



Electricity Act 1989 (Sections 36, 37, 62(3) & Schedule 8)

Town and Country Planning Act 1990 (Section 90)

and the

The Electricity Generating Stations and Overhead Lines (Inquiries Procedure)(England and Wales) Rules 2007

Application by Vattenfall, dated 30 November 2007 for consent under Section 36 of the Electricity Act 1989 to construct and operate a 59.5MW wind turbine generating station in Powys, Mid Wales ('Llanbadarn Fynydd')

Application by Fferm Wynt Llaithddu Cyf, dated 7 May 2008 for consent under Section 36 of the Electricity Act 1989 to construct and operate a 66.7 MW wind turbine generating station in Powys, Mid Wales ('Llaithddu')

Application by CeltPower Limited, dated 9 May 2008 for consent under Section 36 of the Electricity Act 1989 to construct and operate a 126MW wind turbine generating station in Powys, Mid Wales ('Llandinam')

Application by RES UK & Ireland Limited, dated 27 March 2009 for consent under Section 36 of the Electricity Act 1989 to construct and operate a 100MW wind turbine generating station in Powys, Mid Wales ('LLanbrynmair')

Application by RWE NPower Renewables Limited, dated 11 December 2008 for consent under Section 36 of the Electricity Act 1989 to construct and operate a 130-250MW wind turbine generating station in Powys, Mid Wales ('Carnedd Wen')

Application by SP Manweb PLC, dated 2 December 2009 for consent under Section 37 of the Electricity Act 1989 to install and keep installed a 132kV overhead electric line connection from the proposed Llandinam Wind Farm to Welshpool Substation

Cyf ffeil/File ref:

Conjoined Public Inquiry
Report and Recommendations on the Timetable for the Proceedings
(Rule 12(2))

Procedural Matters

1. On 4th February 2013 the Alliance of groups opposing the wind farms (the 'Alliance') wrote to the Programme Officer making a formal submission to the effect that the Inquiry should be halted or postponed.
2. A copy of the submission was immediately circulated to the main parties, with a request for comments in writing. Responses were received from Powys County Council and all of the applicants other than Fferm Wynt Llaithddu before the PIM. A response was received from Fferm Wynt Llaithddu at the PIM on 18 February.
3. The Alliance's submission was supplemented by a skeleton argument dated 15 February, and the submission was presented orally by the Alliance's advocate, Mr David Smith QC, with the assistance of speaking notes, at the PIM on 18 February.
4. References in square brackets [] are to Inquiry documents

The Case for the Alliance [ALL-02, ALL-03A, ALL-03B, ALL-03C, AAL-04D, AAL-04]

5. Four of the five wind farm proposals will depend upon the provision of new connections to the National Grid via new links to a new substation and a 400kV line. They are therefore part of a single overall project or group of projects, which are not yet formulated to an extent where the assessment of the environmental effects required by the European Environmental Impact Assessment Directive¹ (the EIA Directive) can be addressed. There is legal authority for the proposition that projects should not be split for the purposes of EIA². A decision to approve any one of the wind farms would therefore be inescapably flawed. Because the grid connections constitute direct, indirect, secondary or cumulative effects an assessment would also be flawed under the *Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2000*³ (the EIA Regulations). This is a fundamental difficulty recognised in paragraphs 4.9.2 and 4.9.3 of the *Overarching National Policy Statement for Energy (NPS EN-1)*, which requires sufficient information to be provided to comply with the EIA Directive, including indirect, secondary and cumulative effects which will encompass information on grid connections. As direct, indirect, secondary and cumulative effects must be considered, the Llandinam wind farm proposal must stand and fall with the others.

¹ Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, amended by Directives 97/11/EC and 2003/35/EC.

² *Vivienne Morge v Hampshire County Council* [2009] EWHC (Admin)

³ SI 2000/1927 (as amended).

6. In addition to the regulatory requirements, a clear procedural disadvantage would be imposed on the Alliance if proceedings are not halted or adjourned for a sufficient time for all the necessary information to be made available, and to allow it to be assessed.
7. The Alliance therefore make a formal application, urging the Secretary of State to conclude that:
 - (a) there is no prospect of the Inquiry lawfully proceeding to recommend approval of the five wind farm applications, or any one of them;
 - (b) that the Secretary of State could not reasonably come to any other decision;
 - (c) that the Inquiry procedure should be halted now, to save time, resources and money, and to retain public confidence in due process;
 - (d) In the alternative, the Inquiry should not commence until all the required information has been made available and time has been allowed for its implications to be assessed.

The Responses for the Applicants

Vattenfall [VATT-003]

8. Planning and energy policy, including NPS EN-1, recognises that there is no requirement for a grid connection to be applied for as an integral part of an onshore wind application. The question of sub-division is addressed in paragraphs 45 and 46 of Circular 02/99 and Welsh Office Circular 11/99. The guidance recognises that not all applications that may form part of a wider scheme have to be considered together, but reinforces the principle that the concern should be to ensure that there is no artificial sub-division of a scheme that could lead to significant environmental effects not being assessed within the development consent process.
9. Case law relating to outline planning applications recognises that in multi-stage development there may be a need for subsequent EIA if significant environmental effects are identified which have not already been assessed⁴.
10. In this instance there would be no point in any developer speculating about grid infrastructure that is outside its control and for which development proposals have yet to be submitted. It remains open to the decision maker to include the cumulative effects of any consented projects within the assessment of a subsequent application for a grid connection. There are therefore adequate safeguards in place to ensure that any subsequent approval of grid infrastructure is not pre-judged by the existence of consents for any of the proposed wind farms.

RES UK & Ireland Limited [RES-002]

11. It is plain that the requirement for environmental assessment in article 2(1) of the EIA Directive relates to the actual project for which consent is sought, and it is clear from the EIA Regulations that the requirement for EIA applies to the development that is the

⁴ R (on the application of Barker) v Bromley London Borough Council [2006] UKHL 52 HL & Case C-290/03 & [2006] ECR I-3949.

subject of a particular application. This proposition is supported by case law⁵, and the same point is made in paragraph 45 of Circular 2/99. The advice contemplates that there may be wider implication which the decision maker may have to consider, but these do not have to be addressed in the EIA process for the particular project for which consent is sought. NPS EN-1 makes essentially the same point.

12. Similar submissions to those made by the Alliance were made by the local planning authority at the conjoined Inquiry into proposals at Steadings, Ray Estate and Green Rigg Fell in Northumberland⁶. The submissions were rejected by the Inspector, and two Secretaries of State shared the Inspector's view that even though the wind farms and grid connections would not proceed independently, they could be distinguished from each other and said to be separate projects. On that basis they concluded that each could be the subject of a separate application and appropriate EIA.
13. In accordance with EIA Directive article 5(1) and section 4(1)(b) of the EIA Regulations, in providing an Environmental Statement (ES) or additional information, a developer is only expected and required to provide information that can reasonably be required and which can be reasonably required to compile, having regard to current knowledge and methods of assessment. The courts have repeatedly emphasised this point⁷, and the same point is made in Circular 2/99 which provides that an ES should be made on a realistic basis without unnecessary elaboration.
14. It is open to the Secretary of State to require further information during or after the Inquiry if necessary. Moreover, if it were to be deemed to be essential to make concurrent decisions on the application and the grid connections it would be open to the Secretary of State to issue a 'minded to approve' letter. In any event, there are no grounds to halt or adjourn the Inquiry.

