Hinkley Point C Stakeholder Reference Group

The implications of Hinkley Point C for Wales' environment and its people

Annex 1

- Terms of Reference
- Working methods
- Group members biographies
- Minutes of meetings

Hinkley Point C Stakeholder Expert Reference Group and Internal Cross-Government Officials Group

In responding to the First Minister's manifesto commitment to establish an "Expert Panel" to review the implications for Wales of the development of a nuclear power plant at Hinkley Point in Somerset, consideration is given below to:-

i) Scope and Purpose;
ii) Terms of Reference;
iii) Stakeholders Reference Group membership (and corresponding internal Cross-Government Officials Group to service the proposed new Stakeholders Reference Group); and
iv) Governance.

1) Scope and Purpose

It is proposed that a Stakeholders Reference Group (SRG) is established to provide stakeholder views to Ministers on an 'as and when' required basis, in relation to the development of a new nuclear power plant at Hinkley Point C. In parallel, an internal Cross-Government Officials group will mirror and service the SRG.

Legal Services have advised that it is important that consideration should be given to the purpose of such a group and how this would fit with the lawful exercise by the Welsh Ministers of their functions (particularly in relation to marine licensing, as well as other regulatory regimes that may be engaged - e.g. planning).

2) Terms of Reference

With the above in mind, the Terms of Reference for the SRG focus on the following core purpose:

'to provide stakeholder views to Ministers, as required, on issues arising from the Hinkley Point C project that are relevant to Wales and the people of Wales and maximising individual and community wellbeing by reducing harm to people and the environment'.

In detail, the SRG will:-

a) function as an ad hoc, informal group to provide stakeholder views to Ministers on issues that may for arise for Wales from the Hinkley Point project. The Group will *not* make recommendations.
b) have membership representing a range of expertise from academia, industry, regulatory perspective, the environment, health and the economy – with detailed cognisance of these disciplines within a Severn Estuary context.
c) be non-statutory and meet on an ad-hoc basis, depending on when issues arise that need discussion.
d) be mirrored by an internal Cross-Government Officials Group that will be responsible for servicing the SRG and feeding outcomes of its deliberations to Ministers.

3) Stakeholder Reference Group Membership

Drawing on the approach advocated in the Wellbeing of Future Generations Act, the proposed SRG will use the 7 goals and 5 ways of working to guide its work. Membership will be drawn from a balance of disciplines with no one discipline outweighing any other. Both the SRG and Internal Cross-Government Officials Groups will reflect a sectoral balance between academia, industry and regulation to ensure a multi-faceted consideration of issues.

Core discipline areas to be incorporated in the SRG's membership include:

- Environment/Ecology with expertise in a Severn Estuary context
- Hydro and civil engineering and water environmental assessments in a Severn Estuary context
- Economy/ Socio-economics in a south east Wales, south west England cross border context
- Public Health
- Nuclear/ large scale energy production
- Regulatory sectors and processes in cross border context

Internal Cross Government Officials Group
Chair – John Howells, Director of Climate Change, Energy and Planning (TBC)

With members from the following team areas:

- Environment & Water
- Office for Science
- Economy – South East Region
- Planning & Regulatory
- Energy Advisor to Welsh Ministers

4) Governance

Chair
Jane Davidson, Pro Vice-Chancellor Emeritus, University of Wales, Trinity Saint David.
In the absence of the appointed Chair, the ERG members will agree and appoint one of their number to preside.

Frequency of Meetings
The ERG will meet on an ad-hoc basis, depending on whether issues arise that need discussion. It is expected that a typical time commitment from the Chair and members of no more than 2 days/month.

Reporting
The internal Cross-Government Officials Group will share the outcomes and deliberations of the ERG with Ministers.

Remuneration
The Chair and members of the ERG will not be remunerated (reasonable expenses excepted).

Secretariat
Welsh Government will provide the Secretariat.

Duration
The ERG will initially serve for a period of 12 months.

HINKLEY POINT STAKEHOLDER REFERENCE GROUP

Working Methods

This paper makes proposals for the principles and working methods which should guide the work of the reference group established by the First Minister to provide advice to the Welsh Government on matters relating to the development of the Hinkley Point C nuclear power plant.

The purpose of the group as set out in the terms of reference is:

'to provide stakeholder views to Ministers, as required, on issues arising from the Hinkley Point C project that are relevant to Wales and the people of Wales and maximising individual and community wellbeing by reducing harm to people and the environment'.

The terms of reference also make clear that the group will meet on an ad hoc basis. To facilitate this monthly meeting slots have been arranged for the group to meet via Microsoft Teams. It will be for the group to determine whether all of those slots are required.

The group's work will be guided by the principles of transparency and accessibility combined with a commitment towards confidentiality surrounding individual contributions.

Transparency and Accessibility

Individuals may contact the group via its dedicated email address HinkleyGroup@gov.wales. This address will be highlighted on the group's website. The agenda for each meeting of the group will be published on the website ahead of each meeting as will a brief note of matters discussed.

Members will have their attention drawn to representations received. This will normally take place at each meeting but could be more directly as required.

Members should feel free to refer to the work of the group in general terms but any requests for formal statements should be directed at the chair.

Members are appointed as individuals and because of their particular expertise. They are not appointed as representatives of organisations. It will be for members to determine whether they face any conflicts of interest arising from matters discussed by the group. Should such a conflict arise this should be declared and arrangements for managing such conflicts should be agreed with the chair.

Because members are appointed for their individual expertise substitutes are not required. Members should feel free to submit written contributions to meetings they are unable to attend.

Confidentiality

In order to provoke the widest possible discussion and debate the discussions of the group should remain confidential to the participants. Whilst a brief note of the group's proceedings will be published this will not draw attention to views expressed by individual members.

