



Our Ref: PL2/4/5/5/21

9 November 2018

**Transboundary Environmental Public Consultation:  
Application for proposed Wylfa Newydd nuclear power plant - Anglesey, North Wales, UK**

To: Director of Planning Services, City and County Councils  
CC: Chief Executives, City and County Councils  
Senior Planners, City and County Councils  
An Bord Pleanála (for information only)

Dear Director of Planning Services,

## 1. Introduction

I am directed by the Minister for Housing, Planning and Local Government to refer to the 1991 United Nations Convention on environmental impact in a transboundary context (the Espoo Convention) and the EU Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment (the EIA Directive), which require Member States to engage in transboundary public consultation in respect of projects likely to have significant effects on the environment of neighbouring States as part of the environmental impact procedures relating to a proposed development. For this purpose, the Member State in whose territory the project is intended to be carried out shall send to the affected State, no later than when informing its own public, a description of the project and any available information on its possible transboundary impact.

In this connection, I attach a copy of a letter dated 6 July 2018 from the UK Planning Inspectorate (PINS) stating that Secretary of State for Housing, Communities and Local Government *"...has received an application in respect of the Wylfa Newydd Nuclear Power Station (the Proposed Development), which principally comprises a proposed new nuclear new nuclear electricity generating station on the north coast of Anglesey, in north Wales. The generating station would have an electrical output of approximately 3.1 gigawatts (GW). The Proposed Development would also include:*

- *Permanent and temporary works in the marine environment;*
- *Off-site Power Station Facilities including a control centre, laboratory and emergency equipment garage; and*
- *Associated Development comprising a worker accommodation campus, temporary park and ride facility, construction logistics centre and highway improvements."*





The Secretary of State undertook two screenings, one prior to receipt of the application, and one following receipt of the application, to identify if there were likely significant adverse transboundary effects on the environment in other states. Both screenings have concluded that the Proposed Development **is likely** to have significant adverse transboundary effects on the environment in Ireland. Accordingly, the UK's PINS has invited Ireland to undertake a transboundary public consultation in respect of environmental information relating to the application for the above proposed development.

The letter of 6 July 2018 provides details of where further information on the Proposed Development can be found on the UK PINS website. The application is **currently at examination stage**.

## **2. Legislation concerning transboundary consultations**

Subsections (4) to (6) of section 174 of the Planning and Development Act 2000, as amended and article 132 of the Planning and Development Regulations 2001-2017 set down the requirements where the Minister receives information from a transboundary State in respect of a proposed development that is subject to the Espoo Convention or the EU EIA Directive and likely to have significant environmental effects in Ireland.

Briefly, the Minister is required to send a copy of the information received from the Transboundary State to any planning authority likely to be affected by the proposed development. The planning authority is required to publish a notice in an approved newspaper, inviting submissions or observations in relation to the proposed development within a specified period and to make a copy of the information received available for inspection and purchase at the offices of the planning authority during office hours. On receipt of any submissions or observations, the planning authority is required to consult the Minister, following which the planning authority is required to send on the submissions received and any submission that the planning authority wishes to make to the State concerned in relation to the potential transboundary environmental effects of the proposed development.

## **3. Action at national level for Wylfa Newydd transboundary consultation**

The Minister considers that the proposed Wylfa Newydd nuclear power plant has the potential to affect the administrative area of any one or more than one planning authority in Ireland.

Accordingly, in order to avoid duplication of effort by planning authorities, the Minister is arranging to—

- (a) print and deliver to each planning authority, the letter of 6 July 2018 from the UK's PINS, and a copy of the information at certain web pages, to which the letter of 6 July 2018 provides links (see sections 5 and 6 following). Delivery of the foregoing information to all planning authorities is due to take place overnight on Thursday 15 November for arrival in each planning authority by Friday 16 November and Monday 19 November at the latest;
- (b) publish a single notice in the national newspapers (Irish Times, Irish Independent and Irish Examiner) on behalf of all planning authorities, inviting the making, by a specified date (i.e. 8 weeks from publication date of the notice, excluding the period between 24 December 2018 and 1 January 2019) of submissions or observations on the proposed Wylfa Newydd nuclear power plant to the planning authority in whose area the person or body concerned resides. A copy of the text of the newspaper notice will, before or on the date of publication of the notice, be e-mailed to the contact person in each planning authority for this consultation exercise;
- (c) place the public notice in the national papers by Wednesday 21 November. However this is dependent on each planning authority —



- providing to the Department an email address for inclusion on the Department's webpage for the consultation,
  - notifying the Department of the contact person for the consultation, and
  - confirming to the Department receipt of the printed material for the consultation as per section 4 below;
- (d) send the link to the Department's webpage for the consultation, on the date of publication of the newspaper notice, to the contact person for this consultation exercise in each local authority;
- (e) display on the Department's webpage for the consultation period specified in the public notice - the letter of 6 July 2018 from the UK's PINS, together with digital copies of the printed documents delivered to the planning authorities; and
- (f) respond to each planning authority as soon as possible after receiving the submissions and observations from that authority on expiry of the consultation period.

