

Infrastructure Planning (Examination Procedure) Rules 2010

Application by SP MANWEB for an Order Granting Development Consent for the North Wales Wind Farms Connection

Hearing Agendas for December 8, 9 and 10 December 2015

This document sets out agendas for the hearings that are scheduled to take place in the week commencing Monday 7 December 2015 (all hearings to take place at Denbigh Town Hall, Crown Lane, Denbigh, Denbighshire, L16 3TB).

Participation in Hearings

- All interested parties/affected persons (and/or their agents) and other persons are invited to attend and participate in the hearings.
- All interested party/affected person (and/or their agents) are entitled to make oral representations at the hearings, (subject to the Panel's power to control the hearings).
- Any interested parties/affected persons (and/or their agents) should give notice to the case manager if they wish to participate by deadline 7 at noon on Thursday 3 December 2015 if possible. This assists in the room being prepared to accommodate the correct amount of participants.
- The hearings will take place in public.
- Interested parties are welcome to make oral representations in either English or Welsh. There will be a Welsh to English translation service available during the hearings. **Mae croeso i chi wneud cyfraniadau drwy gyfrwng y Gymraeg yn ystod y gwrandawliadau. Bydd cyfieithydd ar gael.**

Conduct and management of hearings

- The Planning Act 2008 (PA2008) provides that the Examining Authority (hereafter referred to as "the Panel") will probe, test and assess evidence through direct questioning of persons making oral representations at hearings. Questions will normally be put forward by the Panel, who will ensure participants have a fair chance to put their case and benefit from their entitlement to make oral representations.
- These agendas are indicative and may be amended by the Panel. The Panel will identify the matters to be considered at the start of each hearing. The hearings will include (but not necessarily be limited to) the agenda items listed and the Panel may wish to probe, test and examine related matters in any of the hearings.
- Oral representations (including those made in response to questions) must be based on the representation made by the person by whom, (or on whose behalf) the oral representations are made. However, people are not prevented from referring to matters that were not included in their relevant and written representations where it is relevant to the issues under consideration at the

hearing, or to the examination more generally. This may also be the case where documents have changed since the representation was made.

- The Panel welcomes written summaries of oral representations from the hearings. These should be submitted to the examination by deadline 9 (mid-day on Monday 21 December 2015).

The Panel will endeavour to keep to the hearing agendas as published, but reserve the right to modify the agendas as necessary.

1. ISSUE SPECIFIC HEARINGS ON THE PRINCIPLES OF DEVELOPMENT (INCLUDING COSTS AND POLICY) AND ENVIRONMENTAL ISSUES INCLUDING (BUT NOT LIMITED TO) LANDSCAPE AND VISUAL IMPACTS AND LAND USE AND LAND MANAGEMENT MATTERS RELATING TO OPTION B AND ANY OUTSTANDING MATTERS REGARDING OPTION A ON THE PRINCIPLES OF DEVELOPMENT AND ENVIRONMENTAL ISSUES

Venue: Denbigh Town Hall, Crown Lane, Denbigh, Denbighshire LL16 3TB

Date: Tuesday 8 December 2015.

Time: The venue will open at 9.30am to ensure a prompt start to the hearing at 10.00am. All interested parties taking part in the hearings should be prepared to be asked questions by the members of the Panel.

Breaks will be taken at convenient times during the hearing as directed from the Chair, including a break for lunch at approximately 1.00pm for an hour each day.

Interested parties involved

The applicant will attend all hearings. Interested parties and/or their representatives have not yet indicated whether they wish to make oral representations about issue specific hearing matters.

Interested Parties (IPs) are welcome to attend and participate. In particular, the participation of Natural Resources Wales (NRW), Denbighshire County Council (DCC), Conwy Borough County Council (CBCC), Pylon the Pressure Group, Mr Robin Barlow, Mr John Mars Jones, Mr Iwan Jones, Mr Dewi Parry, Mr Meilir Jones, Mr Wyn Wilkinson, Mr Eifion Bibby, Mr Dafydd Jones and other landowners/tenant farmers and/or their agents would be particularly helpful to the Panel.

If you wish to be involved in the hearings, please inform the Case Manager of your intention prior to the hearing(s) concerned if you have not already done so.