Any advice the group makes to Ministers will be published. Members are encouraged not to refer publicly to such advice ahead of publication. That should not preclude providing their own advice or comments on those same issues.

Members should feel free to brief wider stakeholder groups on the work of the group though such communications should focus on meeting notes and other published material.

Co-ordination

In order not to cut across the appellate role which Welsh Ministers have with regard to National Resources Wales (NRW) consenting arrangements any queries from group members to the Welsh Government or NRW regarding the group's work should be directed via the Secretariat. Any sensitivities to which this may give rise should be discussed with the chair.

These working methods will be kept under review by the group as its work proceeds.

Hinkley Point C Expert Stakeholder Reference Group Member Pen Pictures

Jane Davidson, Pro Vice Chancellor Emeritus, University of Wales Trinity St David

Jane is Pro Vice-Chancellor Emeritus at the University of Wales Trinity Saint David. From 2000 - 2011, Jane was Minister for Education, then Minister for Environment, Sustainability in the Welsh Government, where she proposed legislation to make sustainability the central organising principle; the Wellbeing of Future Generations (Wales) Act came into law in 2015. She introduced the first plastic bag charge in the UK, and her recycling regulations took Wales to third best in the world. She created a Climate Change Commission for Wales, the post of Sustainable Futures Commissioner, and the Wales Coast Path.

In education, she piloted major curriculum changes, the Foundation Phase for early years, the Welsh Baccalaureate and integrated Education for Sustainable Development and Global Citizenship into the Welsh Curriculum.

Jane is a patron of the Chartered Institute for Ecology and Environmental Management (CIEEM) and Tools for Self Reliance Wales (TFSR Cymru). She holds honorary fellowships from IEMA (Institute of Environmental Management and Assessment), WWF, CIWM (Chartered Institution of Wastes Management), CIWEM (Chartered Institution of Water and Environmental Management) and an honorary doctorate from the University of Glamorgan. She contributes regularly to international expert events. She is a RSA Fellow and in 2017 was invited to become guest faculty on the Executive Education for Sustainability Leadership programme in Harvard University.

She lives on a smallholding in west Wales where she aims to live lightly on the land.

(Jane Davidson is the author of ***#futuregen: Lessons from a Small Country****,* the story of why Wales was the first country in the world to introduce legislation to protect future generations. ***#futuregen*** is published by Chelsea Green.)

Professor Roger Falconer, FREng, ForMemCAE, Emeritus Professor, School of Engineering, Cardiff University

Roger continues to collaborate closely with Cardiff University in his role as Emeritus Professor of Water Engineering, although he now resides in Ilkley, West Yorkshire.

Roger was born in West Wales, graduated as a civil engineer, and has since spent over 40 years in academia, working closely with practitioners and specialising in water and environmental engineering, and acquiring extensive research experience in developing and applying computational hydro-environmental models for environmental impact assessment (EIA) studies and engineering design.

He is a Fellow of the Royal Academy of Engineering, a Foreign Member of the Chinese Academy of Engineering and a Fellow of the Learned Society of Wales. At Cardiff he founded the Hydro-environmental Research Centre and managed the Department of Civil Engineering at his previous university (Bradford). He was Chair of the Civil and Construction Engineering Sub-Panel for the 2014 Research Excellence Framework (REF2014). He was President (2011-15) and appointed Honorary Member (2017) of the International Association for Hydro-Environment Engineering and Research.

He has received many awards for his research, has published extensively in the field of hydro-environmental modelling and has delivered over 50 keynote and 550 external lectures to a wide range of audiences in the UK and world-wide. He has worked extensively on providing specialist advice to industry and government agencies, on a wide range of water EIA projects, both in the UK and overseas. For example, he was Co-Chair of a Group of Experts in an international high profile court case (Malaysia v. Singapore, 2003) and in the follow up major EIA study. He has also interacted extensively with consulting engineering companies and regulatory agencies, through the provision of his hydro-environmental computer models for EIA studies.

He has also participated extensively in TV and Press interviews, on a wide range of topics, most notably: the Severn Barrage, tidal lagoons, flooding, and global water security.

Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University

Dr Ballinger has a degree in Geography, a Postgraduate Certificate in Education and a PhD from the University College of Wales, Aberystwyth. Her thesis, on aspects of heavy metal pollution in soils and plants, led to further work on pollution studies in her early career as a research assistant. However, a move to UWIST in 1987 resulted in her background in pollution and environmental studies being quickly translated into an active teaching and research interest in coastal management.

Over the last decade, and particularly as a member of the Marine and Coastal Environment research group, she has engaged in a quest for model institutional and policy frameworks to deliver Integrated Coastal Management (ICM). Within this period, she has undertaken a variety of research projects on aspects of coastal and estuary management for UK government agencies and others. Some projects, notably those for the Countryside Council for Wales, have been benchmark reviews and analyses of the state of coastal management.

Her academic interest in ICM, which is reflected in a wide range of research papers and publications, has led to the supervision of a number of PhD projects, including ones on organisational and policy matters related to coastal defence, shoreline management and information management. Currently, her interest in non-statutory and participatory processes for ICM is reflected in her postgraduate students' research topics. These include ones on participation and empowerment processes as well as on stakeholder

representation within voluntary, regional ICM programmes. Some of these projects involve analysis of overseas experience, particularly in Canada and New Zealand.

Keen to develop more than an academic perspective on coastal management, Rhoda has been heavily and actively involved in the development and day-to-day running of a number of international, national and more local coastal and estuary management projects These include EUROCOAST, CoastNET, Arfordir, and most notably the local Severn Estuary Strategy (SES, recently relocated to EARTH. Related to the latter, she is currently supervising Stephen Knowles, the Project Assistant, in his MPhil. research investigating evaluation techniques for estuary management, a very topical and potentially influential project for UK ICM. She has been involved with a number of initiatives relating to the teaching of ICM, particularly as part of the EU/US Trans-Atlantic Consortium on the teaching of Integrated Coastal Management and Marine Policy.