RWE Npower Renewables [RWE-003]

15. The Secretary of State will make an overall judgement on the environmental information before him, based in the Inspector's Report and on any other environmental information required. The National Grid works will constitute EIA development and will require consent, presumably through Planning Act 2008 procedures. There is therefore no risk whatsoever of the Carnedd Wen project proceeding without every element of it having been assessed individually and where necessarily, cumulatively.

SP Manweb [SPM-002]

16. It is not agreed that the proposed free-standing wind farms and their connections amount to a single project. It is for the developers, and thereafter the decision maker, to judge the extent of the assessment of cumulative effects that can be required under the Regulations. The SP Mid Wales Connections project requires development consent

⁵ R(Candlish) v Hastings BC: [2005] EWHC 1539 (Admin) 1 P&CR @ paras 58-61

⁶ Appeal Ref 2039188. Inspector's Report dated 27 November 2009.

⁷ R(Candlish) v Hastings BC, R(Littlewood) v Bassetlaw DC [2008] EWHC 1812 (Admin) [2009] ENV LR 407 @ para 32, and Brown v Carlisle CC [2010] EWCA Civ 523 [2011] Env LR 71 @ paras 28-31.

under the Planning Act 2008. SPM is currently part way through the pre-application process. It expects to announce proposed line routes in Autumn 2013. It is expected that any development consent application will be made in mid 2014. To the extent that it will be necessary to consider any cumulative effects with the Mid Wales Connection Project, the proposed line routes should therefore be known during the course of the Inquiry.

Celt Power [CPL-004]

17. The Alliance's submission accepts implicitly that the application for the proposed development at Llandinam involves a grid connection which has been formulated to an extent where an environmental assessment can be undertaken. There is therefore no reason why this application cannot be heard, even if it is decided to halt or adjourn the Inquiry into the other windfarm applications. It is incorrect to state that the Llandinam application 'must stand or fall with the others'.

Fferm Wynt Llaithddu

18. This is not a case of project-splitting, such as the Madrid ring-road project or the trans-boundary transmission line between Italy and Austria which have been the subjected of cases in the European Courts of Justice. There is no suggestion that any proposal would fall outside the scope of environment assessment, which was the complaint in the cases above. Each proposal is individually identifiable and distinct. None of the wind farms would be dependant on the construction of another, though grid connections would of course be necessary for any wind farm to be operated. There is therefore no legal impediment to the Inquiry proceeding.
19. However, providing a period for the parties to achieve common ground would be of benefit as it would permit the parties to focus on issues in a constructive way towards the resolution or narrowing of issues, the provision of SEI without causing prejudice to others, and so far as the necessary information can be reasonably required, the clarification of some cumulative impact issues.

The Response for Powys County Council [OBJ-002-002]

20. The Council's approach to this Inquiry will be constructive and co-operative. Discussions are therefore ongoing on a range of issues including highways, ecology, cultural heritage and noise.
21. Landscape and visual impact will be the main and most complex issue. In this respect, the power line and hub infrastructure is likely to be of central importance. Also, in addition to the schemes before the Inquiry there are seven wind energy applications under the Town and Country Planning Act, six pending National Infrastructure Projects, and the pending hub application - twenty wind energy related applications in total. These are subject to separate consent procedures, but are inevitably interlinked and likely to reach decision-making stage within months of each other. This gives rise to many interlocking considerations. This is an extraordinary situation and calls for a strategic approach. The Council therefore proposes that the Inquiry be adjourned to allow other applications to be called in and dealt with jointly, and to allow the Environmental Information relating to the grid infrastructure applications to be considered at the same-time. All the material information will then be before the same Inquiry. Although there would be some delay this approach would be more coherent,

strategic and less challengeable. It takes of account for the need for SEI in respect of some of the applications. It would also allow time to narrow issues through discussion.

Inspector's Conclusions

22. None of the five wind farms before the Inquiry would be dependant on the construction of another, and they could be operated independently of each other. Although, with the exception of the Llandinam application, the proposed wind farms could not operate without new connections to the National Grid via new links to a new substation and a 400kV line, a large part of the necessary new grid infrastructure would also serve the area in general, including other potential application sites. As advised at paragraph 2.13 of *Technical Advice Note 8: Planning for Renewable Energy*, as well as being vital to the realisation of generating capacity, the reinforcement of the network through the construction of new high voltage distribution lines is also vital to providing a stronger, more reliable network for electricity users in the western mid Wales area. The proposals before the Inquiry and the necessary grid infrastructure can therefore be distinguished from each other and said to be separate projects, not part of a single overall project. They are very different in this respect to the proposal referred to in the *Morge* case, and other cases that I have been referred to which were found to be in breach of the EIA Directive or the EIA Regulations.
23. The proposed wind farms and each element of the necessary grid infrastructure will be subject to separate consent procedures and appropriate EIA. This is not a case of artificial sub-division of a scheme that could lead to significant environmental effects not being assessed within the development consent process.
24. Paragraph 4.9.2 of NPS EN-1 recognises that it may not always be possible, nor the best course in terms of delivery of a project in a timely way, for applications for new energy generating stations and related infrastructure to be submitted in tandem or integrated.
25. I consider for the above reasons that the applications before the Inquiry can be considered individually and separately from the necessary new grid infrastructure. The direct, indirect, secondary or cumulative effects of each individual project would be assessed on the basis of the environmental information that the developer can reasonably be required to compile. There would therefore be no conflict with either the EIA Directive or the EIA Regulations. I do not consider that a decision to approve any one of the wind farms would be inescapably flawed.
26. Some of the applicants have submitted, or intend to submit Supplementary Environmental Information (SEI) before or during the Inquiry. It is also expected that proposed line routes for the SP Mid Wales Connections project will be announced in the autumn of 2013. The environmental information that will be assessed is therefore likely to change and develop during the Inquiry. However, this would not be unusual. In accordance with the rolling programme discussed at the Pre Inquiry Meeting (PIM), applicants would be required to submit any necessary SEI and other information 12 weeks in advance of the relevant Inquiry session. The time available for alliance and all other parties to assess the information and to prepare final statements of case and proofs of evidence would therefore be in accordance with the norm. I therefore do not consider that the Alliance, or any other party, would suffer a procedural disadvantage if the Inquiry were to commence, as originally envisaged, on 4 June 2013.
27. Turning to Powys County Council's response to the application, in my experience, the submission within a short time period of a number of schemes with interlocking

considerations is not unusual. For reasons given above, the proposals before the Inquiry, the other wind energy applications before Powys County Council, and the pending grid infrastructure proposals can be seen to be separate projects. I therefore do not consider that there is a need for them to be considered under a single process. Assessments of the merits of individual proposals will necessarily involve consideration of indirect, secondary and cumulative effects, and on how the effect of the applicant's proposal would combine and interact with the effects of other development⁸. The Inquiry should also consider how the accumulation of, and interrelationship between effects might affect the environment, economy or community as a whole⁹. I do not consider that a more strategic approach is called for or necessary as part of this Inquiry. I consider for these reasons that the Council's proposal that the Inquiry be adjourned to allow other applications to be called in and dealt with jointly, and to allow the Environmental Information relating to the grid infrastructure applications to be considered at the same time, would cause unnecessary and unjustified delay.