1	Welcome and introductions
2	Purpose of the hearing
3	Option B matters
3.1	Examination of principles of Development for Option B including costs and policy to be chaired by Jo Dowling
3.1.1	Examination of the principles of development in light of national and local policy and the Holford Rules for Option B.
3.1.2	Examination of the approach taken by the applicant for assessing the route of Option B and alternatives.
3.1.3	On a 'without prejudice basis', to examine the extent that a 'mix and match' scheme containing some parts of option A and some parts of option B could be deliverable, in the light of the letter from the applicant dated 28 October 2015.
3.1.4	Examination of whether the lifetime costing report submitted by the applicant for deadline 4 is applicable to both option A and option B. Would it also apply to a 'mix and match' scheme?
3.2	Examination of environmental matters associated with Option B to be chaired by John Lloyd Jones
3.2.1	The ERISOB report states that many of the proposed changes have resulted from requests from landowners for minor changes in pole locations in order to assist with their agricultural activities. What are the other reasons for pole location changes if they do not result from discussions with landowners (or tenant farmers).
3.2.2	Examination of whether the additional land take and the changed locations of poles associated with option B would be an advantage or disadvantage to landowners and tenant farmers compared with option A.
3.2.3	Examination of whether the pole locations in option B would adversely affect more hedgerows than option A.
3.2.4	Examination of whether all of the mitigation planting could be delivered with option B.
4	Outstanding matters in relation to principles of development for Option A (and any matters which relate to both Option A and Option B): costings and policy to be chaired by Lillian Harrison
4.1	Costings To examine the lifetime costing report submitted by the applicant at Deadline4 (DL4) particularly in respect of: <ul style="list-style-type: none"> (a) The chosen route for the underground cables; (b) The high fault rates for both overhead and underground cables compared with the England and Wales average and the national average; (c) Evidence to justify the average fault repair costs for underground cables; (d) Examination of the spreadsheets attached to the lifetime costing report to establish why they do not include any life time costs for losses and operation and maintenance (O&M) life time costs including faults for the underground section of the overhead line; (e) What evidence was used to conclude that damage faults

	<p>for underground cables would be 50% limited damage (averaging £25,000 per fault) and 50% extensive damage faults (averaging £600,000 per fault);</p> <p>(f) To examine to what extent can damage fault costs be reclaimed through third party insurance?</p> <p>(g) Capital costs for undergrounding including (i) whether the high range of costs (£1.6M per km) is realistic given the two examples of recent tender prices that the report quotes (£1.1M/km and £1.19M/km) and (ii) why the modern XLPE cables 'tend to suffer from manufacturing defects or installation defects leading to premature failure' (page 29 costing report) when the applicant company has a certified ISO 9001 Quality Assurance (QA) system in place; and</p> <p>(h) To understand if the wind farms are funding any other aspects of the wider scheme.</p>
4.2	Policy
4.2.1	<p>Consideration of alternatives</p> <p>(a) The Panel notes the applicant's response to Mr R Barlow at deadline 4 (DL4) states that the only design approved by SP Manweb for this type of project is an overhead earth conductor and they state, "An overhead earth conductor is not approved for use on SP Manweb's network for a project of this type". The Panel would like the applicant to explain on what grounds is the use of an underground earth conductor not approved and how does the approval process for new types of equipment work?</p> <p>(b) To examine whether it would be possible that less resistive ground part way along the route would enable a switch from the double wood poles system to a Trident system:</p> <ul style="list-style-type: none"> • Is the ground's resistivity lower as the route travels away from the southern end of the proposed development? • The applicant's costs report submitted for DL4 states that, "The most effective means to reduce the ROEP to manageable levels is to install a separate earth wire between the source substation 'St Asaph Grid' and the proposed 'Clocaenog substation'". Is this the only solution to reduce the Rise Of Earth Potential (ROEP)? If not, what alternative solutions are there and what are their pros and cons? • Would a switch from the double wood pole system to a Trident system be technically possible somewhere along the route?
4.2.2	<p>SP Manweb's regulatory accounts for year ending 2015</p> <p>This document was submitted to the examination as Appendix 11.13(b) to the applicant's responses to the ExA's first set of written questions. On page 4 is an 'Operational Performance' table. This appears to show a decrease in the length of overhead lines of 99 circuit km and an increase in the length of</p>