These have included a recent research project investigating internship practice in Integrated Coastal Management higher education in the US and Europe with Dr Chandra Lalwani (CARBS). As part of this network she also has recently lectured on UK ICM at the Centre for Marine Policy at the University of Delaware to lecture on UK ICM.

Rhoda also has an interest in many aspects of marine environmental management. She has recently been involved in a number of projects related to waste and pollution impacts of shipping and marinas for WWF (UK) and is currently supervising several PhDs on risk assessment of shipping and marina waste management.

Dr Justin Gwynn, Senior Scientist, Phd (r.Scient.), Norwegian Radiation and Nuclear Safety Authority

Dr. Justin Gwynn is a senior scientist with the Norwegian Radiation and Nuclear Safety Authority (DSA) at the Fram Centre in Tromsø with a focus on marine radioecology. He has held the position of Programme Manager for the Nordic Nuclear Safety Research's (NKS) emergency preparedness and radioecology programme and has chaired the OSPAR Commission's Radioactive Substances Committee since 2010. He currently also chairs an IAEA coordinated research project with the aim of providing an updated overview of levels, trends and impacts of radionuclides in the global marine environment. His current research activities include the use of radioactive tracers to understand ocean circulation and transport pathways of contaminants, the status and

fate of dumped nuclear submarines and radioactive waste in the Arctic and the radioecology of discharges of naturally occurring radionuclides in produced water from oil and gas platforms. He has extensive field experience through national and international research cruises and is responsible for the DSA's radiometric laboratory in Tromsø.

Dr Huw Brunt, Lead Consultant in Environmental, Public Health Wales

For over 20 years, I have worked in the field of environmental public health roles in a variety of roles across local and central government, and the NHS in Wales. I currently head up a team in Public Health Wales with responsibilities to assess and manage risks from acute chemical incidents and other environmental hazards. For the last two years, I have also been seconded to Welsh Government (part-time) in the role of Air Quality and Health Advisor, providing specialist advice to public health and air quality policy officials. I have a PhD in air quality and public health; my studies focused on integrating public health and local air quality management policy and practice.

Dr James Robinson, Director of Conservation, Wildfowl & Wetlands Trust (WWT)

Dr Robinson is a passionate and successful champion of environmental and social justice with a track-record of getting things done and leading high performing teams. He is dedicated to the protection and restoration of our natural world and the wildlife it supports and have based his career path on maximising his skills, knowledge and experience to meet this goal.

Currently WWT's Director of Conservation, based at Slimbridge in Gloucestershire.
Previous roles:- RSPB's Director for Eastern England, Head of Nature Policy, Director for Northern Ireland, and Conservation Manager for Northern Ireland, at WWT as Head of Wetland Biodiversity Unit, as Research Assistant at the University of Durham and as Lecturer at Bishop Burton College. BSc Honours degree in Biological Sciences and PhD in seabird ecology, both from the University of Durham.
Sits on WWT's Management Board, contributing to Trust-wide matters and inspiring all staff and volunteers.

Skills

- Executive leadership and management of large and dispersed teams (220+ staff plus large volunteer base), balanced scorecard development and transformational organisation design
- Developing, leading and managing large (£15m plus) budgets and projects
- Developing conservation strategy and translating into global/country/regional implementation
- Risk management and mitigation
- Developing high performing teams and managing change by inspiring continual improvement and innovation
- Building effective relationships with critical stakeholders and forming partnerships that deliver shared objectives
- Policy development and advocacy (UK, all-Ireland, International)

- Acquisition and management of land and property
- Large-scale habitat creation and restoration, including climate change adaptation
- Providing conservation advice internally and externally
- Developing and implementing campaigns
- Communicating to wide range of audiences (written and verbal) and acting as an ambassador
- Developing international conservation plans and convening international workshops
- Undertaking and publishing ecological and conservation science

Rachel Sharp, CEO, Wildlife Trusts Wales

Rachel Sharp has worked for the Wildlife Trusts for 25 years and became the CEO of Wildlife Trusts Wales in 2011. Her previous roles have included Head of Biodiversity at Avon Wildlife Trust and CEO of both Hereford and Brecknock Wildlife Trusts. Wildlife Trusts Wales represent the five Wildlife Trusts in Wales, with over 24,000 members: 2,000 volunteers and 125 FTE staff. The Wildlife Trusts manage over 200 nature reserves, covering more than 8,000 hectares of prime wildlife habitat, from rugged coastline to urban wildlife havens. Her career has enabled both a deep understanding of the importance of protecting wildlife for its intrinsic value but also for people's well-being, its role in climate change adaptation and its importance in tackling social inequalities. She is now a leading advocate for natures recovery in Wales. She is an external advisor on Welsh Waters Independent Environment Advisory Panel and Welsh Governments European Advisory Group and Rural Affairs Roundtable, to advise on the implications of Brexit on the Welsh environment. She is also a trustee for Wales Environment Link and a member of the Wales Marine Action and Advisory Group.

Professor Karen Morrow, Hillary Rodham Clinton School of Law

Karen Morrow LLB, LLM was educated at the Queen's University of Belfast and King's College London. She has lectured at Buckingham, Durham, and Leeds Universities and at the Queen's University of Belfast. She has been Professor of Environmental Law at Swansea University since 2007. Her research interests focus on theoretical and

practical aspects of public participation in environmental law and policy and on gender and the environment. She has presented and published extensively in these areas. She is currently working principally on the feminist ethics of care and the human-environmental nexus and ecofeminism and international environmental law. She teaches at undergraduate and post-graduate levels in environmental law and human rights and the environment and supervises research students across these areas. She has extensive experience of externally examining postgraduate research in the UK, Europe, and globally. She frequently acts as a reviewer of legal and interdisciplinary research applications for various state and regional funders.