28. I conclude for these reasons that the Alliance has not shown that the Inquiry procedure should be halted or postponed, and find no other reason for that course of action.

Recommendation – Alliance Application

29. I recommend that the Alliance's application be refused.

Inquiry Timetable

30. On balance, strong preference has been expressed for the Inquiry format to be topic based, on a rolling programme, and arranged to include separate sessions on SSA B, SSA C, the Llandinam grid connection, and cumulative effects. On the first day of the PIM (18th February) working groups were established to develop detailed programmes for these sessions, to assist in the determination of the amount of Inquiry time necessary. The programmes thus developed were then reviewed. They were found in most instances to be longer than expected. In the case of the session on cumulative effects the programme was found to be much longer than anticipated.
31. A draft timetable, based on the topics identified by the working groups, was put forward for discussion with a group of representatives of all the interested parties on the resumption of the PIM on 25 February 2013. Following clarification of the purpose and scope of the Inquiry, and subject to amendments including longer breaks between some sessions, it was generally agreed that the draft timetable, as amended, would provide a realistic amount of Inquiry time for each session. The draft timetable was further developed during the discussions to include opening and closing sessions, and final dates for submission of information including SEI, full statements of case, statements of common ground, and proofs of evidence.
32. In accordance with the draft timetable it is proposed that the Inquiry will be opened on June 4 2013, as originally envisaged. However, the preparation of final information for the Llandinam grid connection will not be completed in time to allow the relevant

⁸ NPS EN-1, paragraph 4.2.5.

⁹ NPS EN-1, paragraph 4.2.6

Inquiry session to proceed until the New Year. To avoid the Inquiry sitting during the school holiday period when the availability of participants would be limited, and to avoid a lengthy hiatus once the hearing of evidence about individual applications has commenced, it is proposed to adjourn after the opening session until September. This will allow time for discussions aimed at narrowing down areas of disagreement and reaching common ground, as suggested by both Powys County Council and Fferm Wynt Llaithddu. It is proposed to 'case manage' discussions during this period, with a view to significantly reducing the overall amount of Inquiry time necessary.

33. Minor amendments have been made to the draft timetable circulated shortly after the PIM, to take into account comments by SP Manweb [SPM-003]. These requirements have been incorporated into the final draft of the timetable. The final draft is attached at Annex A.

Recommendations – Timetable

34. I recommend the proposed timetable, as attached at Annex A.

INSPECTOR

10th April 2013

Annex A – Final Draft Inquiry Timetable

(NB minor amendments have been made to the timetable following SPM's comments on the first draft, letter dated 12 March 2013)

Opening Session

Topics: opening submissions, planning and energy policy (interpretation and application)

Tuesday 4 June – Friday 7 June 2013

Session 1: SSA C

Topics: landscape, cultural heritage, noise and health, local transport, peat/hydrology, wildlife

Tuesday 3 September – Friday 6 September 2013

Tuesday 10 September – Friday 13 September 2013

Tuesday 17 September – Friday 20 September 2013

*******Break*******

Tuesday 1 October – Friday 4 October 2013

Tuesday 8 October – Friday 11 October 2013

Tuesday 15 October – Friday 18 October 2013

Deadlines for submissions: SSA C

Supplementary Environmental Information & other information	12 June 2013
Full statements of case and statements of common ground	9 July 2013
Proofs of evidence	6 August 2013

Session 2: SSA B

Topics: landscape, cultural heritage, noise and health, local transport, construction/peat/hydrology/ forestry, wildlife

4	Tuesday 5 November – Friday 8 November 2013
4	Tuesday 12 November – Friday 15 November
4	Tuesday 19 November – Friday 22 November
	*****BREAK*****
4	Tuesday 3 December – Friday 6 December
4	Tuesday 10 December – Friday 13 December
4	Tuesday 17 December – Friday 20 December

24

Deadlines for submissions: SSA B

Supplementary Environmental Information & other information	13 August 2013
Full statements of case and statements of common ground	10 September 2013
Proofs of evidence	8 October 2013

Session 3: Llandinam Grid Connection

Topics: design, need, landscape, cultural heritage, wildlife and ecology, way-leaves & easements.

4	Tuesday 21 January – Friday 24 January 2014
4	Tuesday 28 January – Friday 31 January 2014
4	Tuesday 4 February – Friday 7 February 2014
	*****Break*****

4
4
20
Tuesday 18 February – Friday 21 February 2014

Tuesday 25 February – Friday 28 February 2014

Deadlines for submissions: Llandinam Grid Connection

Anticipated date by which SEI will be available (SPM estimate)	30 September 2013
Latest date for SEI & other information	29 October 2013
Full statements of case and statements of common ground	26 November 2013
Proofs of evidence	24 December 2013

Session 4: Matters in Common/Cumulative Effects

Topics: landscape, transport (strategic), socio-economic effects including tourism, wildlife and ecology.

4
4
4
Tuesday 18 March – Friday 21 March 2014

Tuesday 25 March – Friday 28 March 2014

Tuesday 1 April – Friday 4 April 2014

*******Break*******

2
Tuesday 15 – Wednesday 16 April 2014

(Easter bank holiday)

2
16
Wednesday 24 – Thursday 25 April 2014

Deadlines for submissions: Matters in Common/Cumulative Effects

Supplementary Environmental Information & other information	24 December 2013
Full statements of case	21 January 2014

Proofs of evidence and statement of common ground	18 February 2014
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Closing Session

Topics: planning balance, general conditions/legal undertakings, closing statements, other applications.

4	Tuesday 20 May – Friday 23 May 2014
2	Wed 28 May – Friday 30 May 2014 (Monday 29 May = bank holiday)

Deadlines for submissions: Closing Session

Proofs of evidence	6 May 2014
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Notes:

Topics listed are provisional

Deadlines for submissions are generally:

SEI and other information: 12 weeks before the relevant session

SCG and full statements of case: 8 weeks before the relevant session

Proof of evidence: 4 weeks before the relevant session

Rebuttal proofs are not encouraged, but if rebuttals are to be submitted they should be exchanged at least 2 weeks before the relevant session.

The dates for submission of SEI & other information relating to the Llandinam grid connection reflects SP EN's indication that SEI and other information will be available by 30 September 2013, and that it may include design changes that will require careful consideration by other parties.

