

# Denbighshire County Council response to Examining Authority's Second Round of Questions

The questions directed to the Council are below.

## Option B

0.5 Do the LPAs and other Interested Parties agree with the Applicant's ERISOB, particularly in respect of the conclusions on landscape effects, visual effects and residential visual amenity effects. If not, why not?

### Denbighshire response -

The document does not change the Council's basic position in respect of the approach to the landscape and visual assessment.

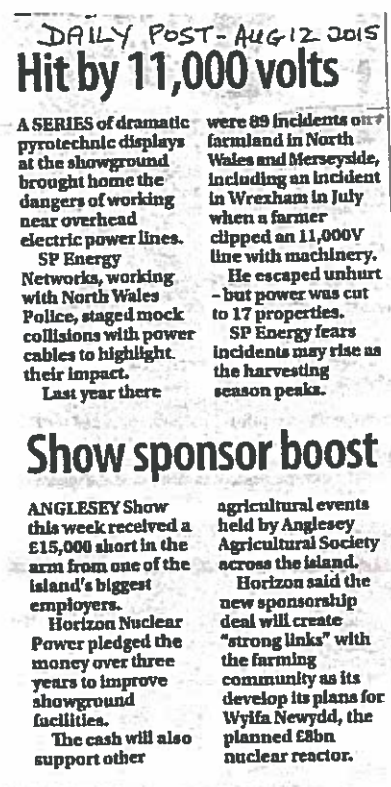
Other operational matters – Health and safety

Directed at Cllr Alice Jones of Denbighshire County Council

4.5 In her Written Representation to the Panel, submitted prior to the Issue Specific Hearing (ISH) on Thursday 1 October, Councillor Alice Jones stated, "Last year there were 89 incidents on farmland in North Wales and Merseyside. This is an extremely high number as the harvest and field work involved lasts just over six months of the year..". Please could Cllr. Jones provide the Panel with details identifying where the information stating the number of incidents on farms came from and provide a web-link or PDF version of the original report or document to the Examination?

### Denbighshire response -

The figure referred to by Councillor Jones was in a press article in Farm and Country Section of the Liverpool Daily Post, dated August 12<sup>th</sup> 2015. The article related to a SPManweb exhibition at the Anglesey Show to educate the farming community on the dangers of working near overhead power lines. A copy of the article is appended below. It mentions a total of 89 incidents on farmland in North Wales and Merseyside in the previous year.



Other draft Development Consent Order matters

12.3 At Deadline 3, DCC supplied comments from Development Services (Highways and Transportation Department) in relation to draft Articles 13-16 stating that they do not agree with the powers that are being sought in relation to draft DCO Part 3 Section 10 (power to alter the streets) and also they do not agree with the transfer of highway powers to the undertaker. Please could the Applicant and the Highways Authority resolve these matters outside the Examination hearings and provide an agreed form of wording for the relevant articles and schedules by 18 November?

**Denbighshire response -**

The Council's Highways Information Manager, Adrian Walls, has been in dialogue with Mr Steven Edwards of SPMANweb on these matters. At the point of submission of this information to PINS, it is understood that these exchanges are ongoing and that it is hoped to confirm respective positions as soon as possible.

12.8 Draft DCO v3 R16 has been modified slightly to include a need for consultation with NRW during the approval process and the deletion of "the parameters specified in requirement 3(2)" in R16(1). Do draft DCO R3(2) and R16 now give the applicant the ability to change the design parameters in such a way that the development could be modified in such a way that it no longer would be in line with the scheme as assessed in the Environmental Statement (ES)?

**Denbighshire response -**

The Council is satisfied that the safeguards in R16(2) would be adequate to cover the previously expressed concerns, and would not wish to comment further.

12.9 The draft DCO v3, R18 now states, "In the event that, at some future date, numbered works 1A and 1B are no longer in use and there is no likelihood of numbered works 1A and 1B being in use, the undertaker is to...." and then provides the actions that have to be taken to commence the decommissioning and restoration plan.

(b) Whilst the Panel acknowledges that the LPAs have provided their own suggestion for a decommissioning requirement, please could DCC and CCBC provide their views on the Applicant's revised wording in this requirement, on a 'without prejudice' basis, for example would it meet the requirements of Welsh Circular 11/95 in terms of being enforceable, precise and reasonable in all other aspects?

**Denbighshire response -**

The Council considers the use of the words 'no longer in use' and 'no likelihood of ... being in use...' in the context of this condition is too imprecise, and that consideration should be given to including reference to a time limit from the last generation of electricity to the grid (e.g. 12 months) and to confirmation from the relevant wind farm operator that the connection is no longer required.

12.10 Please could the two LPAs confirm whether they are satisfied that the wording of the draft DCO v3 (October 2015) Schedule 10 (in relation to the procedure for discharge of requirements) takes into account their concerns and is now acceptable (or not).

**Denbighshire response -**

The Council acknowledges that the drafting of the Schedule has taken many of its concerns into consideration and does not wish to comment further.