She was founding co-editor of the IUCN Academy of Environmental Law e-journal and the Journal of Human Rights and the Environment. She serves on the editorial boards of the Journal of Human Rights and the Environment, the Environmental Law Review, and the University of Western Australia Law Review. She is a Series editor for Critical Reflections on Human Rights and the Environment (Edward Elgar) and a member of the editorial board for the (cross-disciplinary) Gender and Environment series (Routledge). She regularly acts as a referee for a range of legal and interdisciplinary journals and as an evaluator for academic publishers.

She is a founder member of the Global Network for the Study of Human Rights and the Environment (GNHRE) and is a member of the United Kingdom Environmental Law Association (UKELA). She is an associate member of the Monash European and EU Law Centre. She was a founding member of the Environmental and Planning Law Association of Northern Ireland (EPLANI). She served as a member of the EU's COST network working group on "Gender, Science, Technology and Environment" (genderSTE).

Dr Sarah Jones, Consultant in Environmental Public Health with Public Health Wales

Hinkley Point C Stakeholder Reference Group Meeting:

20 July 2020, 9.30am via MS Teams

Attendees:

Mark Drakeford MS, First Minister

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity St David
Professor Roger Falconer, Cardiff University
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University
Dr Justin Gwynn, Chair of the OSPAR Committee on Radioactive Substances
Dr Huw Brunt, Public Health Wales
Rachel Sharp, CEO Wildlife Trusts Wales
Dr James Robinson, Director of Conservation, Wildfowl and Wetlands Trust

Welsh Government Officials – John Howells, Wyn Roberts

1. Welcome and Introductions

The Chair welcomed the members and each member introduced himself or herself with a short precis of what experience and/or expertise they bring to the Group.

2. Background to the Stakeholder Reference Group

The establishment of the Stakeholder Reference Group was a specific commitment in the First Minister's manifesto for the leadership of the Labour Party in Wales. After expressing his thanks to each member for agreeing to participate in the Group, he stated that he would from time to time like to approach the Group for its views to help improve Government's understanding and awareness of topical and relevant issues. He also said that he hoped the Group in turn would itself raise issues that it thinks should be considered by Welsh Government to generate a greater sense of public interest in the issues affecting the environment in Wales and Welsh citizens. It should be an iterative, two-way process in terms of dialogue between the Group and the Government.

He expressed some thoughts on the types of topics that he would like Group to consider in the coming months:-

1) *Safety Zones* – Wales is not included in the UK Government Safety Zone with respect to Hinkley Point. Other than normal resilience arrangements, there is no plan or thinking as to what the implications may be for Wales. France has a 12.5 mile radius Nuclear Safety Zone with detailed safety plans but the UK Government Safety Zone plan does not cover South Wales. A reasonable fear and/or a matter of interest?

2) *Hinkley Point C Economics* – what effect will the deterioration of relations with China have on the funding of the Hinkley project. Will the project proceed? Are there any implications we ought to be thinking about from a Welsh perspective? Will this deterioration potentially impact on our ambitions in Wales to invest further in renewable energy by for example affecting future contracts for difference and energy strike prices?

3) *Issues we have an interest in, but no devolved responsibility over* – e.g. the dredging and disposal of sediment. With respect to the Hinkley project, we have no responsibility for the dredging process that takes place in English waters, but we do have responsibilities for disposal if it takes place in the Cardiff Grounds – in Welsh waters.

Hinkley mud disposal has been a matter of local controversy in the past and is likely to be again. The FM would like a view from outside Government on issues that we ought to be thinking about in terms of interrogating an application from EDF that is expected shortly for a second license to dispose sediment in the Cardiff Grounds. Our devolved responsibilities in this area mean that Welsh Government Ministers have to be careful not to prejudice future decisions by Welsh Government or Natural Resources Wales (NRW), as an agent of Welsh Government, in these areas, but a view from outside Government would be useful to ensure we ask the right questions.

In brief, the Group is asked to raise anything that it deems to be important in the context of Hinkley whether in terms of issues, governance, relationships or processes.

3. Upcoming Issues and Timelines

Further discussion ensued around additional issues that the Group considered to be of importance and relevant at this time:-

i. What *exactly* is the relationship between the UK, Welsh Government and NRW within the context of Hinkley, and who has responsibility for what? These issues are unclear to the Group.

ii. Sophie Howe, the Future Generations Commissioner, is quoted as saying that since the Well Being and Future Generations Act did not come into force until 2016, she could not have had a view on any Hinkley issues prior to this point. The implication therefore is that she can have a view on issues post 2016 and that this Group can therefore potentially influence relevant bodies in Wales other than Government.

iii. Chair quoted an example during the first phase sampling exercise of NRW requesting the license holder to undertake additional samples at depth but this request was refused. Public confidence can only be assured if rigorous analysis can be undertaken based on sufficient information and data being made available. This Group can help demystify relatively complex technical issues in simple, non-technical terms and provide assurance that the issues are being properly addressed.

iv. Given that 1.5 m tonnes of sediment are disposed annually in the Cardiff Grounds, it would be useful to know what else is disposed of in the Grounds and where does it come from? This may help alleviate public fears about the sediment from the Hinkley environs? Are there any alternative sites?

v. How the Marine Protection Area and conservation issues are considered and is managed within the context of Hinkley may also be worthy of the Group's attention. The EA will be deciding on their permit with respect to the cooling water intake scheme in October – potential impact on fish species which are commercial and effect Wales.

vi. The recently released Benyon Review makes a number of recommendations regarding establishing a number of Highly Protected Marine Areas (HPMAs) – the Severn Estuary is one. The report is focused on English coastal waters but should the recommendations be adopted, it will impact on Wales and particularly on the potential for any future lagoons or barrages that Wales may wish to pursue.

vii. Communication is important – how key messages are conveyed and framed – e.g. messaging on risk - is something the Group can consider and on which it can contribute to provide clarity. Also how will the Group communicate with organisations on the other side of the Severn Estuary and with the wider public?

