



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Inception meeting for Tidal Lagoon Newport

File reference	EN010075
Status	Final
Author	Philippa Davey
Date	17 April 2015
Meeting with	Tidal Lagoon Newport (TLN)
Venue	Temple Quay House
Attendees	<u>Planning Inspectorate</u> Kenneth Taylor (Infrastructure Planning Lead) Frances Russell (EIA and Land Rights Manager) Richard Hunt (Senior EIA Advisor) Gail Boyle (Senior EIA Advisor) Melanie Bischer (Consents Service Officer) Philippa Davey (Assistant Case Officer) <u>TLN</u> Tessa Blazey (Development Director – Tidal Lagoon Newport) Tim Carter (Head of Environment) Harriet Thomas (Principal Environmental Manager) Michael Baker (Development Planner) Rachel Hall (Assistant Development Planner) Jo Pickard (Principal Ecologist)
Meeting objectives	Inception meeting for Tidal Lagoon Newport
Circulation	All

Summary of key points discussed and advice given:

Welcome and introductions

The applicant was made aware of the Planning Inspectorate's (the Inspectorate) openness policy and that any issues discussed or advice given would be recorded and placed on the Inspectorate's website under section 51 of the Planning Act 2008 (PA 2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the applicant (or others) can rely.

Project programme and information

The applicant gave a presentation on the proposed tidal lagoon. Activities to date include non-statutory stakeholder engagement, modelling and surveys. The applicant is opening discussions with Dwr Cymru Welsh Water (DCWW) in relation to the coastal processes/water quality modelling.

The presentation included an expected timeline of the project.

Scoping report

The anticipated submission date for the scoping report is Q3 2015. The applicant explained that much of the work undertaken for the Tidal Lagoon Cardiff Scoping Report is also applicable to Tidal Lagoon Newport, and that there is some similarity in a number of assessment issues. The applicant stated that the scope of surveys carried out to date for Cardiff lagoon have been planned in order to ensure they cover both projects, e.g. bird surveys.

Evidence Plan

The applicant advised that the Newport Tidal Lagoon discussions would either already be covered by the evidence plan process for Tidal Lagoon Cardiff (or be brought into this process if additional) and that certain surveys had either commenced (e.g. bird surveys for Cardiff/Newport ongoing since 2014) or were approaching commencement (e.g. oceanographic surveys planned to start in May) and that the team was gearing up for wider bird survey and fish work.

The applicant enquired what role the Inspectorate would play in relation to the evidence plan and the Inspectorate advised that it would have a facilitative role.

Ecosystem enhancement project (EEP)

The EEP was discussed as an intended strategic approach that is being developed to address possible mitigation and compensation requirements and providing a platform for potential enhancement.

Cumulative effects

The applicant queried which type of projects should be considered as part of the cumulative effects assessment including other tidal lagoon proposals, emphasising that the level of information known about other schemes might be limited. The Inspectorate directed the applicant towards its advice provided as part of the Scoping Opinion and reiterated that projects should be assessed to the best level of detail available at that time.

Transboundary impacts

The applicant questioned what information would the Inspectorate require for the transboundary consultation and who would be responsible for undertaking consultation. The Inspectorate advised that the applicant look at the PINS Advice Note 12: Development with significant transboundary impacts consultation. The Inspectorate advised that the applicant would need to provide sufficient information for the Secretary of State (SoS) to carry out the screening, which may lead to consultation, depending on the outcome. The Inspectorate highlighted that shipping and mobile species were two key areas for consideration by the applicant.

Physical model

The Inspectorate queried whether a physical model would be created. The applicant stated that this was being considered but that no decision had been made.

Consultation engagement strategy

Within 15km of Newport, consultees are being made aware of both Newport and Cardiff Tidal Lagoons, though it is primarily related to Newport Tidal Lagoon with less focus on the Cardiff project. Consultation with the two projects will run in tandem but

it has been designed so that it will individually reflect each project. The applicant is considering sources of advice from consultation specialists to corroborate its approach. The limited information available about proposals for a Bridgwater Tidal Lagoon which may be brought forward by the developer is included proportionately in the consultation so that consultees are aware of the potential for cumulative impacts.

At this stage, the applicant is listening to suggestions from stakeholders' responses to consultation. The Inspectorate advised that the applicant will need to show evidence as to why they have consulted these bodies.

The applicant has informed the Inspectorate that they intend to take an iterative approach to the Statement of Common Ground (SoCG) process with the aim for these to be submitted in a draft form at the same time the DCO application is made.

The Inspectorate requested that the applicant provide a contact plan to set out the key stages of engagement with the Planning Inspectorate for this project.

WFD and article 4.7 derogation

The applicant had discussed derogations under WFD and highlighted that NRW provided advice on the matter without prejudice following their discussions with the EA.

AOB

Although the meeting had been called to discuss Tidal Lagoon Newport, queries were raised by TLN in respect of Tidal Lagoon Cardiff (TLC).

Habitats Regulations Assessment (HRA) and Water Framework Directive (WFD) Assessment

The Inspectorate advised the applicant that s51 advice was being provided in relation to the HRA for TLC (and to a lesser extent WFD assessment processes) and would be available on the website. The possible need to make an IROPI case was discussed. The Inspectorate advised that, if this were the case, it would be necessary to pass the 'no alternatives' test in order to proceed to this stage, and therefore TLN should ensure clear, comprehensive information is presented on the alternatives considered for the development.