



Meeting note

Project name	Tidal Lagoon Cardiff
File reference	EN010073
Status	Final
Author	Karl-Jonas Johansson
Date	25 April 2017
Meeting with	Tidal Lagoon Power
Venue	2 Rivergate
Attendees	The Planning Inspectorate Tom Carpen (Infrastructure Planning Lead) Chris White (Infrastructure Planning Lead) Tracey Williams (Case Manager) Karl-Jonas Johansson (Case Officer) Richard Hunt (Senior EIA and Land Rights Advisor)
	Tidal Lagoon Power Roger Woods Sian John Tim Carter Alex Herbert
Meeting objectives	Project update meeting
Circulation	All attendees

Summary of key points discussed and advice given:

Introduction

The Applicant and the Planning Inspectorate (the Inspectorate) case 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 s51 of the Planning Act 2008 (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.

The Inspectorate updated the Applicant on the structural changes within the Directorate and clarified that Chris White would be taking on Tom Carpen's role as the Infrastructure Energy Lead for Energy, with Tom taking up the lead for the Transport sector. Tracey Williams was introduced as the case manager for the project.

Tidal Lagoon Power update

The Applicant gave an update regarding the Hendry Report's impact on its tidal lagoon programme. The Applicant clarified that it was anticipating that Government would make an announcement regarding the future of tidal power in the coming months and would give a project update after the announcement.

The Applicant clarified that it is working on drafting a more flexible Development Consent Order (DCO) than the one granted for Tidal Lagoon Swansea Bay to be able to take advantage of the development of new technologies and any contractor value engineering opportunities that might not become apparent until the detailed design stages following the DCO examination process. The Inspectorate recommended a further detailed discussion regarding parameters and the EIA, in due course.

The Applicant intends to hold two rounds of consultation one non-statutory with various options and one statutory with a preferred option for the lagoon.

Scheme design update

The Applicant informed the Inspectorate that it is using an iterative design process based on the baseline data it has compiled for Tidal Lagoon Cardiff. The Applicant is consulting with various stakeholders on the design such as the relevant port authorities. The Inspectorate advised the applicant to justify its approach to the design in the application and to seek 'buy-in' from the various stakeholders. The Applicant clarified that they are currently looking at two different construction methods for the project.

Evidence Plan update

With regard to the Evidence Plan the Applicant provided the following information as an update:

- The Applicant is currently collecting baseline data for the project;
- Coastal processes modelling is progressing;
- Marine mammals are being surveyed using CPODs and aerial visual surveys;
- Benthic intertidal work is due to be completed in 2017;
- Overwintering bird surveys for 2016/2017 due to be completed in May. Three years of bird data has now been collected;
- Subtidal benthic ecology survey work planned for spring 2018);
- They are conducting quarterly fish surveys and feasibility studies for fish tagging and tracking; and
- They are not currently conducting terrestrial survey work.

Draft s51 advice regarding Associated Development

The Applicant clarified that it was content with the [previous s51](#) advice it had received from the Inspectorate, but would like a more detailed discussion with regard to compensation sites. The Applicant clarified that they were considering a number of locations as compensation sites (and hence Associated Development) both in Wales and England. The Inspectorate advised that any site that is included within the draft DCO needs to be consulted upon and highlighted that the Applicant would need to consult with all local authorities in whose area land was being proposed as compensation habitat and carry out the appropriate consultation in accordance with the PA2008 requirements.

The Inspectorate considered that if the compensatory habitat was regarded as integral to the project it may be appropriate to include it within the DCO rather than it being consented via the Town and Country Act 1990 (TCPA). The Applicant was referred to

the definitions of Associated Development set out in the Department for Communities and Local Government (DCLG) Guidance on Associated Development¹. The option of only including the compensatory habitat closest to the site in the DCO was discussed, to which the Inspectorate advised that such an approach needed to be justified in the application.

The Inspectorate explained that it could not issue advice regarding whether to apply for consent for compensatory habitat via the PA2008 or TCPA as it is outside the Inspectorate's remit. It was further advised that the Applicant should present justification in the application as to why it had opted for one regime over another. The Inspectorate suggested that if the Applicant consulted on the proposed submission route with the stakeholders involved in the evidence plan process any outcomes from these discussions could be included in Statements of Common Ground.

Submission update

An application is expected to be submitted in 2018/19.

AOB

It was agreed that the next meeting should be arranged to tie in with project milestones.

¹ Planning Act 2008: Guidance on associated development applications for major infrastructure projects. DCLG. 2013.