Chair summarised that the Group needs to be focus on issues that arise from the Hinkley project and that its advice to the FM needs to be predicated on this – the Group is not being established to try and cover all aspects of the environment within the Severn Estuary. The above identified issues will also need to be considered within the context of timing priority - some are more immediate than others.

4. Finalise Terms of Reference

Members invited to provide any comments to the Secretariat on the Terms of Reference in light of the Group's discussion. ToR can be confirmed at the next meeting.

For the time being, monthly meeting were agreed

5. Key Dates

Proposed date of next meeting - **24 August 2020 at 9.30am.**

It was suggested that the following meeting should be the 3rd Monday in September – 21 September 2020 to note but date to be confirmed.

ACTIONS

1. *The Benyon Report to be circulated to the Group* **– Roger Falconer**

2. *A note will be provided from every meeting on a website that will be established to communicate the Group's proceedings and an e-mail address created so that issues can be brought to the Group's attention by the public and interested parties* **– Secretariat**

Hinkley Point C Stakeholder Reference Group Meeting:

24 August 2020, 9.30am via MS Teams

Attendees:

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Professor Roger Falconer, Cardiff University
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University Dr Justin Gwynn, Chair of the OSPAR Committee on Radioactive Substances
Dr Huw Brunt, Public Health Wales
Rachel Sharp, CEO Wildlife Trusts Wales

Welsh Government Officials – Dan Butler, John Howells, Jonni Tomos

Apologies:

Dr James Robinson

1. Notes of the last meeting

The meeting note for the 20 July meeting was agreed as circulated.

2. Matters arising

i. The Chair requested that any further comments from members on the Terms of Reference presented at the previous meeting should be cleared through correspondence. This would also provide an opportunity to reflect on points arising in the discussion on working methods.

ii. The agenda item on priorities provided an opportunity for the Group to respond to the request from the First Minister at its first meeting.

iii. The Chair was also anxious to agree a policy on handling correspondence in light of the correspondence already received via the Group's dedicated email address.

3. Working Methods

The Group explored the issues arising from the paper circulated on working methods. The main points made were:

- The Chair clarified that the Group's role was to provide advice to the Welsh Government, but not make recommendations. All its advice would be published.
- membership of the Group should not prevent members from providing advice to the Welsh Government or other parties on this or other topics.
- members should feel able to discuss the remit and advice of the Group with partner organisations, as long as group confidentiality was not breached. The published note of the Group's deliberations should be used in this context.
- members should feel able seek information from third party organisation to inform Group discussions directly in most cases. Requests for information from the Welsh Government or Natural Resources Wales should be discussed with and directed via the Secretariat. The paper should be amended slightly to reflect this
- the Internal Welsh Government group referred to in the draft ToR was a mechanism intended to support the Secretariat in providing joined up advice to the Group and a means of communicating the Group's advice to relevant departments within Welsh Government.
- any further comments on the draft ToR should be returned to the Secretariat by Friday 28 August, to allow for publication of final version in the week beginning 31 August.
- it was agreed that correspondence would be a standing agenda item at every meeting. New correspondence would be brought to Members' attention prior to meetings to facilitate enable decisions on how to respond to be taken quickly in meetings. The Secretariat would normally issue responses on the Group's behalf.
- the Secretariat was asked to acknowledge the correspondence which had been copied to all members prior to this meeting. The content could then be considered at the next meeting

4. Group Priorities

The chair invited members to respond to the First Minister's request that the Group should identify issues to which the Welsh Government should give further consideration. Issues raised during this preliminary discussion included:

- Implications and risks assessment of other developments planned for the Severn Estuary including a variety of lagoon proposals
- Emergency planning implications of Hinkley Point C for Wales
- The Hinkley Safety Assessment Plan – due to be prepared 6-12 months prior to nuclear fuel being brought to site
- Safety of dredged and dumped material
- History of the Cardiff Grounds dredging/dumping areas

- Wider implications of the South West Marine Plan alongside Welsh Government proposals for marine area statements
- Impacts of changes to water temperatures, water quality, ecology and fish migration in the estuary.

In order to facilitate further discussion regarding these and other topics the Group agreed that at the next meeting they should discuss a paper setting out in more detail the environmental assessments which NRW would be required to undertake over the coming months with regard to the dredging and dumping planned for the Severn Estuary. They also requested a paper on the continuing process of consenting and environmental assessment of the wider Hinkley Point C project. Members agreed to a suggestion of developing a tracking table, setting out the work of the Group. The table would be a record of complete, ongoing and future work, and enable the Group to prioritise work and to manage new issues as they arose.

The Group also agreed to consider a paper on the wider statutory process and the background to the proposals to dump waste at the Cardiff Grounds site at its October meeting.

5. AOB

The Chair drew the group's attention to recent political statements which might have an impact on the work of the group. The Chair highlighted in particular comments made by the Counsel General and Minister for European Transition during the past week regarding the UK Government's intentions post-Brexit, and a possible threat to Wales' devolved right to undertake environmental permitting decisions.

