

SESSION 1 (AREA C) – PROPOSED OUTLINE TIMETABLE

The Inspector has ruled that the 4 inquiry sessions should be run on a topic by topic basis, and to date he has identified that the topics to be considered at Session 1 (which covers the individual impacts of the Area C schemes, Llanbadarn Fynydd, Llaithddu and Llandinam) are: landscape, cultural heritage, noise and health, local transport, peat/hydrology, wildlife. This has, however, been recognised as not being an exhaustive list and that other topics may be added. From Vattenfall's perspective, the only obvious missing topic is local policy.

ORDER OF SCHEMES

Unless any party has a particular preference and justification, it is proposed that evidence relating to the schemes, and cross-examination by the Council (PCC) and objectors, should follow regulation 19(4) of the inquiry procedure rules¹ with the developers presenting their case first and witnesses for the schemes be heard in the order in which the applications were made – Llanbadarn Fynydd first, followed by Llaithddu and finally Llandinam.

We would expect the Council to cross-examine and give its evidence first, followed by Natural Resources Wales (NRW), the Alliance and then any individual Rule 6 parties. Whilst not expected to occur in practice, we recognise that at this stage the developers may wish to reserve their positions in relation to the cross examination of other schemes' evidence and have also made provision for this in the proposed timetable.

ORDER OF TOPICS

The following order for examination of topics has emerged from discussion between the developers (although we are not yet able to fix on specific availability for all witnesses) :

- 1 Wildlife
- 2 Peat/ hydrology
- 3 Local transport
- 4 Local policy
- 5 Noise and health
- 6 Cultural heritage
- 7 Landscape and visual

It is recognised that each scheme has different issues raised against it, and that depending upon the cases disclosed in the detailed Statements of Case and proofs of evidence, it may not be necessary to present evidence on a particular topic or issue. Rather than attempting to identify which schemes are likely to require the consideration of detailed evidence on particular issues at this stage we suggest that it is more beneficial to seek to agree an overall approach that can be used to create a detailed programme once full cases are disclosed.

So far we have identified two options for inquiry structure

¹ The Electricity Generating Stations and Overhead Lines (Inquiries Procedure) (England and Wales) Rules 2007

1) hearing each developer's evidence before moving on to Council and Rule 6 parties' evidence, or

2) interspersing Council and Rule 6 evidence with each developer's evidence.

It is also recognised that there are other ways to structure the hearing of evidence and in setting out these options for discussion it is not intended to limit the option for any party to argue for or against these two options or any other variant.

Option 1

Each topic session to be structured as follows:

Vattenfall – Evidence in Chief (EIC); Cross Examination (XE) (PCC, NRW, Alliance, other R6 parties); Re-examination (REX)

Fferm Wynt Llaithddu Cyf – Evidence in Chief (EIC); Cross Examination (XE) (PCC, NRW, Alliance, other R6 parties); Re-examination (REX)

Celtpower – Evidence in Chief (EIC); Cross Examination (XE) (PCC, NRW, Alliance, other R6 parties); Re-examination (REX)

PCC - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall, Llaithddu, CeltPower); Re-examination (REX)

[NRW - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall, Llaithddu, CeltPower); Re-examination (REX)]

[Alliance - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall, Llaithddu, CeltPower); Re-examination (REX)]

[Other R6 - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall, Llaithddu, CeltPower); Re-examination (REX)]

Option 2

Llanbadarn Fynydd

Vattenfall – Evidence in Chief (EIC); Cross Examination (XE) (PCC, NRW, Alliance, other R6 parties/Developers); Re-examination (REX)

PCC - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall); Re-examination (REX)

[NRW - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall); Re-examination (REX)]

[Alliance - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall); Re-examination (REX)]

[Other R6 - Evidence in Chief (EIC); Cross Examination (XE) (Vattenfall); Re-examination (REX)]

Llaithddu

Fferm Wynt Llaithddu Cyf – Evidence in Chief (EIC); Cross Examination (XE) (PCC, NRW, Alliance, other R6 parties/Developers); Re-examination (REX)

PCC - Evidence in Chief (EIC); Cross Examination (XE) (Fferm Wynt Llaithddu Cyf); Re-examination (REX)

[NRW - Evidence in Chief (EIC); Cross Examination (XE) (Fferm Wynt Llaithddu Cyf); Re-examination (REX)]

[Alliance - Evidence in Chief (EIC); Cross Examination (XE) (Fferm Wynt Llaithddu Cyf); Re-examination (REX)]

[Other R6 - Evidence in Chief (EIC); Cross Examination (XE) (Fferm Wynt Llaithddu Cyf); Re-examination (REX)]

Llandinam,

Celtpower – Evidence in Chief (EIC); Cross Examination (XE) (PCC, NRW, Alliance, other R6 parties/Developers); Re-examination (REX)

PCC - Evidence in Chief (EIC); Cross Examination (XE) (Celtpower); Re-examination (REX)

[NRW - Evidence in Chief (EIC); Cross Examination (XE) (Celtpower); Re-examination (REX)]

[Alliance - Evidence in Chief (EIC); Cross Examination (XE) (Celtpower); Re-examination (REX)]

[Other R6 - Evidence in Chief (EIC); Cross Examination (XE) (Celtpower); Re-examination (REX)]

General points applicable to both options

If any party has more than one witness for any particular topic, then the witnesses would follow each other in the order determined by the party, and each would give evidence in chief and then be subject to cross-examination and re-examination.

At present it does not appear likely that the developers will wish to cross-examine each other during session 1. However, this may change, in which case they should have an opportunity to do so after the other R6 parties.

Burges Salmon LLP

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