

**Department of Energy & Climate  
Change**

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**Our Ref:** 12/1174

7 September 2012

Dear NAME REDACTED,

Thank you for your email of 9<sup>th</sup> August where you requested the following information:

*Details of correspondence (letters, emails, phone texts, (including blackberry and Iphone), and skype messages) and meetings (government briefing papers, agendas, and minutes of meetings) between senior officials at the OND and the following:*

- \* *Senior officials at the Nuclear Industry Association;*
- \* *Senior executives at EDF Energy;*
- \* *Senior executives at RWE nPower;*
- \* *Senior executives at Areva;*
- \* *Senior executives at Westinghouse;*

*Considering nuclear power / energy policy / nuclear safety, and / or new nuclear build in the UK from the 1st May 2011 until 31 July 2011.*

Your request has been considered under the Freedom of Information Act 2000 (FOIA). We have interpreted your request to refer to meetings and correspondence where nuclear power, nuclear energy policy, nuclear safety and/or new nuclear build were considered. We have therefore only considered records relating to these specific areas.

I have conducted a search of our records and can confirm that 18 meetings took place in the period 1<sup>st</sup> May 2011 – 31<sup>st</sup> July 2011 where the areas specified were discussed:

A list of these meetings is attached as Annex 1, and notes and minutes are attached as Annex 2 to 6. Please note that Annex 1 is not a complete list of meetings which have taken place, as it excludes those meetings which do not fall within the scope of your request.

Some personal information has been redacted from the information released. To the extent that the personal data falls within the scope of the FOI then under section 40(2) of the FOI this information is exempt as it constitutes personal data, the disclosure of which, would contravene one or more of the data protection principles. Personal data can only be

disclosed in accordance with the data protection principles. The first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. We do not consider that it is fair and reasonable to release the names of individuals of junior members of staff from third parties and those who are not members of the Senior Civil Service, and do not consider that any of the relevant conditions apply. The names of Senior Civil Servants and staff of equivalent grades from third parties have been published.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to DECC Information Rights Unit ([foi@decc.gsi.gov.uk](mailto:foi@decc.gsi.gov.uk)).

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely,

NAME REDACTED  
**Office for Nuclear Development**

**Annex 1 – Details of meetings held from 1 May 2011 to 31 July 2011.**

<b>Date</b>	<b>Organisation/Event</b>	<b>Attendees</b>	<b>Notes/Minutes</b>
03-May	Westinghouse	(DECC) Mark Higson, Tim Stone, (Westinghouse) Anders Jackson, Mike Tynan.	No note taken.
04-May	EDF	(DECC) Mark Higson, (EDF) NAME REDACTED.	No note taken.
17-May	EDF Monthly Meeting	(DECC) Hergen Haye, Peter McDonald, NAME REDACTED, NAME REDACTED, NAME REDACTED, (EDF) NAME REDACTED, NAME REDACTED, NAME REDACTED.	No note taken.
17-May	EDF Challenge Meeting	(DECC) Mark Higson, Hergen Haye, NAME REDACTED, Jeremy Allen, NAME REDACTED, Peter McDonald, (EDF) NAME REDACTED, NAME REDACTED, NAME REDACTED, NAME REDACTED, NAME REDACTED.	Attached as Annex 2 and 2(i).
23-May	EDF	(DECC) Hergen Haye, (EDF) NAME REDACTED.	By phone. No note taken.
24-May	EDF (and Local Authorities)	(DECC) Hergen Haye, Peter McDonald, NAME REDACTED, (CLG) Jenan Hasan, (Somerset County Council) Cllr David Hall, Patrick Flaherty, NAME REDACTED, (West Somerset Council) Cllr Tim Taylor, Cllr Chris Morgan, Adrian Dyer, NAME REDACTED, (Sedgemoor District Council) Cllr Duncan McGinty, Kerry Rickards, Doug Bamsey, (EDF) NAME REDACTED, NAME REDACTED, NAME REDACTED, NAME REDACTED, NAME REDACTED.	Attached as Annex 3