The Chair had discussed with the First Minister's Special Adviser the occasions where Hinkley had been formally raised in the Senedd and the ministerial response. The Chair suggested this information be available to the Group, therefore the Chair has asked the Special Adviser to provide an update ahead of meetings via the political grid. This would enable the Group to be kept informed of discussions in the Senedd relating to Hinkley Point C.

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The next meeting of the Group will be between 9.30 and 12.30 on 21 September.

Hinkley Point C Stakeholder Reference Group Meeting:

21 September 2020, 9.30am via MS Teams

Attendees:

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University
Dr Huw Brunt, Public Health Wales
Professor Roger Falconer, Cardiff University
Dr Justin Gwynn, Senior Scientist, Norwegian Radiation and Nuclear Safety Authority
Rachel Sharp, CEO Wildlife Trusts Wales

Welsh Government officials also present:

Dan Butler – Special Adviser to the First Minister
John Howells, Tara Doster, Jonni Tomos – Secretariat

Three members of Geiger Bay joined the meeting for Agenda Item 5 – Cian Ciarán, Richard Bramhall, Max Wallis

1. Notes of last meeting

The minutes were agreed, with one amendment to item 4: *impacts on water quality, ecology and fish migration* were added to the final bullet point of item 4

Before the substantive element of the meeting began, the Chair shared details of a conversation she had had with Professor Peter Morris, of University College London. Prof. Morris suggested two areas he thought might benefit from further scrutiny. Firstly cross-border governance, including the relationship between local authorities in Wales and England; secondly, departures or amendments to the Development Consent Order.

The Group agreed these concerns justified the Group seeking a clear understanding from the Counsel General of the legal authority held by the Welsh Government, legal powers it delegated to other agencies and further legal powers it could usefully acquire.

Action – Secretariat to prepare a letter from the Group seeking the Opinion of the Counsel General.

Following a discussion about potential impacts on fish in the Severn Estuary, the Group accepted an offer from Rachel Sharp to prepare a paper examining impacts on fish and fishing activities in Welsh waters arising from the development at Hinkley.

It was reiterated at this stage that a full paper on the history, context and current arrangements at Cardiff Grounds, including cumulative impacts, was also due to be prepared for the Group's next meeting

Action – Rachel Sharp to provide a paper on fish and fishing for the next meeting.

Action – Secretariat to provide a paper on the Cardiff Grounds for the next meeting.

Prof. Roger Falconer drew attention to a report he had received in confidence from a colleague at the University of Galway, written by the Environmental Protection Agency regarding the impacts of Hinkley B on Ireland. The Group agreed to ask for a copy of this report

Action – Secretariat to draft a letter for the Chair to send to the Environmental Protection Agency in Ireland

2. Correspondence

The Group agreed how it would respond to the three outstanding items of correspondence and asked the Secretariat to reply accordingly to:

a) Barry and Vale branch of Friends of the Earth
b) Wayne Jones
c) Cian Ciaran

Action – Secretariat to respond to correspondence

3. Matters arising

The Group discussed the Petition to the Senedd calling for the proposed sediment disposal process to be subject to an Environmental Impact Assessment. The Group agreed it needed to hear from Natural Resources Wales in advance of any decision on whether or not the proposal required an EIA.

Action – NRW to be invited to the next meeting

The Group discussed the Disposal Site Monitoring report written by Cefas for the Welsh Government. The Group noted its contents, in particular the factsheet on the Cardiff Grounds, and the report's recommendation that the location was one of five singled out for further research. The Group agreed that it should invite Cefas to the next meeting

Action – Cefas to be invited to the next meeting

Dr Justin Gwynn's paper on Emergency planning was briefly discussed but it was agreed that before agreeing the report's recommendations, further information was required in relation to the Welsh Government's role and the role of relevant local authorities in Wales. Members provided suggested contacts to help obtain this information, and it was also suggested that the Office for Nuclear Regulation could assist

Action – Secretariat to obtain further information on emergency planning powers and arrangements in Wales by the next meeting

4. NRW consenting and regulatory process

The Group noted the update to the paper setting out the process for the sediment sampling and disposal, and the recent decision by NRW to approve EDF's amended sediment sampling plan. The Group noted the process that had been followed to date, as the Group was formed post the consultation. The Group agreed that any future consultations would provide an opportunity to comment formally on matters.

The Group discussed the geography of the Severn Estuary and the relationship of the Cardiff Grounds and Hinkley. The Group agreed a detailed map, showing all relevant environmental designations and key locations should be developed.

Action – Secretariat to develop and distribute a map of the 'whole' development area

5. Presentation from Geiger Bay - sediment sampling process

Cian Ciarán and Max Wallis joined the meeting over MS teams at 10.50am, and Richard Bramhall later joined over the phone via Mr Ciarán.

The Group received a presentation from members of Geiger Bay, who had earlier provided written summaries of their concerns to Members. Mr Wallis focussed on the issue of fish kill and questioned whether the modelling put forward by EDF paid due regard to the impact on the Special Area of Conservation and to European Protected Species.

Mr Bramhall focussed on the sediment sampling plan, highlighting what he considered inadequacies in EDF's methods. He suggested that the methods used were not capable, for example, of detecting potentially harmful particles in the sediment. He referred to statements in a 'Children with Cancer' report, and to evidence of particles found in car filters within 5km of Hinkley. The Group has asked Geiger Bay to provide copies of these reports.

Mr Ciarán thanked the Group for the invitation and the Group thanked the members of Geiger Bay for their presentations, and agreed that an ongoing dialogue would be beneficial

6. Political Grid

The Group noted the political grid, agreed that further details of written statements should be incorporated and agreed it should be incorporated into the Group's tracking table (see item 7 below).