	<p>underground lines of 223 circuit km from year ended March 2014 to year ended March 2015.</p> <p>(a) Is this due to a change of policy or does it reflect the operating conditions for that particular year?</p> <p>(b) At March 2015, the length of overhead lines is given at 22,053 (circuit km) and the length of underground cables is given at 26,548 (circuit km). Is this split due to the urban (undergrounded) element of the operational asset compared to the rural (overhead) element of the operational asset?</p>
4.2.3	<p>Wider scheme</p> <p>The Panel requires an update regarding the wider scheme development including the appeal for the Clocaenog Forest collector sub-station and the receipt of confirmation from DCC that the connection to St Asaph's sub-station is permitted development.</p>
4.2.4	<p>Interpretation of term 'serious concerns'</p> <p>To further examine the applicant's justification for its interpretation of the term, 'serious concerns'. Paragraph 2.8.9 of EN-5 states: -</p> <p>"In this context it should consider: the landscape in which the proposed line will be set, (in particular, the impact on residential areas, and those of natural beauty or historic importance such as National Parks, AONBs and the Broads);"</p> <p>Given the inclusion of the terms "in particular" and "historic importance such as" in the above quotation, how would the applicant justify the narrow interpretation given in the Response to the ExAs second round of written questions, question number 1.1a that: -</p> <p>"'Serious concerns'" can only relate to landscape and visual impacts, and not to any other impacts of the development (such as heritage or ecological impacts)"?</p>
5.	<p>Outstanding matters in relation to environmental matters for Option A (and any matters which relate to both Option A and Option B)</p>
5.1	<p>Landscape and visual impact to be chaired by John Lloyd-Jones</p>
5.1.1	<p>Report on separation distances</p> <p>(a) To establish whether the Landscape and Visual Impact Assessment submitted as part of the Applicant's Environmental Statement included an assessment of effects using the methodology proposed in the Gwynedd Council, Isle of Anglesey County Council and Snowdonia National Park Guidance on the application of Separation Distances for Residential Properties. If so, where is this documented?</p> <p>(b) Table 5.1 of the Executive Summary of this document sets out the residential visual amenity assessment trigger distances. Why did the applicant adopt the wind turbine guideline height as the basis for the amenity</p>

	assessment, rather than the guideline pylon height, which, at less than 40m might result in a wider study area (up to 350m)?
5.1.2	Holford Rules Examination of how the scheme complies with the Holford Rules with particular reference to the crossing of the A543.
5.1.3	Photomontages To establish whether the revised photomontages have removed all of the trees that would need to be felled as part of the proposed development. To also establish whether the revised photomontages show any change in pole height compared with the earlier photomontages.
5.1.4	Examination of what is meant by term, "the effects of the development are 'potentially reversible'" (paragraph 7.4.26 of the Environmental Statement (ES)).
5.1.5	Examination of whether the use of the Residential Visual Amenity Assessment should have been applied to Pen Parc Llwyd.
5.1.6	Are Interested Parties content with: (a) the answers given by the applicant to Question 8.1(a) in the Deadline 6 Responses to the ExA's Second round of Written questions as to how landscape mitigation measures would be undertaken on land shaded dark green/ stippled green on the Land Plans; and (b) how reinstatement planting would be undertaken on land shaded yellow and blue on the Land Plans.
5.1.7	To examine the length of the maintenance period for new planting and how this would be agreed. The Updated Hedgerow Management Plans V2 on Page 6, section 2.7 mentions the maintenance, monitoring and replacement of trees, a 1 st cut after 2 to 3 years and the need for hedge-laying after 15 years. How would the costs and responsibilities for these operations be allocated over this time frame?
5.1.8	To examine the changes between the March and November editions of the Landscaping Plans. (a) The proposed woodland and hedgerow improvements appear to be consistent across the two editions of the suite of Landscaping Plans (March and November). The concerns raised by Interested Parties (IPs) regarding safety and maintenance issues caused by the road side planting of trees do not appear to have been incorporated into any changes. Is this the case and are these Plans indicative only? (b) The one major change between the March and November plans concerns the definition of Important Hedgerows. The March and September Plans define Important Hedgerows as, "those that have been identified as part of the Historic Environmental Assessment". There are 78 listed on the plans. In the November Plans, the definition has changed to include hedges that have been identified as part of an Ecological Assessment as well as a Historic Environmental Assessment. There are 131 listed on the