01-Jun	Westinghouse	(DECC) Mark Higson, (Westinghouse) Mike Tynan	By phone. No note taken.
09-Jun	Activism and Nuclear New Build: Stakeholder Roundtable	(DECC) Hergen Haye, Peter McDonald, NAME REDACTED	Attached as Annex 4.
13-Jun	EDF	(DECC) Hergen Haye, (EDF) NAME REDACTED	No note taken.
15-Jun	EDF Monthly Meeting	(DECC) Hergen Haye, Peter McDonald, NAME REDACTED, (EDF) NAME REDACTED, NAME REDACTED, NAME REDACTED.	No note taken.
17-Jun	EDF FDP Meeting	(DECC) Hergen Haye, NAME REDACTED, (EDF) NAME REDACTED, NAME REDACTED, NAME REDACTED, NAME REDACTED	No note taken.
22-Jun	EDF	(DECC) Mark Higson, (EDF) NAME REDACTED	By phone. No note taken.
29-Jun	Nuclear Consenting Bodies Forum	(DECC) Mark Higson, NAME REDACTED, NAME REDACTED, (HSE) NAME REDACTED, (CCW) NAME REDACTED, (IPC) NAME REDACTED, (WAG) NAME REDACTED, (EA) NAME REDACTED, (MMO) NAME REDACTED, (English Heritage) NAME REDACTED, (CCW) NAME REDACTED, (Horizon) NAME REDACTED.	Attached as Annex 5.
30-Jun	EDF	(DECC) Hergen Haye, Peter McDonald, NAME REDACTED, (EDF) NAME REDACTED, NAME REDACTED, NAME REDACTED.	No note taken.
07-Jul	NIA	(DECC) Hergen Haye, (NIA) NAME REDACTED.	No note taken.
11-Jul	EDF	(DECC) Hergen Haye, (EDF) NAME	No note taken.

		REDACTED, NAME REDACTED.	
12-Jul	Joint Meeting with Local Authorities, DECC and EDF	(DECC) Hergen Haye, Peter McDonald, NAME REDACTED, (EDF) NAME REDACTED, NAME REDACTED, (Sedgemoor District Council) Cllr Duncan McGinty, Doug Bamsey, NAME REDACTED, (West Somerset District Council) Cllr Tim Taylor, Adrian Dyer, NAME REDACTED, (Somerset County Council), Cllr David Hall, Patrick Flaherty, NAME REDACTED.	Attached as Annex 6.
18-Jul	NIA	(DECC) Hergen Haye, NAME REDACTED.	No note taken.

## **Annex 2 - OND and EDF Energy Challenge Meeting**

**17 May 2011, 1600 – 1800  
Rm. LG03, 3 Whitehall Place**

### Agenda

1. Implications of Japan, including Weightman report, European “stress tests”, public opinion and EDF corporate position
2. Update from OND, including on:
  - National Policy Statement
  - Generic Design Assessment
  - FDP guidance
  - Establishment of Office for Nuclear Regulation
  - Electricity Market Reform
3. Update from EDF Energy on progress at Hinkley Point, including:
  - Preliminary works and temporary jetty applications
  - Community benefit/section 106 and main application to IPC
  - Site licence application timetable and issues
  - Radioactive Substances Regulations application
4. Summary of agreed actions

**Annex 2(i) – Note from EDF Challenge meeting**

**From:** NAME REDACTED (Office for Nuclear Development)  
**Sent:** 01 June 2011 13:58  
**To:** 'NAME REDACTED@ EDF Energy'; NAME REDACTED; NAME REDACTED'; NAME REDACTED; NAME REDACTED; NAME REDACTED (Office for Nuclear Development); McDonald Peter (Office for Nuclear Development); Higson Mark (Office for Nuclear Development); Haye Hergen (Office for Nuclear Development); NAME REDACTED (Office for Nuclear Development); Allen Jeremy (Commercial)  
**Subject:** Note of DECC - EDF Challenge Meeting on new nuclear (17 May 2011)

Dear all,  
With apologies for the delay, please see below a short note of our meeting on 17 May, including actions.

