



Glyn Rhonwy Pumped Storage Development Consent Order

Deadline 7 – Status of Statements of Common Ground



PINS Reference	EN010072	
Document Ref.	SPH_GREX_SCGD7_01	
Author	SPH	
Revision	Date	Description
1	August 2016	Issued

Contents

1. Introduction and Summary

2. Summary and Status of Statements of Common Ground

1. Introduction and Summary

1.1 Introduction

- 1.1.1 This document is provided by Snowdonia Pumped Hydro Ltd (SPH) in relation to the application for development consent for the Glyn Rhonwy Pumped Storage scheme and is being submitted at Deadline 7.
- 1.1.2 On 9th February 2016, the Examining Authority (ExA) issued a letter detailing the Notice of Preliminary Meeting, first Open Floor and Issue Specific Hearings and a draft timetable for the examination in accordance with Rule 6 of the Infrastructure Planning (Examination Procedure) Rules 2010. Annex C of this letter set out a list of the parties with whom the ExA wish to see Statements of Common Ground (SoCG) drafted.
- 1.1.3 Subsequently, on 16th February 2016 the ExA issued the timetable for the examination in accordance with Rule 8 of the Infrastructure Planning (Examination Procedure) Rules 2010. This invited submission of completed and draft SoCGs by the specified deadline.
- 1.1.4 The schedule provided in section 2 of this statement sets out the current progress made by the Applicant in agreeing Statements of Common Ground with the parties identified by the ExA.

2. Summary and Status of all requested Statements of Common Ground

Table 1 Summary of progress with agreeing Statements of Common Ground		
Stakeholder	Requested topics as per Rule 6	Status / Comment

<p>1</p>	<p>Natural Resources Wales</p>	<p>DCO, policy and Other consents Overall issues regarding the ES and mitigation and management Biodiversity and Ecology Landscape, visual impacts, good design and land use Noise and Vibration Water resources, flood risk, geology and ground conditions Air quality and other health impacts</p>	<p>1st draft comments received 17/3/16 Revision 2 issued 29th March 2016 SoCG now fully agreed with NRW and is being submitted for Deadline 2 (SPH_GREX_SCG_01) It should be noted that the Applicant and NRW have agreed not to sign the SoCG until after Deadline 2 in case amendments need to be made following the publication of responses to the Examining Authority's first written questions. A fully executed SoCG has been submitted at Deadline 3 (SPH_GREX_SCG_NRW) A revised and updated SOCG will be resubmitted for Deadline 6 which reflects NRW's request for the Applicant to withdraw the Discharge Permits, further information can be found in the Applicants response to Q3.12 of the Second Written Questions (SPH_GREX_SWQD5_01). An addendum to the SOCG has been agreed and was submitted at Deadline 6 (SPH_GREX_SCG_01 (Rev.2))</p>
-----------------	---	--	--

<p>2</p>	<p>Gwynedd County Council</p>	<p>DCO, policy and Other consents Overall issues regarding the ES and mitigation and management Biodiversity and Ecology Landscape, visual impacts, good design and land use Historic environment and archaeology Traffic, transport and public access Noise and Vibration Water resources, flood risk, geology and ground conditions Air quality and other health impacts Socio economics, tourism and recreation</p>	<p>A meeting was held on 7th March to discuss matters at which GCC indicated that 1st draft comments expected 18th March 2016 and that agreement of the SoCG is targeted for 30th March. Comments received on 18th March 2016. 95% of the SOCG is now agreed and is being submitted for Deadline 2 (SPH_GREX_SCG_02) It should be noted that the Applicant and GC have agreed not to sign the SoCG until after Deadline 2 in case amendments need to be made following the publication of responses to the Examining Authority's first written questions. No amends have been necessary so the Applicant and GC will sign the agreed SoCG before Deadline 4 A fully executed SoCG has been submitted at Deadline 4 (SPH_GREX_SCG_GC)</p>
-----------------	--------------------------------------	---	---