The deadline for submission of proof of evidence for the closing session relates to evidence on planning balance only. It reflects the need for witnesses to take evidence presented in the matters in common / cumulative effects session into account, and the nature of such evidence.

Energy Development)

Sent:
To:

10 April 2013 15:39

hurges-salmon.com]

Cc:
Subject:

RE: Mid-wales inquiry, opening session.

As indicated in our letter of 5 April, Vattenfall is happy to lead on the energy and planning policy Statement of Common Ground for the opening session of the Mid-Wales PI. David Bell of Jones Laing Lasalle has already contacted the other planning witnesses whose details have been circulated. I would reiterate the request that any additional contact details are provided to us as soon as possible.

Yours

Liz

Partner

DD: [redacted]
Mobile: [redacted]
email:

hurges-salmon.com

From:

Sent: 10 April 2013 13:55

To: [redacted]@pins.gsi.gov.uk]

(Brodiies Solicitors); I

Subject: Mid-Wales Inquiry: opening session
Importance: High

Good afternoon all

Please see the attached letter in relation to the above.

Kind regards

Head Procedure and Business Support Officer
wyddog Arweiniol Gweithdrefn a Chefnogi Busnes
The Planning Inspectorate/Yr Arolygiaeth Gynllunio
Town Buildings/Adeiladau'r Goron
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**** APPEAL ONLINE ****

<http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

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e-bost/e-mail: wales@pins.gsi.gov.uk

To: All Applicants, Powys CC and the Alliance

Your Ref / Eich Cyf:

Our Ref / Ein Cyf:

Date / Dyddiad: 10 April 2013

Dear Sir/Madam

The Mid-Wales Conjoined Wind Farms Public Inquiry

In response to correspondence from several applicants relating to evidence at the opening session of the Inquiry, the Inspector has asked me to confirm the following:

The suggestion that the session on interpretation and application of energy and planning policy could best be dealt with as a structured hearing session, rather than a formal presentation of cases and cross examination, is welcomed as highly constructive and helpful.

As the context and hierarchy of International, European, UK, and Welsh obligations, and policies to implement those obligations (including local policies), is well understood and has been dealt with at many Inquiries, it is expected that a great deal of common ground can be quickly reached on these matters.

It is, however, likely that there will be differences between the parties on the interrelationship and application of the relevant policies to the specific application sites. In particular it would be helpful to explore any differences of view there might be about the interrelationship between national energy policy statements NPS-01 and NPS-03, and Welsh policy, including the spatially specific approach and finite environmental capacities for the Strategic Search Areas set out in TAN 8 (as clarified in the Minister's letter of July 2011). In this regard it would also be helpful to explore any differences of view there might be about whether the Llandinam site should be regarded as being within or without SSA C, for the purposes of TAN 8.

As they are different in some material respects from the policy relating to onshore wind energy generation, the policies specific to electricity lines can be most efficiently and effectively dealt with in detail during Inquiry Session 3. Nevertheless SP Manweb is strongly encouraged to participate in the preparation of a Statement of Common Ground. As TAN 8, and the subsequent Minister's letter of July 2011 include statements about transmission network reinforcement and the need for large-scale network infrastructure in the context of

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We Welcome Communications in Welsh and English

identified maximum capacities in Mid Wales, it is also considered important that SP Manweb should participate in the hearing session.

In line with general Hearing procedures, it would be helpful if the cases for the parties could be set out in concise 'Statements of Case', rather than formal Proofs of Evidence (though in practice there should be little difference).

To make the most of the hearing session, it would be helpful if draft Statements of Case could be circulated in the next few weeks, as a catalyst for discussions leading to agreement on, and drafting of a Statement of Common Ground (SCG) by 7 May. It would be helpful if a 'volunteer' could come forward in the next week or so, to lead and coordinate the preparation of the SCG.

Final Statements of Case (which then need not deal with matters agreed as common ground) should be submitted by 14 May. These will then be circulated and taken into account in preparing a detailed agenda for the hearing session, which will be issued at least 1 week in advance of the opening of the Inquiry. The Inspector would not wish to exclude any person from participating in discussions at the hearing session (provided of course that the contribution to the discussion is relevant and not repetitive), and so would not wish to set a deadline for confirmation of participation. However, 14 May should be regarded as the deadline for submission of Statements of Case.

Yours faithfully

Lead Procedure & Business Support Officer
Swyddog Arweiniol Gweithdrefn a Chefnogi Busnes

Energy Development)

From: Energy Development)
Sent: 10 April 2013 08:35
To:
Cc:
Subject: RE: Mid-Wales inquiry Costs (Energy Development);
Attachments: RE: Mid Wales Conjoined Windfarm Inquiry (Energy Development)

The costs the Secretary of State will need to reclaim following the close of the Inquiry are as follows:

- The cost of the venue hire relating to the introductory meeting held on 29 November 2012 (£910.80);
- Programme Officer's costs (currently £14,993.01);
- The Inspector's costs; and
- The costs of any Assessor/Assistant Inspector appointed.

In addition, we have not yet received an invoice in respect of the pre-inquiry meetings and any associated costs (e.g. sound equipment etc) held on 18 and 25 February 2013. I am not sure if the venue has been paid direct by the six applicants (i.e. as they are doing for the actual Inquiry venue(s)), but if it hasn't it will also need to be reclaimed in due course.

Finally, in respect of [redacted] first query on the draft timetable, I note that a draft timetable was released to parties on 8 March 2013 by e-mail with "the caveat that it is the draft version that will be submitted for approval". However, as far as I am aware, the Secretary of State hasn't actually been asked to approve the draft timetable yet. Has there since been any further revisions or would the Inspector like the Secretary of State to approve the 8 March version? In respect of reference to the Secretary of State's response on the Alliance's request for an adjournment, I should draw your attention to my e-mail to [redacted] of 2 April 2013 (attached again for ease of reference).

Kind regards,

Department of Energy & Climate Change
Consents Manager, National Infrastructure Consents

Tel. 0300 068 [redacted]
[redacted]@decc.gsi.gov.uk

Area A, 3rd Floor
Whitehall Place
London SW1A 2AW

From: [mailto:[redacted]@gmail.com]
Sent: 10 April 2013 04:34
To: [redacted] (Energy Development)

Subject: Fwd: Mid-Wales inquiry

Could you please clarify point 2 in the email below.