Regards,  
NAME REDACTED

**Summary**

It was noted that Chief Nuclear Inspector Dr. Weightman was shortly due to publish his interim report on the incident at Fukushima, Japan. The Office for Nuclear Development updated EDF Energy on its work at European level on “stress tests”, and on the National Policy Statements, Funded Decommissioning Programme guidance, establishment of the Office for Nuclear Regulation and Electricity Market Reform.

EDF Energy provided an update on issues related to its plans for Hinkley Point, including preliminary works and temporary jetty applications, community benefit, and site licence and Radioactive Substances Regulations applications.

The following actions were agreed:

1. EDF to discuss and clarify its expectations for interim Design Acceptance Confirmation (iDAC) with the regulators
2. EDF to write to CLG Ministers to seek clarification of the position on section 114(2) of the Planning Act 2008 – the extent to which the IPC can agree “material” changes to development consent orders once accepted
3. EDF and OND to have a separate discussion about plans for public engagement

NAME REDACTED  
Office for Nuclear Development  
Tel. REDACTED

## **Annex 3 - NOTE OF JOINT MEETING ON HINKLEY POINT**

**BRIDGWATER, 24 MAY 2011**

### Summary

1. A constructive second meeting between local authorities, EDF Energy, DECC and CLG on cross-cutting issues relating to new nuclear, planning and the proposals for development of a new nuclear power station at Hinkley Point. Attendees are listed at the end of this note.
2. DECC made clear at the outset that it would not be appropriate for it to get involved in detailed discussions between EDF Energy and the local authorities about the substance of the proposals for the potential new nuclear power station at Hinkley Point, or for it to take a view on the merits of such proposals. Instead DECC's role would be to set out and discuss the wider policy context, listen to concerns, and try to help both sides reach consensus on the appropriate process moving forwards. It would be important for discussions to be open and transparent, and it was made clear that discussions were without prejudice to other ongoing processes, including development of the Nuclear National Policy Statement.

### Review of minutes and actions from previous meeting

3. No comments were received on the minutes from the meeting on 8 March. In terms of residual actions agreed at that meeting:
  - DECC would consider in due course whether there would be merit in Ministers hosting a session with a wider group of developers and local authorities to discuss wider policy issues, once the National Policy Statements were designated (**Action i**: DECC to consider in due course)
  - CLG had contacted Sedgemoor District Council by email to follow up points raised about capturing lessons learned from the new planning regime. Charles Hendry and Chief Planner Steve Quartermain had also visited Somerset in March and April respectively. However, Sedgemoor felt that more could be done on capturing lessons learned, and pointed to a toolkit established by the Improvement Development Agency which they suggested could be replicated. (**Action ii**: CLG to consider further)
  - Somerset County Council was continuing to develop its ideas on a nuclear-focussed Local Enterprise Partnership and wished to share these with the Nuclear Local Authorities Group. DECC had made contact with the relevant lead in CLG who would be happy to consider Somerset's ideas in due course. (**Action iii**: Somerset County Council to pursue)

### New nuclear in light of Japan

4. DECC updated the group on activity following the incident at the nuclear power station in Fukushima, Japan, in March. The Secretary of State had said that, subject to careful consideration of Dr. Weightman's interim report,

the Government would bring forward the Energy National Policy Statements for ratification as soon as possible.

5. West Somerset Council said that ahead of its decision on preliminary works, it would want reassurances about potential implications of the Fukushima incident on plans for Hinkley Point. Specifically, Councillors would want some degree of comfort that in light of Fukushima, from a safety perspective, there was no reason to suggest that they were considering something which was subject to radical change. Much of this was covered in Dr. Weightman's interim report, and the regulator had also advised the Secretary of State for Energy and Climate Change in a published letter that he would not wish to change the strategic-level advice it had provided during the Strategic Siting Assessment process, and that the general assessment principles and guidance contained in the revised draft National Policy Statement remained valid. However, the Council suggested that a letter bringing these points together would be helpful. (**Action iv**: OND to consider, in liaison with regulators and/or EDF)