<p>3</p>	<p>Snowdonia National Park Authority</p>	<p>Landscape, visual impacts, good design and land use Air quality and other health impacts Socio economics, tourism and recreation</p>	<p>SoCG agreed and signed 3rd March 2016 SNPA indicated that only the potential for adverse landscape and visual impacts on Snowdonia and its landscape setting were considered by the National Park Authority when it was consulted on the proposals. The other issues as detailed lie outside the jurisdiction of the SNPA. This fully executed SoCG was submitted for Deadline 2 (SPH_GREX_SCG_03) as part of this update document and was subsequently requested to be submitted as a standalone document by PINS and is therefore submitted at Deadline 3.</p>
<p>4</p>	<p>Cadw</p>	<p>Historic environment and archaeology Socio economics, tourism and recreation</p>	<p>1st draft sent to Cadw on 4th March, advised that our case officer has changed. Chased for response 16th March 2016 Comments received 11th April 2016, no major concerns raised. A revised SoCG has been sent back to Cadw for further comment and comments have been received. All points are agreed and we are seeking execution of the document. This fully executed SOCG is submitted at Deadline 5 (SPH_GREX_SCG_CADW)</p>

5	The Crown Estate	Compulsory Acquisition (CA) and Common Land	<p>SoCG focuses on Common Land, CA no applicable. TCE have indicated their support for the project. SoCG also seeking approval to Article 40 (Crown Rights) of the DCO.</p> <p>Comments awaited from TCE.</p> <p>Update requested 22nd March 2016 and 12th April 2016</p> <p>A fully executed SoCG has been submitted at Deadline 4 (SPH_GREX_SCG_TCE)</p>
6	SP Manweb	Compulsory acquisition and Common Land	<p>SoCG focuses on the grid connection and protective provisions within the draft DCO</p> <p>Draft SoCG sent out for comment on 16th March 2016</p> <p>Minor comments received which are currently being discussed with SP Manweb.</p> <p>SP Manweb have agreed to the planning points within the SoCG however discussions are ongoing regarding the protective provisions.</p> <p>The fully executed SoCG was submitted at Deadline 5 SPH_GREX_SCG_SPMANweb</p>

7	Welsh Government	DCO, policy and other consents Compulsory acquisition and common land	<p>Discussions have taken place with Welsh Government who have indicated that a SOCG may not be required but are discussing this internally and will provide a written response regarding their position.</p> <p>Update requested 29th March 2016 and 12th April 2016</p> <p>Out of Office received 12/4/16 indicates contact away until 19/4/16</p> <p>Further update requested 26th April 2016. It is noted that a Written representation was submitted on behalf of the Welsh Government at Deadline 2, the Applicant has submitted their response to the at Deadline 3 (Doc Ref SPH_GREX_WED3_01)</p>
---	-------------------------	--	--

8	Public Health Wales	Air Quality and other Health Impacts	<p>Communication received from PHHW that they have already provided comments on the application and that the Local Planning Authority should manage any impacts locally and do not wish to enter a SoCG, any further comments to the NSIP process will be provided by Public Health England.</p> <p>PHE have concur with the approach taken by Public Health Wales and have confirmed they have no particular issues to raised and therefore state no requirement for a SOCG between SPH and PHE.</p> <p>Email confirmation was provided at Deadline 3 (SPH_GREX_SCDD3_01)</p> <p>Further communication with PHW further to the Rule 17 request for further information published by the ExA on 20th July 2016. The response from PHW is included within the Applicants response to the ExAs Rule 17 request for further information (SPH_GREX_WED7_02).</p>
----------	----------------------------	--------------------------------------	---

9	Dwr Cymru	Compulsory Acquisition and Common Land (specifically protective provisions within the DCO)	Dwr Cymru have considered the provisions within the DCO, and have provided their own standard conditions (11 th April) for our comment. Discussions are ongoing regarding protective provisions. Protective provisions have now been agreed with Dwr Cymru and the DCO has been amended to reflect the agreed position (DCO schedule 7 part 2)
10	Wales & West Utilities	Compulsory Acquisition and Common Land (specifically protective provisions within the DCO)	Original enquiry sent 16 th March 2016. Update requested 29 th March 2016 No SoCG required and confirmation received of acceptance of the protective provisions within the DCO. Email confirmation provided at Deadline 2 (SPH_GREX_SCGD2_01)
11	BT	Compulsory Acquisition and Common Land (specifically protective provisions within the DCO)	Telephone number provided as part of utilities search is incorrect, generic email address also provided and email sent 22 nd March 2016. Automated responses indicates response times being 20 working days. No further feedback received, alternate contact being sought. Standard email response stating 7 working days minimum notice for works carried out in the vicinity of apparatus. A copy of the email is provided in Appendix A.

