

Glyn Rhonwy Pumped Storage Development Consent Order

Action points arising from the Issue Specific Hearing into the Development Consent Order (DCO) held on 9 March 2016

In the following table, 'Question No.' refers to the question number in the *Schedule of ExA Drafting queries on DCO (Doc Ref 3.01 Rev.0)* as submitted, as discussed during the hearing. Draft DCO references are to draft DCO version 1.

Action No.	Question No.	Action by	Action
1.	1	Applicant	Maintain and submit updated plans and other documents that will require Secretary of State certification throughout the examination process and supply to the Examining Authority (ExA) before the close of the examination.
2.	3	Applicant	Ensure that all future submissions of draft DCO's are supplied in both MS Word and Adobe PDF formats, and include a track changed version and a table of comments explaining each change.
3.	4	Applicant	Ensure that all plans and drawings mentioned in the draft DCO include Drawing and Revision Numbers, including "indicative engineering drawings and sections" works key plans and land key plans.
4.	5	Applicant	Update response to recognise that A13(2) does not apply to protect pedestrian right of access.
5.	6	Applicant	(a) Statement of Common Ground (SoCG) with Gwynedd Council to reflect Gwynedd Council position on 'guillotine' provisions. (b) Consider revising the proposed amendment to make notice of the 'guillotine' more prominent, for example by including it in the covering letter for any application.
6.	12	Applicant	Consider the extent of works that could take place prior to commencement, having regard to what is assessed in the Environmental Statement (ES); and consider the definition of "commence" in light of this.
7.	14	Applicant	Consider means of identifying horizontal and vertical limits of deviation on the drawings e.g. by way of a note or table.
8.	15	Applicant	Consider more precisely defining the extended definition of "maintain" by reference to the examples given in the applicant's response, and ensuring consistency between the definition and the ES.
9.	21	Applicant	Consider what can be done to more precisely define the locations of permanent and temporary works, having regard to what is assessed in the ES.
10.	22	Applicant	Remove "and transmitting" from A7(1).
11.	24	Applicant	Provide note of reason/justification for A9 as opposed to reliance on s158 of the Planning Act 2008 (PA 2008).
12.	26	Applicant	SoCG with Gwynedd Council to provide evidence that the highways authority have consented to the inclusion of provisions for prescribed consent under s14 of the 1984 Act.
13.	31	Applicant	Note that the ExA will review the need for Compulsory Acquisition "trigger" provisions during the examination with regard to the risks of any impediments to the development becoming operational, including works and consents required outside the draft DCO.

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14.	34	Applicant	Consider moving A22(4) to A23.
15.	37	Applicant	Provide a note to explain what is meant by 'temporary possession' of plots 41. 63 and 71 in the Statement of Reasons.
16.	41	Applicant	Formulate an amendment to A26 to recognise that guarantees may need to be in place for at least 20 years.
17.	42	Applicant	Provide a note of the methodology used for land referencing.
18.	43	Applicant	(a) Provide a note of why the applicant considers that no hedgerow plan is required. (b) SoCG to address hedgerow consents.
19.	44	Applicant	SoCG to address Tree Preservation Order consents.
20.	45	Applicant	Provide a note of discussions that have taken place with Statutory Undertakers about protective provisions.
21.	48	Applicant	Provide a note on the reasons for including A37 and its consistency with UK law.
22.	51	Applicant	Provide consent letter from Crown Estate confirming acceptability of/need for A40.
23.	54	Applicant	Consider providing further elaboration of "ancillary activities" within Schedule 1 Work 1G reflecting the examples given in the applicant's response.
24.	57	Applicant	Provide a note of why the provision for 'ancillary buildings' is required given that temporary buildings will be authorised as part of Work 3(e).
25.	59	Applicant	Consider whether the scale, location and scope of the "further development.....including: (a).....(p)" etc can be more precisely defined.
26.	60	Applicant	Review the draft DCO for further need to reflect SI drafting language (several instances of "shall" remain).
27.	62	Applicant	Provide a note to further explain why the export capacity is 'net'.
28.	63	Applicant	Consider revising the draft DCO to ensure that the 'longstop' period also applies to the temporary construction compounds.
29.	64	Applicant	Consider revising the draft DCO to provide more detailed parameters for the permanent elements.
30.	66	Applicant	Ensure consistency between usage of expressions relating to "commence" in the requirements and the definition in A2.
31.	68	Applicant	Consider wording to limit the scope of the tailpiece, reflecting the examples given in the applicant's response.
32.	74	Applicant	Note on what is meant by permanent cessation for the purposes of requiring submission of a decommissioning plan, and how that is to be monitored
33.	79	Applicant	Provide a note of discussions that have taken place with Statutory Undertakers about protective provisions.

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34.	82	Applicant/ Gwynedd Council	SoCG to address the provisions for discharge of requirements with the Gwynedd Council.
35.		Gwynedd Council	Provide a note of the opportunities for public involvement in the determination of proposals for road widening/improvements to the access route to the upper part of the development.