#### Hinkley Point – forward timetable and process

6. EDF explained that, subject to receiving one final clearance from the Environment Agency, it was ready to begin enabling works (including work on a car park, removal of a mound and demolition of a barn). These enabling works were unlikely to be completed before August.
7. On the application for preliminary works, West Somerset Council was awaiting consultation responses from key Statutory Consultees, which were due by 31 May. The Council and EDF had jointly identified a list of issues for resolution. The Council explained that whilst not a legal requirement, it would want the Nuclear National Policy Statement to be published before the decision on preliminary works was taken. There was some consensus that end July now seemed like a sensible target date for bringing the application to the planning committee.
8. In terms of its main application, EDF would be pulling individual documentation together in June/July, and intended to submit to the Infrastructure Planning Commission as soon as possible thereafter in Q3 2011. Somerset County Council raised an issue about mitigation of impacts on local transport, which it said might require joint attention by the local authorities, EDF and central Government. (**Action v**: Somerset County Council to explain issue more fully at next meeting)

#### Community benefit

9. DECC explained that it was giving further consideration to the points about community benefit raised in the letter from the Somerset authorities to Charles Hendry of 26 April. Charles Hendry had agreed to meet the councils to discuss the issue further. The councils were keen to understand where discussions might end up. DECC explained that in any event, consistent with the fundamental principle that planning permission must not be bought or

sold, any potential community benefit provided outside the planning system (i.e. outside section 106) would be irrelevant to planning decisions. EDF commented that it would also consider the matter further.

Other

10. The final two agenda items (an update from CLG and presentation from DECC on nuclear skills) were dropped due to a lack of time.

Next meeting

11. It was agreed that the group should meet again before the end of July. (**Action vi:** DECC to organise, in liaison with others)

Attendees

DECC	Hergen Haye, Head of New Nuclear (Chair) Peter McDonald, Deputy Head of New Nuclear NAME REDACTED, New nuclear team
CLG	Jenan Hasan, Head of Major Infrastructure Division
Somerset County Council	Cllr David Hall, Cabinet Member - Strategic Planning and Economic Development Patrick Flaherty, Head of Physical Regeneration NAME REDACTED
West Somerset Council	Cllr Tim Taylor, Leader Cllr Chris Morgan, Deputy Leader and Lead Member for the Development Adrian Dyer, Chief Executive NAME REDACTED
Sedgemoor District Council	Cllr Duncan McGinty, Leader Kerry Rickards, Chief Executive Doug Bamsey, Corporate Director, Regeneration
EDF Energy	NAME REDACTED NAME REDACTED NAME REDACTED NAME REDACTED NAME REDACTED

**Office for Nuclear Development - June 2011**

**Annex 4 - Activism and Nuclear New Build: Stakeholder Roundtable  
Thursday 9 June at 10.00am, Room G07, 55 Whitehall**

**Participants:**

Hergen Haye	DECC
NAME REDACTED	DECC
NAME REDACTED	DECC
NAME REDACTED	Home Office
NAME REDACTED	BIS
NAME REDACTED	Suffolk Constabulary
NAME REDACTED	Suffolk Constabulary
NAME REDACTED	Suffolk Constabulary
NAME REDACTED	North Wales Constabulary
NAME REDACTED	Avon & Somerset Constabulary (participating via telephone)
NAME REDACTED	Civil Nuclear Constabulary
NAME REDACTED	Civil Nuclear Constabulary
NAME REDACTED	National Public Order Intelligence Unit (NPOIU)
NAME REDACTED	EdF
NAME REDACTED	Horizon
NAME REDACTED	NuGeneration

**Purpose of the meeting:**

- To obtain an agreed understanding of the available intelligence on the risk to the new build programme from environmental activism
- To identify key stakeholder concerns and issues
- To identify any potential gaps in arrangements for managing the risk of direct action or protests at new build sites or to identify areas where further clarity is needed

**Agenda:**

- Welcome and introductions
- Overview of the current situation and nature of the threat (presentation by NPOIU)
- Discussion:
  - o Key concerns and any gaps in arrangements
  - o Development of MOUs and partnership agreements
  - o Charging/cost recovery update
- Summary of actions and next steps