12	Vodafone	Compulsory Acquisition and Common Land (specifically protective provisions within the DCO)	<p>Email sent 22nd March – no response received</p> <p>Telephone number located and advised a different email address, email resent 29th March 2016</p> <p>Email received indicating that infrastructure should not be affected by the Development.</p> <p>Copy of email provided at Deadline 2 (SPH_GREX_SCGD2_01)</p>
13	Isle of Anglesey County Council	DCO, Policy and other consents Traffic, transport and public access	<p>Contact made with IACC, initially requested examples of documents which were sent.</p> <p>Response received stating support for the project and further confirmation that no SoCG is required.</p> <p>Email provided at Deadline 2 (SPH_GREX_SCGD2_01)</p>
14	Conwy County Borough Council	DCO, Policy and other consents Traffic, transport and public access	<p>Confirmed that they do not wish to enter into a SoCG.</p> <p>Email provided at Deadline 2 (SPH_GREX_SCGD2_01)</p>
15	Denbighshire County Council	DCO, Policy and other consents Traffic, transport and public access	<p>Verbal confirmation provided that they do not wish to enter into a SoCG.</p> <p>Update requested 14th and 29th March 2016</p> <p>Confirmation received no SoCG required</p> <p>Email provided at Deadline 2 (SPH_GREX_SCGD2_01)</p>

16	Powys County Council	DCO, Policy and other consents Traffic, transport and public access	Verbal confirmation provided that they do not wish to enter into a SoCG. Response received stating no requirement for SoCG Email provided at Deadline 2 (SPH_GREX_SCGD2_01)
17	Ceredigion County Council	DCO, Policy and other consents Traffic, transport and public access	Email sent – awaiting response. Update requested 29 th March 2016. Email provided at Deadline 4 (SPH_GREC_SCGD4_01)

Appendix A – email response from BT Openreach



Julie Drew-Murphy <julie.drewmurphy@quarrybattery.com>

Automatic reply: Glyn Rhonwy pumped storage hydro scheme - Llanberis

networkalts.bangor@openreach.co.uk <networkalts.bangor@openreach.co.uk>

22 March 2016 at
14:25

To: julie.drewmurphy@quarrybattery.com

Thank you for your enquiry which has been received by the Openreach Network Alteration Team in Bangor - we will examine your enquiry and identify if your proposals are likely to have any impact on the Openreach Network. We aim to get a reply to you within 20 working days.

- If you are building a new Development, please register your site with our newsites team. http://www.newdevelopments-openreach.co.uk/?utm_source=homepage&utm_medium=contactbanner&utm_campaign=homepage+newsites
- If you would like the location of Openreach apparatus marked up on site, please email your request to: cbyd@openreach.co.uk
- If you are carrying out demolition works and/or require the isolation of network apparatus known to be redundant on your site, then please contact the [External Network Relocation Team](#)
- If you are reporting damage then please call Tel: 0800 671569 from a landline or 0331 667 7194 from a mobile. Or for out of hours please email: damagedcu@openreach.co.uk

If your work has already commenced, please be aware of the following:

SPECIAL REQUIREMENTS WHEN WORKING IN THE VICINITY OF OPENREACH APPARATUS

1. In this special requirement the following terms shall have these meanings assigned to them:-
 - a) "Company" means Openreach – a BT Group Company
 - b) "Company Representative" means the staff of Openreach, or its authorised representatives or Agents
 - c) "Apparatus" means all boxes, cabinets, poles and plant including any associated cabling and/or ducting owned by Openreach.
2. All works in the public highway are subject to the New Roads and Street Works Act 1991, and the Promoter of the work is legally responsible to bear the cost of safeguarding Apparatus. The "highway" includes carriageway, verges, footpaths, etc.
3. Before commencing any work, or the moving of heavy plant or equipment over any portion of the site, the contractor shall confirm details of the apparatus, owned, leased or rented by the Company, within the site, with the Company Representative, who can be contacted for free on site assistance during office hours, prior to commencement of works :-

E-mail : cbyd@openreach.co.uk

Seven working days' notice is required.