	Plans. What effect does the change to the definition of Important Hedgerows and the increased number have on a flexible approach to the implementation of the Landscaping Plans?
5.1.9	In deadline 4, Mr Parry considered that the LVIA assessment of “briefly visible”, related to transient receptors and that stationary receptors like his dwelling at College Farm should have been given a higher weighting in the visual assessment process. He also queried why the LVIA methodology assessed the effect on the hamlet of Peniel as moderate even though some of the houses are not in line of sight of the proposed grid connection whilst College Bungalow and the dwellings in the immediate vicinity though close to 200m to the proposed grid are assessed as “minor”. The Panel wishes to examine this matter further.
5.2.	Heritage to be chaired by John Lloyd-Jones
5.2.1	Berain The applicant’s written statement following the ISH on 29 September stated that “conservation areas and clusters of listed buildings were included at this stage. Individual listed buildings were considered during the later routing stages when assessing whether a deviation around them is required”. Were the listed buildings at Berain considered to be a “cluster” or “individual listed buildings” under this process?
5.2.2	To examine whether the historical parkland setting at Berain has been given due weight in the Landscape Visual Impact Assessment (LVIA) especially given the applicant’s reply to the second round of Examining Authority Questions, number 1.2b, (regarding Paragraph 5 on Berain). Is the applicant confident that the historical parkland setting of Berain has been given due weight in the Landscape Assessment? Do any IPs wish to comment on this assessment?
5.2.3	Examination of what constitutes the ‘setting’ of Berain and how the overhead line (OHL) would affect this with particular regard to listed buildings.
5.2.4	Eriviat Hall Is the applicant confident that the effect of the proposed grid connection on the setting of Eriviat Hall especially between Poles 112 just after the crossing of the A543 and Pole 123 towards Beacon Hill has been properly assessed, given that this setting, though not a registered parkland, was nevertheless assessed as historic parkland for the purpose of Tir Gofal Agri-environment scheme and is shown as parkland on historical maps?
5.3	Biodiversity to be chaired by Lillian Harrison
5.3.1	Action Point 27 arising from the ISH on 29 September was for the applicant to submit a Statement of Common Ground (SoCG) with NRW which is to include agreement with NRW on the proposed mitigation strategy on dormice. At DL3 the applicant stated that it is hoped that the signed SoCG will be submitted for DL4. Yet at DL4 the applicant stated that this was submitted for DL3 in accordance with the action points published by the ExA on 6 October. When is the SoCG with NRW to be submitted to the

	examination?
5.4	Land use, land-take and land management to be chaired by John Lloyd-Jones
5.4.1	At DL4 the applicant stated that negotiations with Tir Mostyn and Foel Goch Wind farm operators had resulted in the owners/operators of those windfarms confirming satisfaction that the height of the cables would allow their vehicles to traverse underneath them. Please could the applicant submit evidence to the examination to prove that this is the case?
5.4.2	The applicant has provided information in the updated CEMP submitted for DL4 as to how potential foreseen and unforeseen breaches of either agri-environment schemes or cross-compliance will be dealt with and how the appointment of a SPM Liaison Officer would assist owners and occupiers of affected land or their agents in addressing these issues. This will be secured through requirement 13 of the draft Development Consent Order. <ul style="list-style-type: none"> (a) IPs are invited to comment on this proposal. (b) Was a Local Liaison Group in place during the consultation phase of this application? (c) Does the Applicant envisage a role for a Local Liaison Group during the construction and / or operational stage of the proposed grid connection or does the Applicant consider that the appointment of a Local Liaison staff member is sufficient to deal with local issues.
5.4.3	Examination of whether the potential effects on agriculture have been adequately assessed in relation to individual farm sizes and farming practices.
5.4.4	To obtain an update on the on-going discussions between the applicant and landowners/tenant farmers and their agents regarding pole positions including whether the possible changes to pole locations would be achievable through micro-siting or whether any further changes to pole locations would be required.
5.5	Safety to be chaired by Lillian Harrison
5.5.1	EN-1 Paragraph 4.11.1 states, "Applicants should consult with the Health and Safety Executive (HSE) on matters relating to safety". Did the applicant do this during the pre-application consultation stage and if so what was the response? Please could any correspondence between the applicant and the HSE (in relation to this project) be submitted to the Examination? If no consultation with HSE was carried out, why not?
5.5.2	The Panel notes that the two fatalities that occurred in SP Manweb's operating area earlier this year were in relation to 33kV overhead lines, not 132kV lines. Given the types of incidences that occurred, would the additional height of cables associated with a 132kV overhead line have reduced the likelihood of these incidences happening?
5.5.3	The Panel further notes that the incident numbers that were quoted by Cllr Alice Jones of DCC were derived from a press release reporting data provided by the applicant at an agricultural show. Please could the applicant provide details of the number of