## Annex 5 - Nuclear Consenting Bodies Forum

### Note of the meeting on 29 June 2011

#### Those present:

Mark Higson, OND	NAME REDACTED, EA
NAME REDACTED, OND	NAME REDACTED, MMO
NAME REDACTED, HSE	NAME REDACTED, English Heritage
NAME REDACTED, CCW	NAME REDACTED, CCW
NAME REDACTED, IPC	NAME REDACTED, Horizon (part of meeting only)
NAME REDACTED, WAG	NAME REDACTED, OND (Secretariat)

#### Item 1: Welcome and introductions

Apologies were received from Hergen Haye (OND), NAME REDACTED (Highways Agency) and NAME REDACTED (CADW).

#### Item 2: Purpose of the Forum

Forum members reflected on the purpose of the Nuclear Consenting Bodies Forum. Discussions included:

- Members agreed the Forum should be about enabling the consenting process whilst ensuring the independence of individual regulators is respected. The need to adopt a strategic approach to consenting was seen as particularly important.
- The opportunity the Forum provides for regulators to outline their role in the consenting process to other consenting bodies and developers. It was noted that Forum meetings allowed regulators to obtain a better understanding of when applications may be received from developers.
- Some Forum members raised concerns that developers were not yet fully capable and resourced to meet the upcoming challenges. It was noted that the Forum meetings provided an opportunity to hold developers to account and ensure they demonstrate they have the organisational capability to construct a new nuclear power station.
- The Forum helped ensure there was effective communication between consenting bodies, regulators and developers. Forum members agreed the meetings provided an opportunity to share best practice, discuss issues of common concern and understand the wider policy context.

All members agreed there was value in continuing with the Forum and holding regular meetings.

#### Item 3: Overview of new nuclear timetable (presentation by Horizon)

NAME REDACTED from Horizon Nuclear Power gave a high level overview of planning and consenting for the proposed development at Wylfa. Some of the key issues covered during the presentation and the resulting discussions included:

- The complexity of the consenting and regulation landscape. Horizon recognised the importance of coordinating their consents applications with their timetable for development.
- The challenge consenting bodies face in meeting the deadlines and timescales of developers. It was noted that clear project plans from developers would allow consenting bodies to deploy resources at the appropriate time. At the very least this would ensure consenting bodies could make developers aware of potential bottlenecks.

- The importance of ensuring that the information provided by developers for regulatory consents is consistent with the information provided in the DCO application.
- The opportunity the Forum provides in identifying issues and potential solutions on a case by case basis.

Horizon left the meeting after delivering their presentation.

#### **Item 4: Update on EDF Jetty planning application for Hinkley**

NAME REDACTED from Marine Management Organisation updated Forum members on the EDF application for a Harbour Empowerment Order. A public inquiry will now be held to consider objections to both the Harbour Empowerment Order the inquiry will consider the Harbour Empowerment Order and Marine Licence applications made to the MMO and the Transport and Works application made to DECC. The public inquiry will proceed using the Inquiries Rules Process under the Transport and Works Act.

#### **Item 5: Any Other Business**

Forum members discussed whether it was worthwhile continuing with the draft of the consents matrix. The matrix was originally intended to document the authorisations and consents required for a new nuclear power station, what organisations were involved and at what point. However the Forum agreed that developers needed to produce, and own, this information themselves.

OND took an action to invite EDF back to the Forum to present an overview of their new nuclear programme with a higher level of granularity.

It was agreed the next meeting of the Forum should be held in mid-September.

## Annex 6 - NOTE OF JOINT MEETING ON HINKLEY POINT

TAUNTON, 12 JULY 2011

### Summary

12. Third in a series of meetings between local authorities, EDF Energy, DECC and CLG on cross-cutting issues relating to new nuclear, planning and the proposals for development of a new nuclear power station at Hinkley Point.
13. DECC reiterated at the outset that it would not be appropriate for it to get involved in detailed discussions between EDF Energy and the local authorities about the substance of the proposals for the potential new nuclear power station at Hinkley Point, or for it to take a view on the merits of such proposals. Instead DECC's role would be to set out and discuss the wider policy context, listen to concerns, and try to help both sides reach consensus on the appropriate process moving forwards. It would be important for discussions to be open and transparent, and it was made clear that discussions were without prejudice to other ongoing processes, including development of the Nuclear National Policy Statement.

