

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Extraordinary Meeting of the Partnership and Regeneration Scrutiny Committee
Date:	11th July 2014
Portfolio Holder(s):	Councillor J. Arwel Roberts
Corporate Director:	Arthur Owen
Subject:	New Nuclear Build at Wylfa Supplementary Planning Guidance

1. Purpose of Report

- 1.1 The purpose of the report is to provide the Scrutiny Committee with an overview of the aim, scope, structure and principles of the New Nuclear Build (NNB) at Wylfa Supplementary Planning Guidance (SPG).
- 1.2 The NNB SPG is to be submitted to the Full Council in July 2014 for adoption. It is imperative that the SPG is adopted during the Summer of 2014 to precede any NNB related enabling works and associated development Town and Country Planning Applications by Horizon Nuclear Power (HNP) and/or any pre-application consultation by the developer (currently scheduled for September 2014).
- 1.3 Given the scale, complexity and timescales of the proposed NNB, the preparation and adoption of the SPG is a priority activity for the County Council. The SPG will contribute towards ensuring that the potential known impacts of the NNB and its associated developments are identified, avoided, mitigated and compensated where possible; and that the socio-economic benefits associated with the construction and operation of the power station are fully realised.

2. Issues for Scrutiny

- a) Is the purpose of the NNB SPG clear, as well as the role of the County Council in the statutory NNB consenting process?
- b) Are the NNB SPG's guiding principles sufficiently comprehensive and robust?
- c) Have the comments received during the public consultation on the draft NNB SPG been given thorough and proper consideration?

(Please note that the public consultation highlighted a number of legitimate concerns that are outside of the scope of the SPG (such as the long term storage of nuclear waste). These issues have been brought to the attention of HNP with a formal request that they be considered as part of their pre-application consultation).

3. The County Council's Consenting Roles & Responsibilities

- 3.1 The NNB SPG will be integral to enabling the County Council to undertake its key role in the statutory consenting processes in relation to the NNB project. The NNB is a 'Nationally Significant Infrastructure Project' under the Planning Act 2008. This requires the developers to submit a Development Consent Order (DCO) Application to the Planning Inspectorate. The Inspectorate makes a recommendation on the application to the Secretary of State for Energy & Climate Change who is responsible for the final decision on the DCO.
- 3.2 The NNB SPG will underpin and inform the County Council's involvement in the DCO process, including responding to the various stages of public consultation; the preparation of a Statement of Common Ground with the developer; the submission of a Local Impact Report; the preparation of draft planning obligations and representation at the DCO Examination.
- 3.3 The SPG will also enable the County Council to make robust decisions on all NNB related enabling works and associated development (Town and County Planning) applications it receives. Applications for associated developments such as highways works, construction workers accommodation, park and ride facilities and logistics centres are a devolved matter in Wales, therefore they will be considered and determined by the County Council as the local planning authority. The SPG will therefore provide the opportunity for the County Council to influence the nature, scale and distribution of NNB associated developments on the Island, as well as play its full role in the DCO process.

4. New Nuclear Build at Wylfa Supplementary Planning Guidance

- 4.1 The proposed major energy developments on the island, in particular the NNB at Wylfa, provide the County Council with a unique and unprecedented opportunity to contribute positively towards the socio-economic transformation of the island (and the wider region). SPGs are a means of setting out detailed thematic or site specific guidance on the way in which national and local policies will be applied in particular circumstances or areas.
- 4.2 Given the lack of a robust local planning policy framework in relation to a project of the scale and composition of the NNB until the Joint Local Development Plan is adopted, the purpose of the NNB SPG is to provide high level guidance (based on evidence) to influence and inform HNP's current and future strategic decision making. This guidance consists of supplementary advice on important local direct or indirect matters and outlines the County Council's response to national and local policies and strategies in the context of the Wylfa NNB project.
- 4.3 The NNB SPG is intended as a project specific guidance that is being developed outside of the emerging Joint Local Development Plan - however both documents will share the same evidence base and the Joint Planning Policy Unit has been heavily involved in the preparation of the NNB SPG (as part of the Steering Group). Please note that the SPG is unable to allocate land (this is the function of the Joint Local Development Plan). The NNB SPG indicates preferred sites or locations for particular uses through broad areas of search e.g. Holyhead and Environs.

- 4.4 The preparation of the SPG has been coordinated by the Economic and Community Regeneration Service under the guidance of a number of County Council Senior Officers. AMEC Environment & Infrastructure (the County Council's providers of multi-disciplinary support and expertise) have been responsible for drafting the document. Resources to fund the preparation of the SPG have been secured through the Planning Performance Agreement with HNP.
- 4.5 It is important to note that the NNB SPG focuses on the identification, avoidance, mitigation and compensation of potential negative impacts and maximising positive benefits from the project, rather than the principles of nuclear power (as this is included in UK Government National Policy).

5. Structure of the Wylfa NNB SPG

5.1 Given the scale and complexity of the NNB Project, the SPG consists of:

- An overview of the NNB project and its associated developments;
- A summary of the existing national and local policy framework;
- The County Council's Vision of the NNB project;
- High level/ project-wide strategic guidance in relation to key issues/ topics:
 - Economic Development
 - Tourism
 - Population and Community
 - Construction Worker Accommodation
 - Welsh Language and Culture,
 - Transport,
 - Utilities
 - Waste
 - Climate Change
 - Natural Environment
 - Historic Environment
 - Facilitating Development
 - Implementation and Monitoring
- Locational guidance outlining where associated developments could be located on the island;
- 10 Topic Papers (which are the SPG's evidence base);
- A series of statutory assessments of the SPG (Sustainability Appraisal, Equality Impact Assessment, Welsh Language Impact Assessment, Habitat Regulations Assessment and Rapid Health Impact Assessment).