	fatalities and Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) Regulations incidences and occurrences that have occurred over the last 3 years across its network, where farm equipment, lorries or members of the public have had reportable accidents or incidences from contact with wood pole mounted electricity lines and provide information on whether these were 132kV or 33kV lines.
5.5.4	(a) There appears to be a difference of opinion between the applicant and some of the landowners regarding whether red and white striped goal post structures and/or barriers would be needed to minimise the risk of farm machinery coming into contact with the poles and cables. The applicant considers that no goal posts would be required and there is only one location where a barrier may be required. Some of the landowners have highlighted that these structures would be needed, for example at identified locations or during harvest time. Who would be responsible for deciding whether mitigational structures are necessary to reduce the likelihood of accidents and incidents occurring through contact with the cables; the applicant or the landowners/tenant farmers?
5.6	Socio-economic issues to be chaired by John Lloyd-Jones
5.6.1	The applicant submitted further details relating to the methodology used for the tourism survey that it commissioned to inform the Environmental Statement (ES). These further details were submitted at DL6 in the applicant's November 2015 document entitled, 'SP Manweb's Response to Post Hearing Submission from Interested Parties submitted at Deadline 4'. IPs' are invited to comment on the methodology and conclusions.
5.7	Environmental Management Plans to be chaired by Jo Dowling
5.7.1	Hedgerow Management Plan The applicant's deadline 4 submission included a schedule of changes to the outline hedgerow management plan but did not contain a track-change edition of the revised hedgerow management plan itself. Was this an omission, and if so please could the revised hedgerow management plan be submitted by the next deadline?
5.7.2	The Panel asked the applicant to consider the wording in the environmental management plans during the hearings in Sept/Oct, to review the style of wording to enable the contents of the plans to be deliverable and to give certainty that the various matters would be carried out. The outline Hedgerow Management Plan schedule of changes now appears to have a new example of "where possible" in paragraph 2.6.2. Why is this needed and could it be removed?
5.7.3	Ecological Management Plan NRW has identified that the ecological management plan (EcMP) in section 1.4.3 should refer to the need for a badger licence as well as European Protected Species Licences. Could the applicant include this matter in the next review of the EcMP?
5.7.4	The EcMP v2 paragraph 2.7.5 discusses "key ancient woodland indicator species" and "key plant species". Please could the