(Office hours: Monday to Friday 08:00 to 17:00)

Further information is available at:

<http://www.openreach.co.uk/orpg/home/contactus/avoidingnetworkdamage/protectingnetwork/networkprotection.do>

Compliance with the above requirements does not relieve the Contractor of any of his obligations under the Contract.

4. Apparatus maps are also available at: <http://www.openreach.co.uk/orpg/home/contactus/avoidingnetworkdamage/locatingournetwork/mapbyemail.do> .

5. Where such details show that the works or the movement of plant or equipment may endanger the Apparatus, the Contractor must give the Company Representative at least 7 days' notice of the date on which it is intended to commence such works or the movement of plant or equipment in order that the presence of any sub-surface Apparatus can be indicated by markers to be supplied by the Company and placed by the Contractor under supervision of the Company Representative. The Contractor shall ensure that all Apparatus, particularly surface running cable, is adequately protected from damage and the Engineer shall approve such protective measures.

6. In the event of a Company marker being disturbed for any reason it shall not be replaced other than in the exact position and to its former depth unless the repositioning is carried out at the direction and under the supervision of the Company Representative.

7. The Contractor shall take particular care in relation to the protection of Apparatus, where such Apparatus includes the presence within the site of optical fibre and/or co-axial cabling. The Contractor shall make every effort to avoid the disturbance of the Company's network which, if damaged, can prove costly to reinstate. The Contractor shall make every effort to avoid the disturbance of Apparatus more than is absolutely necessary for the completion of the works in accordance with the Contract.

When excavating, or backfilling around Apparatus, the Company Representative shall be given adequate notice, which should be not less than 7 days, of the Contractor's intentions in order that he may supervise the works. The Contractor should note that the normal depth of cover for Apparatus and ducts is as follows:-

- a) in footways 350mm, which is to be maintained
- b) In carriageways 600mm, which is to be maintained.

Where the 350/600mm depth of cover cannot be maintained the Contractor shall carry out the instructions of the Company Representative for the protection of the Apparatus. Where the required depth of cover cannot be maintained over cabling, such cables may have to be diverted.

8. All excavation adjacent to Apparatus is to be carried out by hand until the exact extent and/or location of Apparatus is known. Mechanical borers and/or excavators shall not be used within 1.0 meter of Apparatus or 2.0 meters of any pole without the supervisory presence of a Company Representative. To prevent any movement of Apparatus during excavation, complete shuttering shall be used as directed by the Engineer if :-

- a) excavation is deeper than the depth of cover of adjacent Apparatus
- b) excavation is within 1.0 meter of Apparatus in stable soil
- c) excavation is within 5.0 meters of Apparatus in unstable soil

If for completion of the works the Contractor intends using any of the following: -

- a) pile driving equipment within 10.0 meters of Apparatus
- b) explosives within 20.0 meters of Apparatus
- c) laser equipment within 10.0 meters of Apparatus

The Contractor shall advise the Company Representative, in writing, in order that any special protective measures for the Apparatus affected may be arranged.

9. All Company manhole, joint box and/or other access points and chambers within the site shall be kept clear and unobstructed. Access for vehicles, winches, cable drums and/or any further equipment required by the Company for the maintenance of its Apparatus must be maintained at all reasonable times. The Contractor should particularly note the footway type chambers are not specified for carriageway loading and will need to be adequately protected and/or demolished and rebuilt under supervision of a Company Representative where such chambers are likely to be placed at risk, either temporarily or permanently, from the movement of plant and/or equipment on the site. The Company Representative shall be given reasonable access to all Apparatus and chambers when required. Where OPENREACH installs Apparatus during the works this new Apparatus shall be treated as existing Apparatus for the purpose of these Special Requirements.

10. For Frame and Covers that necessitate a change in level please contact the local office. If you wish to provide recessed frames and covers they will have to be supplied by the Company's agreed supplier. The Contractor must be prepared to supply and install such frames and covers in future, and must supply names of who will be liable for future maintenance.

11. In the event of any damage whatsoever to Apparatus the Contractor must immediately inform BT and report the occurrence as follows :-

Call Openreach fault reporting on: 0800 0232023

WARNING

Entry into all Openreach underground structures is prohibited to all unauthorized personnel.