

# Preliminary Meeting Note

## Summary of Key Points Discussed and Advice Given

<b>Application</b>	Glyn Rhonwy Pumped Storage Scheme
<b>Reference</b>	EN010072
<b>Time &amp; Date</b>	9.30am, 8 March 2016
<b>Venue</b>	Mynydd Gwefru (Electric Mountain), Llanberis, Gwynedd, LL55 4UR

*This meeting note is not a full transcript of the Preliminary Meeting. It is a summary of the key points discussed and responses given. An audio recording of the event is available on the National Infrastructure Planning website.*

### Welcome and Introductions

**Stuart Cowperthwaite** (SC, the Examining Authority) opened the Preliminary Meeting, welcomed those present, and explained the practical arrangements for the meeting (including translation into English of submissions in Welsh) and evacuation arrangements in the event of an alarm.

He explained the purpose of the meeting was to hear submissions on how the application should be examined.

**SC** noted that the venue was owned by First Hydro Company, the electricity generator responsible for the management and operation of the pumped storage plants at Dinorwig. He advised parties that there was no connection between First Hydro Company and the applicant company, and that any material displayed at the venue described the Dinorwig generating station and was not related to the Glyn Rhonwy scheme.

**SC** invited those present to introduce themselves.

**Snowdonia Pumped Hydro Limited** (SPH, the applicant company) were represented at the hearing by Julian Boswall of Burges Salmon LLP, who introduced himself.

**Natural Resources Wales** (NRW, a statutory consultee) were represented at the hearing by Gareth Thomas, who introduced himself.

**Gwynedd Council** (GC, the host local authority) were represented at the hearing by Glyn Gruffudd, who introduced himself.

A technical fault in the translation equipment became apparent. **SC** apologised and broke the meeting for ten minutes to correct the fault.

*The meeting broke at 9:40am to correct a fault in the translation equipment, and resumed at 9:50am.*

**GC** introduced themselves again for the benefit of those making use of translation.

**Huw Hughes**, a local resident and secretary of the Seiont Gwyrfai and Llyfni Angling Club, introduced himself.

**Ian Wood** (IW, a local resident) introduced himself.

**Jeff Taylor** (JT, a local resident and member of the Concerned About Glyn Rhonwy group) introduced himself.

### **Examining Authority's remarks about the examination process**

**SC** confirmed that he had been appointed to examine the application and report to the Secretary of State; and outlined the examination process and hearings and deadlines it might contain. He explained that the examination would last a maximum of 6 months, he would report within 3 months of the close of the examination, and the Secretary of State would make a decision within 3 months of his report.

The examination would be principally written, and all submissions would be published on the website as soon as practicable. If submissions are made outside of the deadlines set, they may still be accepted at the discretion of the Examining Authority; but this would depend upon the justification for the late submission.

The examination timetable, along with any other procedural decisions following the meeting, was expected to be issued on or around 16 March 2016.

### **Principal Issues**

**SC** explained that the initial assessment of principal issues in Annex H of his letter of 9 February 2016 was based upon the application and relevant representations; it was not final or exclusive, and he would consider all relevant and important matters when writing his report to the Secretary of State. He therefore did not propose to take submissions on them during the meeting, but invited any submissions on relevant and important matters in line with the examination timetable.

### **Written Questions**

**SC** explained that he expected to issue at least one round of written questions to the parties, on or around 15 March 2016. He had not yet decided whether or not a second round of questions would be necessary; this would depend upon the submissions received during the examination and particularly on whether the first questions were answered fully and comprehensively. He asked that, if parties believe the answer is already contained in submissions or application documents, they reference where they believe the answer can be found.

### **Statements of Common Ground**

**SC** drew the parties' attention to Annex C of his letter of 9 February 2016, and the list of Statements of Common Ground (SoCG) that he has requested be submitted to assist the examination. He noted that they should also detail where matters are not agreed. He invited the parties to comment.

**SPH** confirmed that the SoCG requested are being prepared. They cautioned that they cannot compel other parties to enter into SoCG or meet the deadline set, but confirmed that they would make all reasonable efforts to do so themselves.

**GC** confirmed that the general principle of entering into a SoCG with the applicant was agreed, but the content of the SoCG would be a decision for elected members. Officers have drafted initial advice to members following discussions with the applicant, and they anticipate no difficulties meeting the deadline set.

**NRW** confirmed that they are in discussions with the applicant, have received a draft SoCG from them which they are considering, and anticipate no difficulties meeting the deadline set.

### **Local Impact Reports (LIR)**

**SC** explained that a LIR was a report by a local authority on the anticipated impact on their area; that he and the Secretary of State would have regard to LIRs, and invited the parties to comment.

**GC** confirmed that they will be submitting a LIR, which has been completed in draft by officers. They expect to submit their LIR, within the deadline set, once it has been approved by members.