Thanks

----- Forwarded message -----

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Date: 9 April 2013 08:14
Subject: Mid-Wales inquiry
To: [@gmail.com](mailto:) <[@pins.gsi.gov.uk](mailto:)>, [@pins.gsi.gov.uk](mailto:)"
Cc: [@res-ltd.com](mailto:) <[@res-ltd.com](mailto:)>, [@squiresanders.com](mailto:) <[@squiresanders.com](mailto:)>, [@fb.eu.com](mailto:) <[@fb.eu.com](mailto:)>, [ottishpower.com](mailto:) <[ottishpower.com](mailto:)>, [aaronandpartners.com](mailto:) <[aaronandpartners.com](mailto:)>, [burges-salmon.com](mailto:) <[burges-salmon.com](mailto:)>, [eversheds.com](mailto:) <[eversheds.com](mailto:)>, [rick <\[eversheds.com\]\(mailto:\)>](mailto:), [fb.eu.com](mailto:) <[fb.eu.com](mailto:)>, [brodies.com](mailto:) <[brodies.com](mailto:)>, [squiresanders.com](mailto:) <[squiresanders.com](mailto:)>, [burges-salmon.com](mailto:) <[burges-salmon.com](mailto:)>, [pinsentmasons.com](mailto:) <[pinsentmasons.com](mailto:)>, [kingschambers.com](mailto:) <[kingschambers.com](mailto:)>, [s.com](mailto:) <[s.com](mailto:)>

Could you clarify a couple of points for me:

1. Do you know when the Secretary of State is going to confirm the Inspector's draft timetable and his response to the Alliance's application for an adjournment?

2. Can you confirm what costs, in addition to the inquiry venue costs, are to be met (on a shared basis) by the six applicants?

I note that you have received correspondence from Eversheds and Burges Salmon in relation to the format of and submission of evidence for the Opening Session. I confirm that RES generally agree with the proposals put forward by Burges Salmon in their letter to Hefin dated 5 April. My only additional comment is that any core documents referred to in any Statement of Common Ground and/or Proofs of Evidence for the Opening Session, should be made available at the same time as the Statements/Proofs are submitted.

Given that the suggested date for the submission of Statements of Common Ground and/or Proofs of Evidence is rapidly approaching, confirmation of the Inspector's position on the way forward for the Opening Session is needed as soon as possible.

I look forward to hearing from you on these points.

Regards

Partner

dsquiresanders.com

T [REDACTED]
M [REDACTED]

Squire Sanders (UK) LLP
2 Park Lane
Leeds
LS3 1ES
England
www.squiresanders.com

39 offices in 19 countries

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#UK

Programme Officer
Mid Wales (Powys) Conjoined Wind Farm PI
O Banks Solutions

[REDACTED] (Direct)

Energy Development)

From: [redacted]@gmail.com]
Sent: 03 April 2013 20:03
To: (Energy Development)
Subject: Re: FW: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

I have done this and mentioned subsequent sessions will start at 10.00 am but will be subject to change
Kind Regards

On 3 Apr 2013 01:00, (Energy Development)" <[\[redacted\]@decc.gsi.gov.uk](mailto:[redacted]@decc.gsi.gov.uk)> wrote:

Apologies: An amended version is now below.

Regards,

Department of Energy & Climate Change
Consents Manager, National Infrastructure Consents

Tel. 0300 068 [redacted]

[\[redacted\]@decc.gsi.gov.uk](mailto:[redacted]@decc.gsi.gov.uk)

Area A, 3rd Floor
3 Whitehall Place
London SW1A 2AW

From: (Energy Development)
Sent: 02 April 2013 13:35

To: Energy Development);
Cc: (Energy Development) Energy Development), Energy
Development); Energy Development)
Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

Carnedd Wen is now a 150MW wind farm.

From: (Energy Development)
Sent: 02 April 2013 13:26
To:
Cc: (Energy Development) (Energy Development) Energy
Development); Energy Development); Energy Development)
Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

Thanks for your e-mail message below.

As you will be aware, the requirement under Rule 14(3) of the Inquiries Procedure Rules is that the Secretary of State "*shall not give less than four weeks' written notice of the date, time and place fixed by him for the holding of an inquiry to every person entitled to appear at the inquiry.*"

We note that the P-I-M Note (ID/4) does make reference to the commencement '*date*' and '*place*' for the Inquiry. However, it doesn't specify the '*time*' it will commence. Although the Public Notice issued earlier by the Secretary of State did specify the Inquiry will commence at 10.00 a.m on Tuesday 4 June 2013, we are slightly concerned that if challenged this could be seen by the Courts as "*a paper chase*" to identify "*the date, time and place*". In the circumstances, we think it is probably just worth clarifying to every person entitled to appear at the Inquiry the following:

ELECTRICITY ACT 1989 (SECTIONS 36, 37, 62(3) AND SCHEDULE 8)

TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 90)

Application by Vattenfall dated 30 November 2007 for consent to construct and operate a 59.5MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llanbadarn Fynydd")

Application by Fferm Wynt Llaithddu Cyf dated 7 May 2008 for consent to construct and operate a 66.7MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llaithddu")

Application by Celtpower Limited dated 9 May 2008 for consent to construct and operate a 126MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llandinam")

Application by RES UK & Ireland Limited dated 27 March 2009 for consent to construct and operate a 100 MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llanbrynmair")

Application by RWE Npower Renewables Limited dated 11 December 2008 for consent to construct and operate a 150MW Wind Turbine Generating Station in Powys, Mid-Wales ("Carnedd Wen")

Application by SP Manweb plc dated 2 December 2009 to install and keep installed a 132kV overhead electric line connection from Llandinam Wind Farm to Welshpool Substation in Powys, Mid-Wales

In accordance with Rule 14(3) of The Electricity Generating Stations and Overhead Lines (Inquiries Procedure) (England and Wales) Rules 2007, the Secretary of State has asked me to notify every person entitled to appear at the Inquiry into the above applications that it will commence at 10.00 a.m on Tuesday 4 June 2013 at the Royal Oak Hotel, The Cross, Welshpool, Powys, SY21 7DG (Web link www.royaloakwelshpool.co.uk Email: relax@royaloakhotel.info Tel No: 01938 552217).

If known, you might also wish to consider whether it would be a good idea to mention the commencement times of the subsequent sessions identified in the Inquiry timetable in Annex B of 0/4.

Please let me know if anything is unclear.

Kind regards,

Department of Energy & Climate Change
Consents Manager, National Infrastructure Consents

Tel. 0300 068 5682

@decc.gsi.gov.uk

Area A, 3rd Floor

3 Whitehall Place

London SW1A 2AW

From: [mailto:_____@gmail.com]

Sent: 28 March 2013 07:16

To: (Energy Development)

Cc: (Energy Development);

Development, (Energy Development);

Subject: Re: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

Energy Development)

(Energy

(Energy Development)

Re (ii) below.

The Venue has been confirmed as the Royal Oak Hotel, The Cross, Welshpool, Powys, SY21 7DG. Web link www.royaloakwelshpool.co.uk Email: relax@royaloakhotel.info Tel No: 01938 552217.

This was announced at the PIM on the 25th February 2013 and confirmed in writing in the Inspectors PIM Notes document reference ID/4. This document is on the PI web site and has been circulated to all main parties and all parties who have registered to take part in the PI. This has been via email as well as paper copies which have been posted to those without email. It is also confirmed on the PI Web Site link as

follow

[REDACTED]

Trust this is all you need.