5.2 The importance of the SPG to both the County Council and HNP cannot be underestimated. The SPG will provide evidence based guidance, linked to policy, against which all NNB enabling works and associated development applications will be assessed. It will also provide clarity to the project developer in relation to the County Council's aspirations and expectations if the proposed NNB project progresses.

6. Public Consultation

6.1 The draft NNB SPG was subject to six weeks of public consultation during 17th February – 31st March 2014. The consultation process consisted of:

- Publishing the draft NNB SPG and associated documents on the County Council's website and providing hard copies at key deposit points;
- Publishing adverts and a press release;
- Providing an on-line questionnaire;
- Extensive use of social media to ensure engagement with as many stakeholders as possible;
- Three full day public exhibitions in Cemaes Bay, Holyhead and Llangefni.

6.2 All County Council Members were invited to formal briefing sessions on the 17th January and 17th March 2014 to improve their understanding of the NNB SPG's purpose and principles. The final version of the SPG has been amended following comments received during these sessions.

6.3 Fifty two responses were received to the consultation from a range of consultees and stakeholders, including County Council Services, other local authorities, statutory consultees, representative organisations, landowners, developers, HNP, local residents and interest groups.

6.4 The nature of the comments received included the need to:

- Ensure jobs for local people, especially young people;
- Maximise contract and supply chain opportunities for local businesses;
- Provide appropriate skills training;
- Ensure construction workers are accommodated in suitable locations;
- Minimise negative impacts of the island's tourism sector;
- Minimise the impact of road improvements along the A5025;
- Mitigate potential impacts on local communities and the Welsh language.

(In relation to the Welsh language, the County Council [through the Energy Island Programme] and HNP have agreed in principle to co-fund a secondee from the Welsh Government's Welsh Language Unit to develop appropriate integration and mitigation measures).

6.6 Comments were also received regarding the safety of nuclear technology, as well as the storage of nuclear waste on site and its ultimate disposal. These issues are outside the scope of the NNB SPG and these comments have been forwarded to the developer and relevant regulators for information/ consideration.

6.7 All comments that were received are outlined in greater detail in the 'Schedule of Consultation Responses' which also includes the County Council's response to each issue raised and whether the draft SPG has been revised/ amended as a result.

7. Conclusions

- 7.1 The scale and complexity of the proposed NNB project and all its elements makes the preparation and adoption of the SPG a priority activity.
- 7.2 The NNB SPG will provide the necessary context and robust evidence base to influence and guide the project developer's decision making and enable the County Council to carry out its statutory responsibilities in a robust and effective manner.
- 6.1 The SPG focusses upon the identification, avoidance, mitigation and compensation of the potential known impacts of the NNB and its associated developments.
- 7.3 The SPG will enable the County Council to contribute fully to the 'Nationally Significant Infrastructure Project' DCO process, as well as determine all associated development Town and County Planning Applications it receives.
- 7.4 The NNB SPG will help underpin statutory planning obligations (e.g. s.106 agreements) to ensure necessary and robust mitigation measures are put in place for all known potential impacts.
- 7.5 The NNB SPG will also assist the County Council to ensure the realisation of significant economic diversification and transition opportunities for Anglesey. It will be a critical enabler to achieving the County Council's economic ambitions through utilising the land use planning system, e.g. a legacy use of sites used temporarily by HNP.
- 7.6 The SPG will help to inform the project promoter's proposals and decision making by providing clarity in relation to the County Council's aspirations and expectations of the proposed NNB project.

8. Recommendations

It is recommended that the Scrutiny Committee:

- a) Notes the purpose, scope and principles of the New Nuclear Build at Wylfa Supplementary Planning Guidance.**
- b) Recognises the role of the County Council in the statutory consenting process for the proposed New Nuclear Build.**
- c) Supports the submission of the New Nuclear Build at Wylfa Supplementary Planning Guidance to the Full Council for adoption in July 2014.**

Report by: Christian Branch (on behalf of Arthur Owen, Corporate Director Sustainable Development)

Job Title: Principal Development Officer - Strategy

Service: Economic & Community Regeneration

Date: July 2014

Appendices

Annex A: New Nuclear Build Supplementary Planning Guidance

Annex B: Draft New Nuclear Build Supplementary Planning Guidance: Schedule of Consultation Responses

Annex C: New Nuclear Build Planning Applications Overview

Previous Relevant Council or Executive Decisions

Executive Committee Report (2nd December 2013) - Draft New Nuclear Build at Wylfa Supplementary Planning Guidance:

<http://democracy.anglesey.gov.uk/documents/s3191/New%20Nuclear%20Build%20at%20Wylfa%20Supplementary%20Planning%20Guidance%20SPG.pdf?LLL=0>

Board of Commissioners Report (18th June 2012) – Wylfa New Nuclear Build Supplementary Planning Guidance:

[http://democracy.anglesey.gov.uk/Data/Board%20of%20Commissioners/20120618/Agenda/\(Enclosure%20'G'\).pdf](http://democracy.anglesey.gov.uk/Data/Board%20of%20Commissioners/20120618/Agenda/(Enclosure%20'G').pdf)