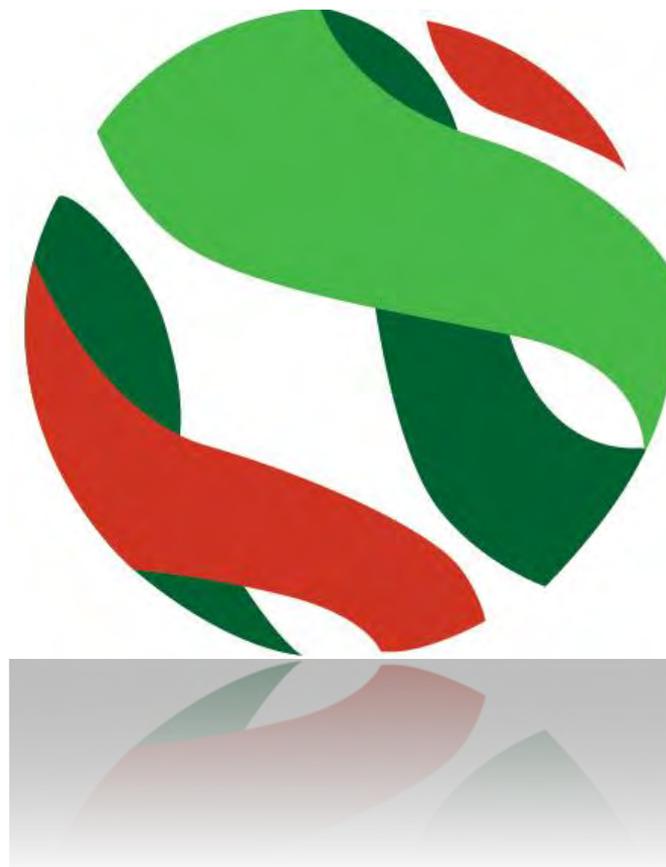
The Abergelli Power Gas Fired Generating Station Order

10.3 Statement of Proposed Heads of Terms for an Agreement Pursuant to s106 of the TCPA 1990

Planning Act 2008
The Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009

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1. INTRODUCTION

- 1.1 Abergelli Power Limited (APL) is proposing to develop an Open Cycle Gas Turbine with a generating capacity of up to 299 MW station located on open agricultural land approximately 2 km north of Junction 46 on the M4, approximately 3 km to the north of the city of Swansea, approximately 1 km southeast of Felindre and 1.4 km north of Llangyfelach (the "**Project**").
- 1.2 This Statement of proposed Heads of Terms for an agreement pursuant to s106 Town and Country Planning Act 1990 accompanies an application for a Development Consent Order ("**DCO**") for the Project.
- 1.3 The Project will generate over 50 MW of electricity and, as such, is a nationally significant infrastructure project as defined in the Planning Act 2008 (sections 14(1)(a) and 15). In accordance with the Planning Act 2008, the DCO application for the Project (the "**Application**") will be submitted to Secretary of State, who will appoint an Examining Authority to examine the application prior to the determination of the Application by the Secretary of State.
- 1.4 This Statement of proposed Heads of Terms for an agreement pursuant to s106 Town and Country Planning Act 1990 accompanies the Application.
- 1.5 The Project would be located within the administrative boundary of the City and County of Swansea Council ("**CCS**"). CCS is closely liaising with APL on mitigation for the impacts of the Project, and considers that in order to make the scheme acceptable in planning terms, development consent obligations should be secured within an agreement pursuant to s106 of the Town and Country Planning Act 1990 ("**s106 Agreement**") (as amended by the Planning Act 2008).
- 1.6 [Following discussion with CCS, agreement over the majority of the proposed Heads of Terms has been reached, however,] the s106 Agreement is not in an agreed form. As such, APL has set out below its proposed position on all proposed Heads of Terms and it will continue to liaise with CCS following submission of its Application, in order to come to an agreed position as soon as is possible.

2. APL'S PROPOSED POSITION REGARDING AREAS FOR MITIGATION BY WAY OF DEVELOPMENT CONSENT OBLIGATION

- 2.1 To undertake agreed measures for socio-economic and educational improvements within the vicinity of the Project.

PROPOSED OBLIGATIONS

3. **EDUCATION OPPORTUNITIES**

3.1 Prior to commencement of construction, to deliver an education scheme (the "**Education Scheme**") to CCS for approval. The Scheme shall set out:

3.1.1 A proposed programme of visits to schools located within Swansea to be made by APL for a period of five years from the commencement of construction, such visits to be used to explain the Project and how such a facility fits within the provision of energy for the United Kingdom.

3.2 The Education Scheme shall be implemented by APL.

4. **LOCAL SERVICE PROVIDERS DURING CONSTRUCTION AND OPERATION**

4.1 Prior to commencement of construction, to deliver a local service provider engagement scheme (the "**Local Services Scheme**") to CCS for approval. The Local Services Scheme shall set out:

4.1.1 The measures that APL will take in order to ensure that opportunities for local organisations to bid for contracts during the construction period of the Project are advertised locally (including APL notifying CCS at the commencement of the procurement process for construction of the Project in order to allow CCS to advertise opportunities via any brokerage scheme that they may run);

4.1.2 The measures that APL will take in order to ensure that opportunities for local organisations to bid for contracts during the operational period of the Project (for example for maintenance, cleaning or security services) are advertised locally (including APL notifying CCS at the commencement of the procurement process for operation of the Project in order to allow CCS to advertise opportunities via any brokerage scheme that they may run);

4.1.3 The anticipated number of local supplier days that will be hosted by APL prior to and during construction of the Project.

4.2 The Local Services Scheme shall be implemented by APL.