Kind Regards

On 19 March 2013 10:28, [REDACTED]

Further to my e-mail below, just to flag up the following future actions following the Pre-Inquiry Meeting:

- i) the Secretary of State will need to get Emyr Jones formally appointed as an Assistant Inspector and so should be grateful if you would provide his up-to-date qualifications in due course so they can be included in his Minute of Appointment (although I see from the note that it only refers to him being "likely to be appointed to assist" at the moment); and
- ii) we still need to confirm the venue(s) for the inquiry in accordance with Rule 14(3) of the 2007 Inquiries Procedure Rules once they have been firmed up (and we would appreciate if you could did this on behalf of the Secretary of State in due course).

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 19 March 2013 08:15
To: [REDACTED]
Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

[REDACTED]

Thanks.

From: [REDACTED]
Sent: 18 March 2013 17:29
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

I have resolved this issue with [REDACTED] via a telephone call. She sent the email to DECC as she was not aware that she should be using me for questions for the Inspector and regarding procedure for the PI. As to where she obtained names apart from yours she 'Googled' and read through other DECC communications. In all honesty apart from you she did not know whether she was writing to the correct person, a sort of scatter gun approach.

The Inspector has issued his PIM Notes and Annexes today (attached for your information) and I referred [REDACTED] to the speaking notes which I had circulated earlier this afternoon and uploaded to the web.

She is happy with my response and now understands the situation regarding the Grid Connection.

Trust this is OK

Kind Regards

1
On 18 March 2013 12:39
wrote:

hub and transmission line is integral to the windfarm planning applications. Although not all these turbines are included in this Inquiry, they are all in the pipeline, waiting the PI decision.

Construction work for the windfarms, hub and about 40 miles of high voltage pylons would be happening at the same time, meaning many years of disruption from convoy and lorry movements, and involving the same few roads - because there are only 2 main roads, the A458 and A470, and A495 which connects to the A458.

Look at a map - there are no 'side roads'. These are also the only roads for tourists and visitors, especially those travelling to the beautiful coast. I realise these may be mainly visitors from the Midlands, therefore not much negative impact on holidays/short breaks for people in the southeast of England.

So the National Grid's Mid Wales (and Shropshire) Connection plans will be part of the cumulative effect on traffic, local disruption, tourism and as such have to be included in the Conjoined Public Inquiry.

Could I please have your response to my comments ?

Regards

[Redacted signature]

--

[Redacted signature]

[Redacted signature]

Tel: [Redacted]

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--
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Tel: [Redacted]
Mob: [Redacted]
Skype: [Redacted]
email: [Redacted]

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[Redacted]

[REDACTED]

Tel: [REDACTED]

Mob: [REDACTED]

Skype: [REDACTED]

email: [REDACTED]

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[REDACTED]
From:
Sent:
To:
Subject:

02 April 2013 01:10

Fwd: Change of contact details for CCW

[REDACTED]
Hi from Memphis TN. For your information. I ahve changed my data base copy.
Off for beer now.

Kind Regards
[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: 1 April 2013 16:10
Subject: Change of contact details for CCW
To: [REDACTED]

[REDACTED]
On 1 April 2013 CCW has become Natural Resources Wales. Our email addresses have all changed as a result. Please could you now send all correspondence to:
[REDACTED]

NRW has been formed from the merger of CCW, Environment Agency Wales and Forestry Commission Wales. All future correspondence with regard to the PI will therefore be in the name of NRW.
Hope you are having a good holiday.

Kind regars
[REDACTED]

Sent from my iPad

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

mail: [REDACTED]

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From:
Sent:
To:
Cc:
Subject:

[REDACTED]
26 March 2013 10:39
[REDACTED]
[REDACTED]

RE: Mid Wales Conjoined Wind Farm PI

[REDACTED]

Although we haven't yet been able to locate either of the Council's on our database, are you able to confirm which application(s) they objected to so we can check files etc and also what was the e-mail address for Eardisley GPC?

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 25 March 2013 12:42
To: [REDACTED]
Subject: Fwd: Mid Wales Conjoined Wind Farm PI

Re our Holiday. See below I sent this out today to the main parties. The Inspector has been aware for some time now and has no issues with this.

On another matter I do not seem to have any 'Original Paperwork for the following 2 parties

- [REDACTED] as on the data base) I note that there is only an email address and no postal address on the data base. They are saying that they have never received any notification of the PI. This came to light as I sent the PIM note out to the full email list not just the main parties. In the light of this the Inspector has agreed to accept a late Registration Form.
- [REDACTED] They are telling me that they have send in correspondence but I do not seem to have any copies.

fore I go on holiday I will send you a revised data base where I have added parties and corrected changed lresses and emails/telephone numbers. The Inquiry document list is on the web.

d Regards

----- Forwarded message -----

From: [REDACTED]
Date: 25 March 2013 11:03
Subject: Mid Wales Conjoined Wind Farm PI
To: [REDACTED]

Good Morning All,
For your information I will be on holiday from 30th March 2013 and return to work on the 24th April 2013 inclusive. As this is a family holiday planned over over a year ago [REDACTED] (my daughter for those of you who did not know) will also be away but she returns earlier on the 15th April 2013. and will be available from that date.

During this time we will have full access to email and business continuity for landline messages and post. We will be traveling in the USA with a timezone difference of around - 6 hours and should we need to talk over the phone we do have a Skype account that we can use.

Can I kindly ask that you try not to make telephone calls to our mobiles because of the timezone and the cost to you. **For security purposes can I ask that you do not share this information to the public domain. The information is intended for the recipient only.** The landlines will be diverted so you will be able to talk to a person if needed who will forward any matters to us or the relevant person.

Many Thanks

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]
Mob: [REDACTED]
Skype: [REDACTED]
email: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]
Mob: [REDACTED]
Skype: [REDACTED]
email: [REDACTED]

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[Redacted]
[Redacted]
Tel: [Redacted]
Mob: [Redacted]
Skype: [Redacted]
email: [Redacted]

dh.

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[REDACTED] (Energy Development)

From: [REDACTED] (Energy Development)
Sent: 22 March 2013 10:10
To: [REDACTED]
Cc: [REDACTED] (Energy Development)
Subject: LETTER FROM POWYS COUNTY COUNCIL RE. LLANBADARN FYNYDD
Attachments: image2013-03-22-093646.pdf

[REDACTED]

I attach a letter we have received from Powys County Council's Corporate Solicitor concerning permission to undertake access works and also highways issues in respect of Llanbadarn Fynydd. I should be grateful if you would ensure the Inspector sees it.

We have also received a copy of a letter sent to you by [REDACTED] at Cadw dated 19 March 2013 in respect of the SEI for the same project. Please let me know if you haven't received it for any reason.

Kind regards,

[REDACTED]
Department of Energy & Climate Change
[REDACTED] National Infrastructure Consents

Tel. [REDACTED]
[REDACTED]

[REDACTED]
3 Whitehall Place
London SW1A 2AW

[REDACTED] (Energy Development)

From:
Sent:
To:
Cc:
Subject:

19 March 2013 11:34
[REDACTED] (Energy Development)

RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

'Morning [REDACTED] hope you are well.