	applicant list which ancient woodland indicator species it considers to be "key" and which other plant species it considers to be "key".
5.7.5	There remain some examples of "should" and "would" in this document. Please could the applicant provide the panel with justification as to how measures in the EcMP will be delivered?
5.7.6	In the EcMP paragraph 2.7.7 describes work to be carried out in "winter months" and then goes on to say that the "preferred time" is September and October. Please could the applicant define what is meant by "winter months" and does this include September?
5.7.7	Section 2.8 of the EcMP provides information on mitigation measures in relation to protected species, including in relation to the provision of improved habitat opportunities for dormice. Are there any implications for dormice in particular (or bats, birds or great crested newts) in relation to the fact that some of the proposed planting may not go ahead if the landowners do not wish it to happen (as per draft DCO requirement 5).
5.7.8	Construction Environmental Management Plan The November 2015 Revised Construction Environmental Management Plan (CEMP) v3 paragraph 2.2.1 discusses the free awareness training sessions for landowners and tenant farmers on matters related to safety and dangers of working in close proximity to the electricity network. As worded the commitment does not give any details to commit the applicant to providing a service to the farming community over the duration of the construction and during the operation phase. (a) Where would these training sessions be held, when, how often, how long would they last for and who would deliver the training? (b) How would the applicant deliver the assistance that it is stating that it will provide to landowners and tenant farmers on risk assessments and safe systems of work? (c) How would this assistance be secured in the draft DCO?
5.7.9	The November 2015 revised CEMP v3 paragraph 3.6.6 appears to include a sentence at the end that should be a separate paragraph. Please could the applicant confirm if this is the case...
5.7.10	Examination of the role of the proposed farm liaison officer and community liaison officer and whether this matter addresses previously voiced concerns regarding agro-environment schemes/community liaison.
5.7.11	Examination of whether the relevant Highways Authority are satisfied with the suggested pre-development Highways survey and SP Manweb repairing the road network.
5.7.12	To obtain an update on delivery routes – including access arrangements for Groesffordd Marli given the restrictions on the road network.
5.7.13	Landscape Management Plan The November 2015 v2 track change edition of the outline landscape management plan did not appear to contain any track changes. Please could the applicant re-submit it so that it is possible to identify the text that has been

	changed since the last edition?
5.7.14	Traffic Management Plan To establish whether there needs to be any further revisions to the revised outline Traffic Management Plan (TMP) to address the possibility that the proposed storage at Clocaenog substation may not be available in which case Broadleys Farm would be further utilised instead?

2. COMPULSORY ACQUISITION HEARING IN RELATION TO THE PROPOSED PROVISION FOR THE COMPULSORY ACQUISITION OF RIGHTS AND THE IMPOSITION OF RESTRICTIONS OVER ADDITIONAL LAND IN RELATION TO OPTION B

Venue: Denbigh Town Hall, Crown Lane, Denbigh, Denbighshire LL16 3TB

Date: Wednesday 9 December 2015.

Time: from the venue will open at 9.30am to ensure a prompt start to the hearing at 10.00am. All interested parties taking part in the hearings should be prepared to be asked questions by the members of the Panel.

Business commences at 10.00am. Breaks will be taken at convenient times during the hearing as directed from the Chair, including at approximately 1.00pm for an hour each day.

Affected persons participating in the hearing

The applicant will attend all hearings.

If you wish to be involved in the hearings, please inform the Case Manager of your intention prior to the hearing(s) concerned if you have not already done so and it would be helpful if you could provide details of the plot number(s) and pole number(s) that you wish to discuss in your oral presentation.

1	Welcome and Introductions
2.	Purpose of the Hearing
3	Affected Persons who wish to make oral representations to the Panel regarding the compulsory acquisition (CA) of rights and imposition of restrictions over additional land in relation to option B.
3.1	Mr W Wilkinson
3.2	Other Affected Persons as notified to the Panel
4.	Other matters related to the CA of rights associated with Option B
4.1	To examine whether the level of funding proposed to cover the funding liability in respect of Option A is sufficient to cover Option B, given the increase in land that would be affected by the compulsory acquisition of rights and imposition of restrictions for Option B. And to also establish whether it would cover a 'mix and match' alternative if the ExA decided to recommend that some

	parts of Option B were chosen with some parts of Option A or vice versa.
4.2	To examine whether any interested parties have evidence to indicate that the proposed level of funding for the acquisition of rights and imposition of restrictions that has been proposed for Option B is insufficient.

3. COMPULSORY ACQUISITION HEARING IN RELATION TO THE COMPULSORY ACQUISITION OF RIGHTS AND THE IMPOSITION OF RESTRICTIONS OVER LAND IN RELATION TO OPTION A (THE ORIGINAL APPLICATION)

Venue: Denbigh Town Hall, Crown Lane, Denbigh, Denbighshire LL16 3TB

Date: Wednesday 9 December 2015.

Time: Immediately following the previous compulsory acquisition hearing

Affected persons involved

The applicant will attend all hearings.

If you wish to be involved in the hearings, please inform the Case Manager of your intention prior to the hearing(s) concerned if you have not already done so and it would be helpful if you could provide details of the plot number(s) and pole number(s) that you wish to discuss in your oral presentation.