#### **4. Action at local level for Wylfa Newydd transboundary consultation**

Each planning authority—

- (i) should, **by Tuesday 13 November**, confirm to the Department by e-mail to [transboundaryeia@housing.gov.ie](mailto:transboundaryeia@housing.gov.ie) the contact details of the person in the Planning Section who will deal with the public consultation arrangements and a council e-mail address (preferably a generic email) for the receipt of submissions or observations under the public consultation. Only the email provided by the Council will be included on the Department's webpage. The name of the contact person will not be included;
- (ii) should, **by Monday 19 November**, confirm to the Department by e-mail at [transboundaryeia@housing.gov.ie](mailto:transboundaryeia@housing.gov.ie) receipt of the printed letter from the UK's PINS and accompanying printed documentation;
- (iii) may decide, at its discretion, to place a notice in local and/or regional newspapers regarding the public consultation, in which case the notice must specify the closing date for receipt of submissions or observations as published in the national newspapers;
- (iv) should display in a prominent position on its website, for the duration of the public consultation, the notice published nationally and any notice published locally, together with a link to the Department's webpage relating to the consultation;
- (v) should make available for inspection and purchase at the authority's head office during office hours for the period specified in the public notice the printed material delivered to the planning authority on behalf of the Department. The fee for purchasing a copy of printed material should not exceed the reasonable cost of copying the material concerned. Planning authorities are not required to make available for inspection or purchase copies of any material other than that delivered to the authority on behalf of the Department;
- (vi) should make arrangements to receive, during the specified period, submissions or observations delivered, posted or e-mailed to the planning authority;
- (vii) may consider whether the planning authority itself, taking account of submissions or observations by prescribed bodies (which will be copied to the authority by Dublin City Council), wishes to make a submission or observation relating to the potential transboundary environmental effects of the development;



- (viii) within 1 week of the expiry of the consultation period, should e-mail to the Department at [transboundaryeia@housing.gov.ie](mailto:transboundaryeia@housing.gov.ie) a copy of any submissions and observations received, (other than those made by prescribed bodies that are received by the authority from Dublin City Council – see below for further details), together with any submission or observations that the authority may wish to make on the potential transboundary environmental effects of the development. The UK's PINS has requested a summary of any submissions made by the public, so a summary of the submissions or observations should also be sent to the Department. Printed copies of submissions should not be sent to the Department; and
- (ix) on receipt of a response from the Department, should email to the UK's PINS at [wylfa@pins.gsi.gov.uk](mailto:wylfa@pins.gsi.gov.uk) a copy of the submissions and observations, forwarded to the Department and a summary of those submissions or observations, as requested by the UK's PINS. Printed copies of submissions should not be sent to the UK's PINS.

Acting on behalf of all planning authorities, Dublin City Council will write to each consultee prescribed under article 28 of the Planning and Development Regulations 2001, as amended, notifying them of the transboundary environmental consultation in relation to the Wylfa Newydd project and requesting that any submissions or observations should be submitted to the relevant contact in the Planning Section of Dublin City Council for receipt within the consultation period. Dublin City Council will forward copies of any submissions and observations received from statutory consultees to every other planning authority, the Department and to the UK's PINS in accordance with paragraphs (viii) and (ix) above.

## **5. Printed material for public inspection and purchase**

The printed material that will be delivered to each planning authority on behalf of the Department will include the following:

- A.** a copy of the letter of 6 July 2018 from the UK's PINS inviting Ireland to consult on the proposed development
- a copy of the letter of 25 September 2018 from the UK's PINS in relation to the appointment of the Examining Authority;
  - a copy of the letter of 6 November 2018 from the UK's PINS in relation to the examination timetable
- B.** Extracts from the Environmental Statement (ES) and other documents, as set out below, that appear to be the most relevant for the purposes of the transboundary environmental public consultation. These documents have been printed from links set out in the letter of 6 July 2018:
- ES non-technical summary;
  - Transboundary Screening Document and extracts from the Environmental Reports used in the screening assessments;
  - Guide to the application – prepared by applicant listing all documents in the application
  - ES Volume A (Introduction to Project) – selected chapters;
  - ES Volume B (Introduction to Environmental Assessments) – selected chapters;
  - ES Volume C (Project-wide effects) – one chapter;
  - ES Volume D (WNSA Development – main development site) – selected chapters;
  - ES Volume E (Off-site Power Station Facilities) – selected chapters
  - ES Volume F (Park and Ride) –selected chapters
  - ES Volume G (A5025 Offline Highway improvements) – selected chapters;



- ES Volume I (Cumulative effects) – selected chapters;
- Selected Appendices and Figures for Volumes A, B, D, E, F and I;
- Habitats Regulations Assessment Report Parts 1 and 2;

C. the draft development consent order and explanatory memorandum; and

D. a laminated notice for display to inform the public that only a selection of documents have been printed for inspection in your authority's offices and that the entire ES and other documents are available to view online.

#### **6. Material on Department's website**

The material that will be displayed on the Department's website at [www.housing.gov.ie](http://www.housing.gov.ie) relating to the consultation for the duration of the consultation period is as follows:

- PDF's of most of the printed material delivered to each planning authority on behalf of the Department and the links to that material (see section 5);
- the links provided by the UK's PINS in its July 2018 letter to Transboundary screening assessment, all of the application documents including the full ES and non-technical summary, the draft development consent order and the Habitats Regulations Assessment Report.

#### **7. Queries**

Any queries in relation to this letter should be addressed to [transboundaryeia@housing.gov.ie](mailto:transboundaryeia@housing.gov.ie) or to Ms. Maria Tuite at 01 888 2715.

Yours sincerely,

Terry Sheridan  
Principal  
Planning Policy