[REDACTED] has asked me to respond to you with Emyr's qualifications. They are:
Mr Emyr Wyn Jones **BSc(Hons), CEng, MICE, MCMI.**

Kind regards

Hefin

[REDACTED]
[REDACTED]
The Planning Inspectorate/Yr Arolygiaeth Gynllunio
Crown Buildings/Adeiladau'r Goron
Cathays Park/Parc Cathays
Cardiff/Caerdydd
CF10 3NQ

Phone/Ffon: [REDACTED]

Fax/Ffacs: [REDACTED]

****APPEAL ONLINE****

<http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

From: [REDACTED]
Sent: 19 March 2013 11:26
To: [REDACTED]

Subject: Fwd: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

[REDACTED]
rugal game on Saturday but pride, passion and the will to win won out in the end. Hope your head did
hurt too much Sunday morning.

below from [REDACTED] Can you deal with the point re Emyr and I will deal with the venue issue.
Thanks and Kind Regards

----- Forwarded message -----

From: [REDACTED]
Date: 19 March 2013 10:28
Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Further to my e-mail below, just to flag up the following future actions following the Pre-Inquiry Meeting:

- i) the Secretary of State will need to get Emyr Jones formally appointed as an Assistant Inspector and so should be grateful if you would provide his up-to-date qualifications in due course so they can be included in his Minute of Appointment (although I see from the note that it only refers to him being "likely to be appointed to assist" at the moment); and

- ii) we still need to confirm the venue(s) for the inquiry in accordance with Rule 14(3) of the 2007 Inquiries Procedure Rules once they have been firmed up (and we would appreciate if you could do this on behalf of the Secretary of State in due course).

Kind regards,

[REDACTED]
Department of Energy & Climate Change
[REDACTED] National Infrastructure Consents

Tel. [REDACTED]
[REDACTED]

Are) 3rd Floor
3 Whitehall Place
London SW1A 2AW

From: [REDACTED] (Energy Development)
Sent: 19 March 2013 08:15
To: [REDACTED]
Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

[REDACTED]

Thanks.

[REDACTED]

From: [REDACTED]
Sent: 18 March 2013 17:29
To: [REDACTED] (Energy Development)
Cc: [REDACTED]
Subject: Re: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

Dear [REDACTED]
I have resolved this issue with [REDACTED] via a telephone call. She sent the email to DECC as she was not aware that she should be using me for questions for the Inspector and regarding procedure for the PI. As to where she obtained names apart from yours she 'Googled' and read through other DECC communications. In all honesty apart from you she did not know whether she was writing to the correct person, a sort of scatter gun approach

The Inspector has issued his PIM Notes and Annexes today (attached for your information) and I referred [REDACTED] to the speaking notes which I had circulated earlier this afternoon and uploaded to the web. He is happy with my response and now understands the situation regarding the Grid Connection.

Just this is OK
Kind Regards
[REDACTED]

18 March 2013 12:39, [REDACTED] (Energy Development) <[REDACTED]>

[Redacted]

As discussed, I should be grateful if you would reply to [Redacted]

Kind regards,

[Redacted]
[Redacted] National Infrastructure Consents Team
Department of Energy & Climate Change
Area A, 3rd Floor
3 Whitehall Place
London
SW1A 2AW

Tel. [Redacted]
E-mail: [Redacted]

From: [Redacted]
Sent: 18 March 2013 11:32
To: [Redacted] decc.gsi.gov.uk
Cc: [Redacted]
Subject: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

Dear [Redacted]

I hear that there may be doubts as to whether or not National Grid's hub and connection plans will be included in the CPI, and that this decision is yours/your department's.

Of course it has to be included.

There are no 'precedents' for this case, as there are no other comparable areas where there is no high transmission line and proposals for 600 or more turbines - the

hub and transmission line is integral to the windfarm planning applications. Although not all these turbines are included in this Inquiry, they are all in the pipeline, awaiting the PI decision.

Construction work for the windfarms, hub and about 40 miles of high voltage pylons would be happening at the same time, meaning many years of disruption from convoy and lorry movements, and involving the same few roads - because there are only 2 main roads, the A458 and A470, and A495 which connects to the A458.

Look at a map - there are no 'side roads'. These are also the only roads for tourists and visitors, especially those travelling to the beautiful coast. I realise these may be mainly visitors from the Midlands, therefore not much negative impact on holidays/short breaks for people in the southeast of England.

So the National Grid's Mid Wales (and Shropshire) Connection plans will be part of the cumulative effect on traffic, local disruption, tourism and as such have to be included in the Conjoined Public Inquiry.

Could I please have your response to my comments ?

Regards

[Redacted signature]

[Redacted text]

[Redacted text]

Tel: [Redacted text]

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--

[REDACTED]
[REDACTED]

Mid Wales (Powys) Conjoined Wind Farm PI

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]
Mob: [REDACTED]
Skype: [REDACTED]
email: [REDACTED]

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless Worldwide in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisation's IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

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--
[REDACTED]
[REDACTED]
Mid Wales (Powys) Conjoined Wind Farm PI
[REDACTED]
[REDACTED]

[Redacted]
[Redacted]
Tel: [Redacted]
Mob: [Redacted]
Skype: [Redacted]
email: [Redacted]

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless Worldwide in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisation's IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to or from the Planning Inspectorate may be automatically logged, monitored and/or recorded for lawful purposes.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by MIMESweeper for the presence of computer viruses.

[Redacted]

[REDACTED] (Energy Development)

From: [REDACTED] (Energy Development)
Sent: 02 April 2013 13:26
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

[REDACTED]
Thanks for your e-mail message below.

As you will be aware, the requirement under Rule 14(3) of the Inquiries Procedure Rules is that the Secretary of State "*shall not give less than four weeks' written notice of the date, time and place fixed by him for the holding of an inquiry to every person entitled to appear at the inquiry.*"

We note that the P-I-M Note (ID/4) does make reference to the commencement '*date*' and '*place*' for the Inquiry. However, it doesn't specify the '*time*' it will commence. Although the Public Notice issued earlier by the Secretary of State did specify the Inquiry will commence at 10.00 a.m on Tuesday 4 June 2013, we are slightly concerned that if challenged this is could be seen by the Courts as "*a paper chase*" to identify "*the date, time and place*". In the circumstances, we think it is probably just worth clarifying to every person entitled to appear at the Inquiry the following:

**ELECTRICITY ACT 1989 (SECTIONS 36, 37, 62(3) AND SCHEDULE 8)
TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 90)**

Application by Vattenfall dated 30 November 2007 for consent to construct and operate a 59.5MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llanbadarn Fynydd")

Application by Fferm Wynt Llaithddu Cyf dated 7 May 2008 for consent to construct and operate a 66.7MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llaithddu")