Action – Political Grid to include records from the official Senedd transcript where possible

7. Tracking table for Group's priorities

The Group discussed the draft tracking table and agreed several improvements. The Group agreed the Table should be stored on a shared drive to be hosted by the Welsh Government, to which all Members would be granted access. The Government's 'Objective Connect' system was suggested by the secretariat as the preferred platform

Action – Secretariat to complete the tracking table and update with details from previous meetings

Action – Welsh Government to establish a shared drive where Group documents will be stored

8. Reports and shared information

The Group agreed that the tracking table and shared drive (discussed at Item 7 above) provided the ideal means of sharing reports and information between Members.

9. AOB

The Group confirmed its decision to invite Cefas and NRW to the next meeting, and further agreed to also invite EDF as the applicant. The Group agreed to submit any questions for the three organisations in advance, to help the invited organisation identify the most appropriate officials to attend. The Group also agreed to consider further organisations to be invited to future meetings.

Action – Members to submit questions to the secretariat by 23/09 and Secretariat to confirm a final list of questions with the Group by 25/09/20

Action – Secretariat to contact First Minister's office, asking him to write to organisation from whom the Group wishes to hear evidence.

Action – Secretariat to invite EDF, NRW and Cefas to attend the Group's next meeting.

Action - Members to consider which other agencies or individuals should be invited to future meetings

The Group agreed that its next meeting, on 19 October, should be extended to accommodate the three invited organisations. A start time of 9am was agreed.

The meeting ended at 12:00

Hinkley Point C Stakeholder Reference Group Meeting:

19 October 2020, 9.00am via MS Teams

Attendees:

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Dr Huw Brunt, Public Health Wales
Professor Roger Falconer, Cardiff University
Dr Justin Gwynn, Senior Scientist, Norwegian Radiation and Nuclear Safety Authority
Rachel Sharp, CEO Wildlife Trusts Wales
Dr James Robinson, Director of Conservation, Wildfowl & Wetlands Trust

Welsh Government officials also present:

Dan Butler – Special Adviser to the First Minister
John Howells, Tara Doster, Jonni Tomos – Secretariat

Apologies:
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University

Representatives of Natural Resources Wales, EDF and Cefas joined the meeting during agenda item 5.

The Chair thanked Rachel Sharp for preparing two papers (agenda item 3) and received Members' agreement to audio-record the discussions with external organisations (agenda item 5)

1. Notes of last meeting

The minutes were agreed.
The Group agreed the tracking table should be circulated prior to each meeting and added as the penultimate agenda item for future meetings.

2. Matters arising, including correspondence

The Group agreed to approach Tim Deere-Jones, who had previously contacted the Group. The secretariat will invite Mr Deere-Jones to provide updated written evidence of his comments relating to the 2017-18 petition (to the National Assembly, on sediment disposal from Hinkley), to be followed by an invitation to attend the Group's next meeting for a 30 minute slot.

The Group agreed the response to Cian Ciaran should thank him for his evidence, and confirm that the evidence had informed the Group's deliberations. Any advice made by the Group would be published.

An email from Brian Jones was briefly discussed, and members questioned whether the matters raised were within the Group's remit. A decision on the Group's response was put on hold until after the meeting.

3. Papers

i) Cardiff Grounds

Rachel Sharp introduced the paper on the Cardiff Grounds, which included data and information drawn from the Cefas report to the Welsh Government on marine disposal sites (2020). The Group noted an intention to ask Cefas about further work planned on Cardiff Grounds. The Group noted that Cefas' data was largely based on data from 1998, before the construction of the Cardiff Bay barrage was completed, which led to a discussion on observed changes to the amount of sand at Penarth Beach.

ii) Fish

Rachel Sharp introduced a second paper, on fish, and explained the contents of the annexes to the paper. The Group discussed the global significance of the Severn Estuary as an ecosystem, and the relationship between activities in the estuary with river ecosystems. Rachel highlighted the value of commercial fishing in Welsh parts of the estuary as £14million per annum, with the recreational sector worth £126million per annum. The Group discussed some of the key fish species found in the estuary, including eel, salmon and sea-trout, and highlighted NRW by-laws to limit catches.

The Group agreed that the estuary was a system of complex inter-dependent 'pressures'; development at Hinkley Point C would comprise an additional pressure, and its impacts on the marine environment needed to be mitigated and monitored.

The Group discussed the projected impacts of Hinkley Point C on fish, with reference to published reports and statements. The Group noted the proposed infrastructure, includes two intake pipes and three inter-dependent mitigation measures to protect fish numbers. The Group noted EDF's intention to remove the requirement for an Acoustic Fish Deterrent (AFD) – one of the three mitigation measures. The Group agreed to raise a number of questions regarding the AFD with EDF, including the reasoning behind the application and appeal.

4. Legal update

The Group noted the response received from the Counsel General, dated 15 October. The Group agreed the letter did not sufficiently or satisfactorily address the Welsh Government's role in emergency planning matters, nor provide clarity on the consideration that should be given to Welsh law in marine licensing decisions. The Group agreed that a further letter to the Counsel General should be prepared, to seek clarity on those outstanding issues.

5. Evidence from guest organisations

Before welcoming the guests, members agreed the sequencing and allocation of questions.

Natural Resources Wales
NRW were represented by:

John Wheadon - Permitting Service Manager (JW)
Dr Wendy Dodds - Marine Licensing Team Leader (WD)
Maria Alvarez – Technical lead specialist – marine licensing (MA)
Stuart Reid – Case officer from the Development Planning team (SR)

Issues addressed by NRW included:

i. <u>EIA process</u>

JW set out NRW's role, and acknowledged the high public interest in this case. JW highlighted the communications and website work undertaken by NRW to ensure transparency in the process, and the opportunity for stakeholders, including the Group, to contribute their views on EDF's environmental statement.

