



Meeting note

File reference	EN010069
Status	Final
Author	Karl-Jonas Johansson
Date	30 March 2017
Meeting with	Abergelli Power Ltd
Venue	Temple Quay House
Attendees	The Planning Inspectorate Chris White (Infrastructure Planning Lead) Tracey Williams (Case Manager) Karl-Jonas Johansson (Case Officer) Alison Down (EIA and Land Rights Advisor) Lynne Franklin (Lawyer) Abergelli Power Ltd Nick Johnson (Project Manager – Millbrook Power) Kirstin Gardner (Project Manager – Abergelli Power) Jim Doyle (Drax) Richard Griffiths (Pinsent Masons) Dermot Scanlon (PBA)
Meeting objectives	Project update meeting
Circulation	Project update meeting

Summary of key points discussed and advice given

Introduction

The Applicant and the Planning Inspectorate (the Inspectorate) team introduced themselves and their respective roles. The Inspectorate continued by outlining its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under section 51 of the Planning Act 2008 (as amended) (PA2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

Project overview and update

The Applicant gave a brief update about the project and the changes to the project since the last meeting on 23 April 2015. The Applicant stated that the project has

been bought by Drax Power together with Millbrook Power and the consented Hirwaun Power and Progress Power developments, but will still be managed by Stag Energy.

The project is located close to Swansea and will connect to the Swansea substation. The project will have only one turbine and stack instead of the previous option of up to five turbines and stacks. The Applicant informed the Inspectorate that the redline boundary might change, and the land rights sought reduce, as the project becomes more defined. As the project hasn't substantially changed since 2015, the Applicant will not be submitting another scoping request. It was clarified that the Inspectorate would not produce a Regulation 9 consultee list unless it was notified under Regulation 6 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended), which must be done prior to s42 consultation, and that it was for the Applicant to ensure they had consulted all relevant statutory consultees. It was explained that the Regulation 9 list was prepared only for the purposes of scoping and the Applicant's consultation may have to go wider.

At present the Applicant intends to bring the project forward as a Development Consent Order (DCO) application, and to progress the related gas and electricity connections under the Town and Country Planning Act 1990 (TCPA). The Applicant intends to submit its TCPA applications in late 2017, and twin-track them with the DCO application. The Applicant clarified that the project Environmental Statement (ES) would include the connections in its assessment.

The Applicant was advised to include a section in the Planning Statement which clarified how the Wales Act 2017 interacts with PA2008. The Applicant was further advised to include a similar section in its consultation material to ensure consultees were aware of the planning framework within which the different elements of the scheme fell.

Outreach

The need for an outreach event was discussed. The Inspectorate stated that if the Applicant could produce a robust case justifying how an outreach event would benefit the process, the Inspectorate would consider the request. The Applicant was also advised to ask Natural Resources Wales (NRW) and City and Council of Swansea (CCS) if they felt that they would benefit from an outreach event or meeting between all parties.

Project site

The Applicant explained that the site will be split into two sections due to a water pipeline owned by Welsh Water crossing the proposed site. Both parties are working on protective provisions for Welsh Water's assets. The Applicant clarified that the redline boundary may be modified to accommodate new build solar developments in the vicinity of the proposed application site.

Compulsory acquisition

The DCO will contain compulsory acquisition powers. The Applicant confirmed that it has signed an options agreement for the land. The Applicant was advised to prepare a schedule showing how the negotiations have progressed and to submit this as a freestanding document so it could be updated during the examination.

Consultation programme

The Applicant intends to re-consult in the autumn of 2017. The Applicant will also conduct some additional survey work which will be included in the Preliminary Environmental Information Report (PEIR). The PEIR will be based on the previously drafted ES.

The validity of previous consultation was discussed. The Inspectorate advised the Applicant to re-consult with all relevant parties given the time period since the previous statutory consultation. The Applicant confirmed they will update the Statement of Community Consultation (SoCC) after they have carried out consultation on the draft SoCC with the host authority. The Applicant also intends to work closely with CCS to ensure they adhere to the Welsh Language Scheme's requirements.

The Applicant intends to submit draft documents in December 2017/January 2018. The previous Consultation Report produced will be updated with the new consultation material.

Draft documents review

The Inspectorate clarified that it does not usually review technical chapters of the ES at the draft documents stage of the pre-application, but could review the chapters that set out the approach to the EIA, and the draft Habitats Regulation Assessment Report (HRAR). The Inspectorate informed the Applicant that it may be beneficial to the Applicant to include the draft DCO and Explanatory Memorandum and the updated Consultation Report. It was agreed that the Applicant would produce a list of draft documents they may wish the Inspectorate to review. It was agreed that the Applicant would also produce a draft s55 checklist prior to submitting the draft documents.

The timescale for draft documents review is normally 4 weeks, followed by a meeting at Temple Quay House to discuss the comments.

Any Other Business

The Environmental Permit application is likely to be submitted to NRW in Q3 2017.

The Applicant confirmed that HRA issues were still outstanding.

Specific decisions / follow up required?

- The Inspectorate will investigate if there are any comments from the previous draft document review that have not been sent to the Applicant. *Post-meeting note – All draft documents advice has been published on the Abergelli project webpage.*
- The project submission date to be updated on the Inspectorate's project webpage
- The Applicant to update the Inspectorate regarding any Planning Performance Agreements and any feedback regarding the need for a further outreach meeting, before the next meeting.