### **Hearings**

**SC** explained that submissions to hearings should be based upon written submissions; and it was not necessary to repeat written submissions orally. Oral and written submissions would be given equal weight.

He also drew the parties' attention particularly to the need to submit their views in writing when invited to do so since hearings may not be held on every issue, or might be cancelled, or might not cover the matter of interest.

He noted that provision had been made in the draft timetable for hearings to be held if necessary in early May, and that he expected that notice of the time, date and place of any hearings would be given on or around 18 April 2016.

He also drew the parties' attention to the hearings timetabled in the letter of 9 February 2016, and confirmed that they would go ahead.

**NRW** explained that they would make written submissions to the issue specific hearing on the draft Development Consent Order (DCO) on 9 March 2016.

### **Site Inspections**

**SC** explained that he had conducted unaccompanied site inspections in November 2015, details of which are available on the Glyn Rhonwy project page of the Planning Inspectorate's website. He proposes to carry out more throughout the examination as convenient to him, details of which will also be published.

If it is necessary to enter private land, he will carry out an accompanied inspection (ASI), on which he will be accompanied by the applicant and the local authority, along

with any other interested party who wishes to attend (subject to numbers and the permission of the landowner.)

**Tony Grant** asked if details of any proposed ASI would be published.

**SC** confirmed that notice of the time, date and place of the start of any ASI would be given and an itinerary would be published.

**Cllr Eurig Wyn (EW)** confirmed that he would be attending the open floor hearing on the afternoon of 8 March 2016, and asked if he could give evidence to hearings in the Welsh language.

**SC** noted this, and confirmed that he could.

### **Timetable for Written Submissions**

**SC** encouraged all parties to follow the timetable set and submit as fully as possible at the earliest opportunity, since he may amend the timetable in the future and once all deadlines have passed, he may close the examination at any time.

He noted that the draft timetable set deadlines at 12:00 midday rather than 11:59pm as conventional, and expressly invited submissions on this point.

No submissions on that point were made.

**IW** submitted that the examination was largely a duplication of matters considered by the local authority when granting planning permission for a similar scheme of lower capacity for the same site; he submitted that the process should be expedited to the greatest extent possible, to avoid unnecessary effort and public expenditure.

**SC** explained that the examination would be efficient as possible whilst ensuring that all relevant and important matters were considered.

**SPH** offered that they had made every effort to avoid duplication, but that they had found no lawful alternative to an application for a DCO under the PA2008.

**EW** observed that the venue had an echo. He submitted that there were some new points raised by the current application, and asked if these could be raised in evidence and at the open floor hearing.

**SC** apologised for any echo, and confirmed that he was happy to accept any submissions on relevant or important matters at the open floor hearing in principle.

He asked if the parties were content with the proposed deadline of 13 April 2016 for SoCG.

**SPH** confirmed that they were content with that deadline. They asked if the notification of hearings proposed at item 7 of the draft timetable could include a notification of the topics of any hearing, and that agendas for hearings be published.

**SC** confirmed that notice of the time, date and place of any hearing will include a description of its topic, and that agendas for any hearings will be published on the Planning Inspectorate website at least one week in advance of the hearing.

He noted that, similarly, notice of the cancellation of any hearing will be published on the published on the Glyn Rhonwy project page of the Planning Inspectorate's website at least one week in advance of the date the hearing would have taken place.

He proposed that the deadline for the final draft DCO may be changed from that in the draft timetable to accommodate the possibility that the provisionally timetabled hearings in May are not held.

### **Any Other Business**

**SC** invited any other submissions on how the application is to be examined.

**SPH** advised that they may request to reduce the amount of land proposed to be subject to compulsory acquisition powers, since negotiations are ongoing and they do not intend to seek to compulsorily acquire land that they have already reached an agreement to acquire.

**JT** noted that various parallel consents, including discharge consents, had not yet been secured. He asked if the examination process would put pressure on other consenting bodies. He also noted with concern that some documents, such as the Dam Breach Assessment, were not proposed to be provided to the examination and therefore were not published.

**SC** noted that the applicant was encouraged to secure necessary parallel consents in advance of the end of the examination; otherwise, he would seek to satisfy himself that there was no impediment to the consents being granted in due course. The matter was likely to be the subject of questions; as was the matter of documents that are not supplied.

**NRW** noted that they consider their process for considering discharge consents to be independent of the examination, whilst noting that some evidence may be duplicated. It is entirely separate.

**EW** asked what community benefit will derive from the proposed development and whether he had that opportunity to make such a request in relation to community benefit during the open floor hearing or whether such a request should be to the applicant directly outside of the hearing.

**SC** encouraged EW to provide any representation on this matter in writing to the examination; he was also informed he was welcome to make any representation orally at the open floor hearing should he wish to do so. SC confirmed he does not have a view on whether EW speaks to the applicant directly about this matter and that is a decision for EW.

**SC** thanked the parties for attending.

*The meeting closed at 12:52pm.*