

Glyn Rhonwy Pumped Storage Development Consent Order

Deadline 9 – Status of Statements of Common Ground



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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 9.
- 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.
- 1.1.5 Please note that the only update relates to item 11 in Table 1 – BT Openreach.

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>
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<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>
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<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.Feedback request for Deadline 7 & 9. No response received.</p>

7	Welsh Government	DCO, policy and other consents Compulsory acquisition and common land	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. Update requested 29 th March 2016 and 12 th April 2016 Out of Office received 12/4/16 indicates contact away until 19/4/16 Further update requested 26 th 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)
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<p>8</p>	<p>Public Health Wales</p>	<p>Air Quality and other Health Impacts</p>	<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>
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9	Dwr Cymru	Compulsory Acquisition and Common Land (specifically protective provisions within the DCO)	<p>Dwr Cymru have considered the provisions within the DCO, and have provided their own standard conditions (11th April) for our comment.</p> <p>Discussions are ongoing regarding protective provisions.</p> <p>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)</p>
10	Wales & West Utilities	Compulsory Acquisition and Common Land (specifically protective provisions within the DCO)	<p>Original enquiry sent 16th March 2016.</p> <p>Update requested 29th March 2016</p> <p>No SoCG required and confirmation received of acceptance of the protective provisions within the DCO.</p> <p>Email confirmation provided at Deadline 2 (SPH_GREX_SCGD2_01)</p>

11	BT	Compulsory Acquisition and Common Land (specifically protective provisions within the DCO)	<p>Telephone number provided as part of utilities search is incorrect, generic email address also provided and email sent 22nd March 2016.</p> <p>Automated responses indicates response times being 20 working days.</p> <p>No further feedback received, alternate contact being sought.</p> <p>Standard email response stating 7 working days minimum notice for works carried out in the vicinity of apparatus.</p> <p>BT have further confirmed their acceptance of the Protective Provisions; the email is attached in Appendix A.</p>
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	Confirmed that they do not wish to enter into a SoCG. Email provided at Deadline 2 (SPH_GREX_SCGD2_01)
15	Denbighshire 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. Update requested 14 th and 29 th March 2016 Confirmation received no SoCG required Email provided at Deadline 2 (SPH_GREX_SCGD2_01)
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_GREX_SCGD4_01)

Appendix A –BT Openreach acceptance of Protective Provisions

[Redacted]

[Redacted]

[Redacted]



[Redacted]

Thanks Julie,

Are BT actually engaging with the SoCG or is it just confirmation that they are happy with the provisions? Given the brevity of their answers is there any more to say than that and does it really need to be in SoCG form and signed?

Paula

From: Julie Drew-Murphy [mailto:[Redacted]]
Sent: 26 August 2016 11:00
To: Paula McGeady
Cc: Dave Holmes; Chris Williamson
Subject: Fwd: Glyn Rhonwy

Paula

I've finally had confirmation from BT that they are happy with the protective provisions, I propose we submit an updated status of SOCG doc on 5th to close this out.

thanks

Julie

----- Forwarded message -----

From: [REDACTED]

Date: 26 August 2016 at 10:56

Subject: RE: Glyn Rhonwy

To: [REDACTED]

yes

Russell Lea

Repayments Project Engineer BLK343

Openreach

[REDACTED]

Web: www.openreach.co.uk

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From: Julie Drew-Murphy [mailto:[REDACTED]]

Sent: 26 August 2016 10:56

To: Lea,R,Russell,BLK345 R

Subject: Re: Glyn Rhonwy

Many thanks Russell, would you therefore be happy for me to submit your approval of the provisions to the Examiner on 5th September?

Thanks

Julie

On 26 August 2016 at 10:53, [REDACTED] wrote:

Julie

They look fine

Thanks

Russell Lea

Repayments Project Engineer BLK343

Openreach

[REDACTED]
Web: www.openreach.co.uk

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From: Julie Drew-Murphy [mailto:julie.drewmurphy@quarrybattery.com]
Sent: 25 August 2016 15:25
To: Lea,R,Russell,BLK345 R
Subject: Re: Glyn Rhonwy

Hi Russell

many thanks for getting back to me.

attached are the protective provisions as they currently stand within the DCO, I've extracted the relevant clauses which are 28, 33-36 and Schedule 8.

Please note that there is very limited time remaining within the examination which is due to close on the 8th September. We have an opportunity to submit further information into the examination on 5th September so if we are able to

reach agreement by then it would be preferable.

Many thanks

Julie

On 25 August 2016 at 15:16, <russell.lea@openreach.co.uk> wrote:

Julie

Could you please send me the details of the protective provisions you are proposing so we can review them. We do not appear to have any records of any previous contact from either Chris Williamson or yourself over this project ?

Thanks

[Russell Lea](#)

[Repayments Project Engineer BLK343](#)

[Openreach](#)

Telephone: [01743 275561](tel:01743275561)

Web: www.openreach.co.uk

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