### Review of minutes and actions from previous meeting

14. No comments were received on the minutes from the meeting on 24 May. In terms of residual actions from that meeting:
  - DECC would consider the merits of Ministers hosting a session with a wider group of developers and local authorities to discuss wider policy issues in the Autumn (**Action i:** DECC to consider)
  - Discussions are continuing between CLG and Sedgemoor and West Somerset Councils about the best way to capture lessons learned.
  - DECC had provided initial feedback to Somerset County Council on its emerging proposals for a nuclear-focussed Local Enterprise Partnership. Somerset would continue to develop its proposals (**Action ii:** Somerset County Council).
  - Hergen Haye had written to West Somerset Council on 1 July on the implications of Fukushima on new nuclear in the UK.
  - Somerset County Council had raised issues around transport mitigation in meetings with senior officials in DECC.

### Update from DECC

15. The National Policy Statements had been introduced to Parliament on 23 June. (They have subsequently been debated, voted on and approved by Parliament, and designated). The White Paper on Electricity Market Reform had been published, setting out key measures to attract investment, reduce the impact on consumer bills, and create a secure mix of electricity sources. The regulators' quarterly report on Generic Design Assessment was due for publication later in July (and has subsequently been published).

16. West Somerset Council invited Hergen Hays to attend the planning committee meeting on preliminary works at Hinkley scheduled for 28 July, to give this sort of high-level update on national policy issues. (Hergen did attend this session).

#### Hinkley Point – forward timetable and process

17. On preliminary works, good progress had been made on technical issues and the section 106 arrangement ahead of the planning committee meeting on 28 July, although a small number of issues remained to be resolved. (On 28 July, West Somerset Council voted to approve EDF's application for preliminary works).
18. EDF had just launched a supplementary consultation on changes to its proposals in relation to J24 of the M5 and other highway improvements in the Bridgwater area. EDF would then be focussing on resolving outstanding issues with the aim of submitting its main Development Consent Order application to the Infrastructure Planning Commission (IPC) at the end of September. Discussions were continuing on transport mitigation and accommodation. Sedgemoor District Council noted that a local petition was calling for a Bridgwater Bypass to be a condition of any eventual consent. There was a general question about how much flexibility the IPC had to accept changes to the content of applications part-way through the examination process. IPC advice indicated that the scope for making changes post-submission is very limited.

#### Community benefit

19. The general question of community benefits associated with hosting national infrastructure had been discussed by the New Nuclear Local Authorities Group. A Government consultation document on local retention of business rates was due before summer recess (this has now been published), and DECC encouraged the local authorities and EDF to respond to this. Otherwise, DECC explained that it would continue to pursue the issue with colleagues across Government, in line with Charles Hendry's letter of 12 July. (Charles Hendry also met the local authorities on 14 July to discuss the matter further).

#### Next meeting

20. It was agreed that the group should meet again in September or October. (A meeting has been arranged for 19 October).

## Attendees

DECC	Hergen Haye, Head of New Nuclear (Chair) Peter McDonald, Deputy Head of New Nuclear NAME REDACTED, New nuclear team
Somerset County Council	Cllr David Hall, Cabinet Member - Strategic Planning and Economic Development Patrick Flaherty, Head of Physical Regeneration NAME REDACTED
West Somerset Council	Cllr Tim Taylor, Leader Adrian Dyer, Chief Executive NAME REDACTED
Sedgemoor District Council	Cllr Duncan McGinty, Leader Doug Bamsey, Corporate Director, Regeneration NAME REDACTED
EDF Energy	NAME REDACTED NAME REDACTED

**Office for Nuclear Development  
August 2011**