



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
Notes of the Exploratory / Introductory Meeting, Wednesday 28 November 2012,
held at The Pavilion Conference Centre (Main Hall), Spa Road, Llandrindod Wells,
Powys, LD1 5EY, commencing at 10 a.m.

1.0 Introductions

1.01 A D Poulter BA BArch RIBA was introduced as the Inspector appointed to hold the Inquiry. It is envisaged that he will be assisted during the Inquiry by a second appointed Inspector, who may also act as an assessor in relation to some specialist matters, particularly in relation to the s37 Application.

1.02 Mr R Pridham was introduced as the representative of the Department of Energy and Climate Change

1.03 Mr Hefin Jones was introduced as the Planning Inspectorate's Procedure and Support Officer.

1.03 The programme Officer shall be Mr Chris Banks, of Banks Solutions. He will be assisted throughout the Inquiry by Claire Jones-Hughes, who was introduced to the meeting. The programme officer will be the first point of contact between the Inquiry team and persons participating in the Inquiry, and will manage and coordinate Inquiry documents. He will also make arrangements for the inquiry venues. Once the formal 'Relevant Notice' of the Inquiry is issued a dedicated Inquiry web site will be set up, on which documents and other information will be published.

1.04 Representatives of the Local Planning Authority, applicants, CCW, interest groups and other interest persons were then introduced.

1.05 It was announced that a 'contacts list' would be published with these notes, giving the contact names and addresses for all the organisations present, with the aim of facilitating pre-Inquiry contact and co-operation. Persons present were asked to ensure that the programme officer had the necessary contact names and addresses before the closure of the meeting, and to confirm that they could be published.

2.0 Purpose of the Meeting

2.01 It was explained that the purpose of the meeting was to discuss what is before the Inspector, how the applications and inquiry should proceed, and to help finalise arrangements for the pre-inquiry meeting – not to hear evidence, or discuss the applications.

3.0 Reasons for Conjoined Inquiry

3.01 It was emphasised that the purpose of holding a conjoined inquiry is to enable the Inquiry to better consider cumulative effects, such as wider landscape effects and effects on the wider highway network. Full consideration will be given to local issues in sessions relating to individual applications, and recommendations and decisions will be individual.

4.0 Preliminary Statement of Matters which appear to the Secretary of State to be likely to be relevant to his consideration of the applications

4.01 The formal Statement of Matters will be issued with the Relevant Notice. A draft was issued at the meeting as a preliminary indication of the matters likely to be relevant to the consideration of the proposed wind farms and overhead line developments. It was confirmed that whilst the list includes those matters considered by the Minister to be likely to be relevant to his consideration at this stage, the Inquiry may consider any other matters that the Inspector considers relevant.

5.0 Provisional timetable – from issue of Relevant Notice, to Pre Inquiry Meeting (PIM)

5.01 The Relevant Notice and Statement of Matters (Rule 4(1)) will be issued as soon as possible after the preliminary meeting.

5.02 It is anticipated that the date to be set for registration and submission of outline statements (Rule 6(4)) will be about 4 weeks before the Pre Inquiry Meeting (PIM) – i.e. mid January 2013.

5.03 On receipt of the Relevant Notice the applicants would be required to publish a notice of the Inquiry by local advertisement (Rule 6(2)). This should be a joint notice. The applicants were asked to cooperate accordingly.

6.0 Provisional view on arrangements for the PIM

6.01 It is intended to hold the PIM on Monday 18th February 2013. Participants were also asked to hold Monday 25th February in reserve, should it not be possible to resolve all matters pertaining to the Inquiry timetable on the 18th.

6.02 Following some discussion of the main location for the Inquiry itself, no objection was raised to Llandrindod as the venue for the PIM, as this again would be a meeting at which no evidence would be heard. The Pavilion Conference Centre could provide the necessary facilities.

6.03 Participants were asked to notify the Programme Officer in advance if any person would wish to speak in Welsh at the PIM or any Inquiry session, to enable translation facilities to be arranged.

