

Meeting Note

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| File reference | EN010028 Mynydd Mynyllod Wind Farm |
| Status | Final |
| Author | Amy Cooper |

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| Meeting with | Scottish Power Renewables (SPR) and ARUP |
| Meeting date | 17 th February 2011 |
| Attendees (IPC) | Eleri Davies Amy Cooper |
| Attendees (non IPC) | Helen Peake (SPR) Ruth Jackson (ARUP) Simon Power (ARUP) |
| Location | Temple Quay House: IPC Office |

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| Meeting purpose | Meeting to introduce new team members, discuss the Infrastructure Planning Commission (IPC) process and the progress of the applicant's pre-application consultation. |
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| Summary of outcomes and advice given | <p>The IPC advised the applicant on its openness policy and that a note would be taken of the meeting and published on the IPC's website. Under s.51 of the Planning Act 2008 (the Act), the IPC is not able to advise on the merits of applications and any advice given under s.51 of the Act does not constitute legal advice upon which the applicant or others can rely.</p> <p>1) Introductions and SPR team changes update</p> <ul style="list-style-type: none"> • Helen Peake is now the SPR Project manager for this project; • Ruth Jackson, in place of Debbie Hudd, is now the IPC co-ordinator for ARUP; and • Eleri Davies is the new project leader for the IPC. <p>2) Update on pre-application consultation and project programme</p> <p>A Community Liaison Panel (CLP) is due to be set up with the aim to have monthly meetings from 21st March 2011 onwards. Press releases have been issued inviting people to become members of the CLP. An independent facilitator has been appointed to allocate members of the CLP, with the aim to be as representative of the community as possible.</p> <p>Formal consultation is due to take place from November</p> |
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2011 onwards.

3) IPC 'Outreach' Programme

SPR/ARUP and IPC discussed the possibility of holding an outreach event on the IPC process in the area. Any outreach event would be dependant on IPC resources and responsive to the timing of formal consultation.

4) IPC Process

Submission of Documents

The IPC encourages the submission of draft documents for comment at least six weeks prior to formal submission although the IPC is unable to provide comments on the draft Environmental Statement. As above, no comments can be given on the merits of the application.

Regulations 5 & 6 of *The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations)* detail what must be included. It is advised to minimise duplication of documents, particularly if the Environmental Statement includes a number of other items required by the APFP Regulations; this should however be clearly identified on the application form.

If the plans required under Regulations 5(2)(l) and 5(2)(m) of the APFP Regulations are submitted as part of the Environmental Statement then there would be no need to also submit these under Regulations 5(2)(l) and 5(2)(m). If such plans are not submitted under Regulations 5(2)(l) and 5(2)(m) then they will not need to comply with the requirements of Regulation 5(3) and vice versa.

Consents, licences and permits for which the IPC is not the authorising body must be listed on the application form, Reference should be made to any that have already been applied for, ones that the applicant is already in possession of and progress made with the relevant consenting or authorising bodies.

Under Regulation 11 of the EIA Regulations, where a proposed application is Environmental Impact Assessment (EIA) development, the applicant must notify consultation bodies at the same time as publicising the proposed application under s.48 of the Act.

Although not required by legislation, the IPC recommends that deadlines for receipt of views on the application under s.48 of the Act are as close as possible to deadlines given to consultees under s.42 of the Act. IPC advised that there is no legislative requirement for consultation under s.42 and s.47 of the Act to be undertaken at the same time.

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| | <p>IPC advised that the s.55 Acceptance Checklist is available on the IPC website under the project page for Brig y Cwm Energy from Waste Generating Station. This identifies the criteria used by the appointed Commissioner when deciding whether or not to accept an application.</p> <p><u>Format of Consultation Report</u></p> <p>There is no prescribed form for the consultation report. The applicant was advised to refer to the list of prescribed consultees provided to the applicant by the IPC in accordance with Regulation 9(1)(b) of the <i>Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations)</i>. If applicants identify and consult fewer consultation bodies as part of their consultation under s.42 of the Act than the IPC consults in relation to a Scoping Opinion request, a clear explanation should be provided..</p> <p>5) AOB</p> <p>SPR/ARUP queried what could be included within the application site boundary. Bearing in mind the limited scope for 'associated development' in Wales, can access routes be included as integral to the development?</p> <p>The IPC highlighted the advice given on the 31st of January 2011 on a similar matter relating to the Nant y Moch Wind Farm. The IPC advised that it is for the applicant to satisfy themselves that all the proposed works within the Order Limits could properly be treated as integral to the project and included within the description of the 'Authorised Development' in their draft DCO. A detailed explanation and justification should be set out in the Explanatory Memorandum.</p> <p>s.50 of the Act requires applicants to have regard to any guidance issued about the pre-application procedure. Where guidance is not followed, the applicant must explain and justify this within the submission.</p> <p><u>Next Meeting</u></p> <p>SPR/ARUP will contact the IPC to arrange further meetings where necessary.</p> |
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| Specific decisions/follow up required? | ➤ IPC to forward Advice Note 6 and Application Form Submission spreadsheet to applicant. |
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| Circulation List | All attendees |
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