Application by Celtpower Limited dated 9 May 2008 for consent to construct and operate a 126MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llandinam")

Application by RES UK & Ireland Limited dated 27 March 2009 for consent to construct and operate a 100 MW Wind Turbine Generating Station in Powys, Mid-Wales ("Llanbrynmair")

Application by RWE Npower Renewables Limited dated 11 December 2008 for consent to construct and operate a 130-250MW Wind Turbine Generating Station in Powys, Mid-Wales ("Carnedd Wen")

Application by SP Manweb plc dated 2 December 2009 to install and keep installed a 132kV overhead electric line connection from Llandinam Wind Farm to Welshpool Substation in Powys, Mid-Wales

In accordance with Rule 14(3) of The Electricity Generating Stations and Overhead Lines (Inquiries Procedure) (England and Wales) Rules 2007, the Secretary of State has asked me to notify every person entitled to appear at the Inquiry into the above applications that it will

commence at 10.00 a.m on Tuesday 4 June 2013 at the Royal Oak Hotel, The Cross, Welshpool, Powys, SY21 7DG (Web link www.royaloakwelshpool.co.uk Email: relax@royaloakhotel.info No: 01938 552217).

If known, you might also wish to consider whether it would be a good idea to mention the commencement times of the subsequent sessions identified in the Inquiry timetable in Annex B of ID/4.

Please let me know if anything is unclear.

Kind regards,

[REDACTED]
[REDACTED]
Department of Energy & Climate Change
[REDACTED] National Infrastructure Consents

Tel. [REDACTED]
[REDACTED] decc.gsi.gov.uk

Area A, 3rd Floor
3 Whitehall Place
London SW1A 2AW

From: [REDACTED]
Sent: 28 March 2013 07:16
To: [REDACTED] (Energy Development)
Cc: [REDACTED]
Subject: Re: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

[REDACTED]
Re (ii) below.

The Venue has been confirmed as the Royal Oak Hotel, The Cross, Welshpool, Powys, SY21 7DG. Web link www.royaloakwelshpool.co.uk Email: relax@royaloakhotel.info Tel No: 01938 552217.

This was announced at the PIM on the 25th February 2013 and confirmed in writing in the Inspectors PIM Notes document reference ID/4. This document is on the PI web site and has been circulated to all main parties and all parties who have registered to take part in the PI This has been via email as well as paper copies which have been posted to those without email. It is also confirmed on the PI Web Site link as follows;

[REDACTED]
Trust this is all you need.

Kind Regards
[REDACTED]

on 19 March 2013 10:28, [REDACTED] (Energy Development) [REDACTED]
note:

ear [REDACTED]

Further to my e-mail below, just to flag up the following future actions following the Pre-Inquiry Meeting:

- i) the Secretary of State will need to get Emyr Jones formally appointed as an Assistant Inspector and so should be grateful if you would provide his up-to-date qualifications in due course so they can be included in his Minute of Appointment (although I see from the note that it only refers to him being "likely to be appointed to assist" at the moment); and
- ii) we still need to confirm the venue(s) for the inquiry in accordance with Rule 14(3) of the 2007 Inquiries Procedure Rules once they have been firmed up (and we would appreciate if you could do this on behalf of the Secretary of State in due course).

Kind regards,

[Redacted]

Department of Energy & Climate Change

[Redacted] National Infrastructure Consents

Tel. [Redacted]

[Redacted]

[Redacted]

3 Whitehall Place

London SW1A 2AW

From: [Redacted] (Energy Development)

Sent: 19 March 2013 08:15

To: [Redacted]

Subject: RE: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

[REDACTED]

Thanks.

[REDACTED]

From: [REDACTED]
Sent: 18 March 2013 17:29
To: [REDACTED] (Energy Development)
Cc: [REDACTED]
Subject: Re: FW: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

Dear [REDACTED]
I have resolved this issue with [REDACTED] via a telephone call. She sent the email to DECC as she was not aware that she should be using me for questions for the Inspector and regarding procedure for the PI. As to where she obtained names apart from yours she 'Googled' and read through other DECC communications. In all honesty apart from you she did not know whether she was writing to the correct person, a sort of scatter gun approach

The Inspector has issued his PIM Notes and Annexes today (attached for your information) and I referred [REDACTED] to the speaking notes which I had circulated earlier this afternoon and uploaded to the web.

She is happy with my response and now understands the situation regarding the Grid Connection.

Trust this is OK

Kind Regards
[REDACTED]

On 18 March 2013 12:39, [REDACTED] (Energy Development) [REDACTED] wrote:

Dear [REDACTED]

As discussed, I should be grateful if you would reply to [REDACTED]

Kind regards,

[REDACTED]
[REDACTED] National Infrastructure Consents Team
Department of Energy & Climate Change

[REDACTED]
3 Whitehall Place
London
SW1A 2AW

Tel. [REDACTED]

E-mail: [REDACTED]

From: [REDACTED]
Sent: 18 March 2013 11:32
To: [REDACTED]@decc.gsi.gov.uk
Cc: [REDACTED]
Subject: Mid Wales Conjoined Public Inquiry PLUS National Grid's Mid Wales Connection

Dear [REDACTED]

I hear that there may be doubts as to whether or not National Grid's hub and connection plans will be included in the CPI, and that this decision is yours/your department's.

Of course it has to be included.

There are no 'precedents' for this case, as there are no other comparable areas where there is no high transmission line and proposals for 600 or more turbines - the hub and transmission line is integral to the windfarm planning applications. Although not all these turbines are included in this Inquiry, they are all in the pipeline, awaiting the PI decision.

Construction work for the windfarms, hub and about 40 miles of high voltage pylons would be happening at the same time, meaning many years of disruption from convoy and lorry movements, and involving the same few roads - because there are only 2 main roads, the A458 and A470, and A495 which connects to the A458.

Look at a map - there are no 'side roads'. These are also the only roads for tourists and visitors, especially those travelling to the beautiful coast. I realise these may be mainly visitors from the Midlands, therefore not much negative impact on holidays/short breaks for people in the southeast of England.

So the National Grid's Mid Wales (and Shropshire) Connection plans will be part of the cumulative effect on traffic, local disruption, tourism and as such have to be included in the Conjoined Public Inquiry.

Could I please have your response to my comments ?

Regards

[REDACTED]

--

[REDACTED]

[REDACTED]

Tel: [REDACTED]

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless Worldwide in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisation's IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

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[REDACTED]

[REDACTED]

Mid Wales (Powys) Conjoined Wind Farm PI

[Redacted]
[Redacted]
[Redacted]
[Redacted]

Tel: [Redacted]

Mob: [Redacted]

Skype: [Redacted]

email: [Redacted]

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--
[Redacted]
[Redacted]
Mid Wales (Powys) Conjoined Wind Farm PI

[Redacted]
[Redacted]
[Redacted]

Tel: [Redacted]

Mob: [Redacted]

Skype: [Redacted]

email: [Redacted]

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless Worldwide in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisation's IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.