6.04 Formal notice of the date and venue of the PIM would be given in due course.

7.0 Provisional timetable – from PIM to opening of the Inquiry

7.01 Full Statements of Case would normally be required within 4 weeks of the PIM, and Proofs of Evidence would normally be required at least 4 weeks before the opening of the Inquiry. However, as this could place great burdens on participants – particularly those involved in all six appeals - consideration will be given to a 'rolling programme' for both statements of case and proofs of evidence.

7.02 It is likely that the Inquiry timetable will have to take into account the need for sessions dedicated to individual developments (between some of which there may be interaction and matters in common), matters relating to separate and distinct Strategic Search Areas, and matters common to all six applications. There may be benefits to arranging sessions on a topic-by-topic basis, but it is the

Inspector's preliminary view that sessions dealing with issues specific to individual applications should generally be held first, in the order given on the front of this note. Sessions will need to be spaced to allow for site visits and preparation for subsequent sessions. Account may have to be taken of the availability of participants during school holiday periods. The preparation of a draft Inquiry Timetable is therefore likely to be complex. The Inspector confirmed that he is open to suggestions and ideas that could be of assistance with the preparation of the timetable. Suggestions should be made in writing before the Christmas period – i.e. before Friday 21st December, via the programme officer. These will then be circulated for comments, which should be received by the date to be set for registration / outline statements of case (i.e. mid January).

7.03 The Inspector emphasised that the effectiveness of the Inquiry timetable will ultimately be dependant on good quality information being available at an early stage. Once approved, the Inquiry timetable can only be extended with the approval of the Secretary of State or Minister (Rule 12(4)). The Inquiry Rules relating to procedure at the Inquiry will therefore be strictly followed, to ensure that the approved timetable can be met (Rule 19). Participants were therefore urged to ensure that outline statements of case are as comprehensive as possible. It was also emphasised that Inquiry time should be focussed on matters in dispute, and duplication of effort should be avoided. Participants should therefore cooperate to agree statements of common ground and joint cases at an early stage.

7.04 It is the Inspector's preliminary view that due to the complexity of the Inquiry it would not be practicable to open the Inquiry within the normal period of 10 weeks from the date of the PIM. 12 weeks would be reasonably necessary. The provisional date for the opening of the Inquiry is therefore Tuesday 4 June 2013.

8.0 Preliminary view on arrangements for the Inquiry

8.01 It was agreed that the Inquiry team would investigate possible venues in Welshpool and Newtown, as they would be more central to the communities affected by the proposed developments. The main venue would have to provide all necessary facilities, including good access to hotels, restaurants and transport links. Smaller settlements are therefore likely to be unsuitable. However, it is intended that at least one day and/or evening session would be held at a venue within the locality of each of the proposed developments, to enable individuals wishing to make representations to do so with minimum inconvenience. Suggestions with regard to suitable venues would be welcome and should be made to the Programme Officer as soon as possible, but not later than 21 December 2012.

9.0 Any Other Business

9.01 The applicants were asked to jointly consider how the recoverable costs of the Inquiry should eventually be apportioned.

9.02 Further consideration would be given to the need for transcription services. Comments on this matter would be welcomed at the PIM.

9.03 Matters raised in relation to national trails, Areas of Outstanding National Beauty, and Environmental Impact Assessment regulations and procedures could not

be discussed in detail as the scope of the meeting was limited to the administrative matters outlined above.

9.04 All participants were urged to familiarise themselves with the regulations governing the procedure to be followed at the Inquiry, these being the Electricity Generating Stations and Overhead Lines (Inquiries Procedure)(England and Wales) Rules 2007, as they differ significantly from the rules governing other forms of Inquiry. Hard copies were made available for photocopying.

9.05 In answer to a question it was pointed out that under these rules, only the applicant and a qualifying planning authority shall be entitled to cross-examine persons giving evidence (Rule 19(5)). However, that does not preclude any interested person or group from being represented by an advocate.

10.0 Arrangements for circulating notes of the exploratory / introductory meeting

10.01 The notes of the meeting would be circulated to all participants as soon as possible and would be posted on the Inquiry web site once it its set up.

11.0 Closing

11.01 Participants were thanked for attending and the meeting closed at approximately 12:00