1	Welcome and Introductions
2.	Purpose of the Hearing
3	Affected Persons who wish to make oral representations to the Panel regarding the compulsory acquisition (CA) of rights and imposition of restrictions over land in relation to option A
3.1	Affected persons as notified to the Panel
4.	Examination of outstanding matters in relation to the compulsory acquisition of rights etc
4.1	Agreement with the Highways Authority The Panel requires an update on the progress regarding agreeing draft articles 10-16 with the Highway Authority (DCC).
4.2	Unknown land interests The Panel requires an update on the situation regarding the identification of unknown land interests. Has any progress been made on this matter since the last round of hearings, in which case please could the Table of Unknown Land Interests be updated for deadline 9?
4.3	Crown Land (a) The Panel requires an update from the applicant and NRW on the content and agreement of the draft note supplied for DL4 regarding the operation of s135 of the

	<p>Planning Act 2008. In particular the Panel wishes to understand why the applicant (and NRW) do not consider that consent is required in respect of both s135(1) and s135(2) from the relevant Crown Authority as the Panel considers that consent would be required under s135(1) as well as s135(2).</p> <p>(b) The Panel requires an update on progress regarding the lease that is to be obtained from NRW regarding the plots identified as land in which the Welsh Ministers are the relevant Crown Authority.</p> <p>(c) The Panel also requires an update from the applicant regarding consent from the Crown Estate Commissioners in respect of the plots shown in the Book of Reference (BoR) which identify the Queen as the relevant Crown authority.</p>
4.4	<p>New Draft Article 22 To examine the draft wording of new Article 22 regarding funding and whether this wording gives sufficient comfort to ensure that payment of compensation in respect of the liabilities arising from the compulsory acquisition of rights would be forthcoming. In particular should it require that the applicant demonstrates to the Secretary of State that the funds that would be required to cover the liability of the undertaker to pay compensation in relation to the compulsory acquisition of rights are secured through a guarantee (or an alternative form of security) as provided for in Article 14 of the Hornsea One Offshore Wind Farm Order 2014?</p>
4.5	<p>Permanent Rights/Temporary Possession To examine whether all temporary works have now been removed from the BoR and they are not covered by Article 19, following on from the applicant's response to the second round of Examining Authority Questions number 12.4.</p>
4.6	<p>Protective Provisions The Panel require an update on the situation regarding the agreement of the wording in the protective provisions with (a) Dwr Cymru Welsh Water (DCWW); (b) NRW and the relevant Planning Authorities.</p>
4.7	<p>Update on voluntary agreements with Affected Persons The Panel requires an update on the situation regarding discussions between the applicant and affected persons in relation to voluntary agreements for the rights and restrictions that are being sought.</p>
5	<p>Matters in relation to the Applicant's oral summary to the September CA hearing</p>
5.1	<p>Paragraphs 12.1.3 and 12.2 refer to plots 887B in several places. Is this an error?</p>
5.2	<p>Please could the applicant provide better descriptions in column 3 of schedule 8 to the draft DCO to provide clarification on the purpose of the temporary possession that is being sought. The Panel notes that the Column 3 details for plot 53B has been expanded, but the details in relation to the 'purpose' for the other plots remain vague as either "temporary use to provide access..."</p>

	or “temporary use to facilitate construction...”
5.3	The Panel would like clarification from the applicant regarding which of the land plots are access rights for the construction, operation, maintenance and decommissioning phase being sought. (These are shown as brown land on the land plans).
5.4	To examine how the applicant proposes to ensure that if the CA of rights were to be granted, once the Class 1 rights in relation to construction etc. are ‘spent’, those rights imposed over the land would be removed from legal documents.

4. OPEN FLOOR HEARING ON THE PROPOSED PROVISION FOR RIGHTS AND THE IMPOSITION OF RESTRICTIONS OVER ADDITIONAL LAND IN RELATION TO OPTION B

Venue: Denbigh Town Hall, Crown Lane, Denbigh, Denbighshire LL16 3TB

Date: Wednesday 9 December 2015.

Hearing commences: 5:30pm

Interested Parties involved

The applicant will attend all hearings. Interested parties or their representatives that have already indicated they wish to make oral representations at this hearing are identified in the agenda below.

This hearing allows interested parties to address the Panel on matters related to the proposed provision for the compulsory acquisition of rights and the imposition of restrictions over additional land in relation to Option B. Speaking time will be shared between interested parties who register in advance. Parties who do not register in advance may be heard at the end of the hearing if there is time available, at the discretion of the Panel.

The Panel welcomes written summaries of the oral representations and asks that these are submitted to the examination by deadline 9 which is Monday 21 December at noon.

1	Welcome and Introductions
2.	Purpose of the Hearing
3	Interested parties who wish to make oral representations to the Panel regarding the proposed provision for rights and the imposition of restrictions over additional land in relation to Option B
3.1	Additional affected persons as notified to the Panel

5. SECOND OPEN FLOOR HEARING

Venue: Denbigh Town Hall, Crown Lane, Denbigh, Denbighshire LL16 3TB

Date: Wednesday 9 December 2015.

Time: Immediately following the previous open floor hearing on Option B

Interested Parties involved

The applicant will attend all hearings. Interested parties that have identified that they wish to make an oral representation at the second open floor hearing are listed below.

This second open floor hearing allows Interested Parties (IPs) to address the Panel on any relevant matters related to the application. IPs who gave oral representations at the first open floor hearing are welcome to participate in this second open floor hearing if they wish to provide the Panel with further details. Speaking time will be shared between interested parties who register in advance. Parties who do not register in advance may be heard at the end of the hearing if there is time available, at the discretion of the Panel. There is no need to repeat matters raised at the previous open floor hearing.

The Panel welcomes written summaries of the oral representations and asks that these are submitted to the examination by DL 9 which is Monday 21 December at noon.

1	Welcome and Introductions
2.	Purpose of the Hearing
3	Interested parties who wish to make oral representations to the Panel regarding any relevant matters of their choice relevant to the application (Option A or B)
3.1	Affected Persons as notified to the Panel

6. ISSUE SPECIFIC HEARING ON THE DRAFT DEVELOPMENT CONSENT ORDERS FOR BOTH OPTION B DRAFT DCO AND ANY REMAINING MATTERS IN RELATION TO OPTION A DRAFT DCO

Venue: Denbigh Town Hall, Crown Lane, Denbigh, Denbighshire LL16 3TB

Date: Thursday 10 December 2015.

Time: venue open from 9.30am

Business commences at 10am. Breaks will be taken at convenient times during the hearing as directed from the Chair, including at approximately 1pm for an hour each day.

Interested parties involved. The applicant will attend all hearings. Interested parties or their representatives are welcome to attend and to make oral representations about the draft Development Consent Orders

for Option A and/or Option B. In particular the Panel would welcome the participation of DCC, CBCC, NRW, DCWW and BT.

1	Welcome and introductions
2.	Purpose of the hearing
3	Article 12. To examine the revised wording of article 12 in Draft DCO v4 and to establish whether this now has been agreed with DCC and whether the details within the other articles between 10-16 have also been agreed with DCC.
4	Schedule 1. To examine, on a 'without prejudice basis' whether there is potential for a hybrid scheme with some parts of option A and some parts of option B and whether a further draft DCO is required for such a scheme.
5	Requirements to be chaired by Jo Dowling
5.1	Examination of the proposed consultation process required by requirement 5 (landscaping) and the implications that this could have on proposed landscape mitigation.
5.2	Examination of whether requirement 6 (implementation and maintenance of landscaping) is necessary.
5.3	Further examination of requirement 10 (construction hours) in light of responses received since the first set of hearings.
5.4	Examination of whether the draft Construction Environmental Management Plan (the CEMP) includes the details listed in requirement 13 (CEMP) and whether there is the need to further add to this list.
5.5	Further examination of the need for requirement 16 (amendments to approved details) and whether it would meet the relevant test for planning conditions imposed on planning permissions under the Town and Country Planning Act 1990 and Welsh Government Circular WGC 016/2014: The Use of Planning Conditions in Development Management.
5.6	Examination of the proposed wording of requirement 18 (decommissioning) and whether this addresses the concerns raised at the first set of hearings (and at DL6) and whether it would meet the relevant test for planning conditions imposed on planning permissions under the Town and Country Planning Act 1990 and the Welsh Government Circular WGC 016/2014: The Use of Planning Permission Conditions for Development Management.