JW outlined the EIA timetable as understood by NRW, but cautioned that many stages were subject to change. He confirmed a public consultation period of at least 2 months, and that no statutory determination period applied to the case.

ii. <u>EIA contents & characteristics of Cardiff grounds</u>

NRW were asked about the degree of detail they expected in an environmental statement and highlighted the requirements of the Marine Works Act as being the key consideration. JW indicated that further pre-application discussion was likely between EDF and NRW, to confirm the scope of the Environmental Impact Assessment.

MA set out NRW's expectations of information and analysis that EDF should provide in relation to sediment dispersal at the Cardiff Grounds, having been urged by the Group not accept anything less than 3-d models of sediment flows

at the disposal site. MA also confirmed that NRW would expect details of EDF's commitment to monitoring the impacts of any licensed activities

iii. Dredging – capital and maintenance

MA explained the difference between capital and maintenance dredging, and the different licensing requirements for both process. The EDF application would comprise capital dredging.

iv. Sampling strategy

MA explained the EDF sampling strategy had been agreed in line with international guidelines and that NRW followed OSPAR advice. MA provided details on the technical advice and support that NRW engaged in reaching their decision on the sampling plan. MA confirmed that advice had bene received from their own technical advisers, Cefas, ABPmer and the Environment Agency, with Cefas and the EA having provided specific advice on radionuclides.

JW set out how NRW had worked with the Marine Management Organisation on sampling, as the MMO were responsible for licensing dredging activities at Hinkley.

v. Hinkley intake systems

SR gave a summary of how NRW's concerns relating to water intake systems at Hinkley had been considered and taken on board by the applicant. SR explained that NRW had been invited to review Cefas' assessment on the likely effects of removing the Acoustic Fish Deterrent (AFD) system from the scheme in 2018. SR outlined that NRW's concerns included clarity of modelling, a failure to account for entrainment and identification of key fish stocks.

NRW were asked to comment on their role and understanding of the emerging appeal by EDF to amend the environmental permit (to remove the requirement for AFD), and the reasonable expectation that such a major development should pursue innovative solutions. SR provided a breakdown of how NRW were working with the Environment Agency in this area, including working on agreed monitoring requirements.

vi. Public health risks

JW confirmed that NRW considered public health and the standards and guidance against which they would assess any application. JW confirmed Public Health Wales would be consulted and their views would help inform any decision

NRW were asked whether they would be requiring ongoing risk assessment of public health impacts but it was suggested that monitoring focus would be on movement and distribution of sediment and particles

vii. Potential and perceived conflicts of interest

NRW were asked for their view on whether Cefas faced a conflict of interest in their dual role in the process. JW set out NRW's understanding of Cefas' role, including their role in supporting NRW.

The Chair thanked the NRW officials for their time and indicated the Group would be writing with further and follow-up questions, including the application of Welsh legislations by NRW in their decision-making.

EDF and Cefas

The session with EDF and Cefas was split in two – the first part covered EDF and Cefas' role as a commercial service advising EDF. The second part covered Cefas' role as a Government executive agency and their advice to Natural Resources Wales.

EDF were represented in the first part of the session by

Chris Fayers – Head of Environment (CF)
Ross Pettigrew – Environmental technical manager (RP)
Peter Bryant

Cefas were represented for the first part of the session by:

Brian Robinson – Nuclear programme director (BR)
Sian Limpenny
Kins Leonard (KL)

Cefas were represented for the second part of the session by

David Carlin – Science director (DC)
Jemma Lonsdale (JL)
Kins Leonard

The first part of the session covered the following issues:

i. EDF's commitment to environmental standards

CF stated that EDF understood the public interest in the Hinkley project and that EDF were eager to ensure the project protected environmental interests. CF stated that EDF had used feedback from regulators and public consultation to

enhance its sampling strategy. He also stated that EDF in a number of assessment areas had provided more information and analysis than was required by law and more than was considered best practice. One example of this approach was EDF's decision to undertake an EIA of the plan to dispose of sediment at Cardiff Grounds.

CF described Hinkley Point C as the first power station in the Severn Estuary to incorporate fish mitigation measures, and therefore "fish friendly". EDF had worked with its marine technical forum – consisting of Environment Agency, NRW and relevant Inshore Fisheries and Conservation Authority (IFCA) – and had taken their views on board to design a system as fish friendly as feasible.

ii. <u>The project's links with Wales</u>

CF outlined the project's economic link to Wales, including the employment of over 1,000 Welsh workers, and the use of steel and concrete from Wales in the construction of Hinkley Point C.

CF highlighted efforts made by EDF to engage with stakeholders in Wales, and in particular its proactive relationship with NRW. CF invited the Group to visit the plant when current public health restrictions would allow.

iii. <u>EDF appeal on the application for a variation of the Environmental Permit</u>

CF explained that EDF had decided to appeal to the Planning Inspectorate because the Environment agency had not provided a decision on its application, which had bene submitted in February 2019. In response to questions about why appeal now, CF stated that appeal was the natural, normal course of action and that there were timing considerations to allow the project to progress

CF explained that EDF were seeking to remove the requirement for an Acoustic Fish Deterrent because it had evidence from Cefas showing that its removal would have a negligible impact on fish. The AFD would not have the impact originally expected, and the LVSE (low velocity side entry intake) would have the effect of sweeping fish beyond the intake tunnels in any case

BR stated that Hinkley Point C would offer betterment for protected species in the estuary in comparison to Hinkley Point B. He confirmed that Cefas and EDF's latest assessment of fish kill as a result of HPC would be less than 200m per annum. For context, BR explained that the sprat population in the estuary was estimated at 30-40bn. BR referred to the overarching European policy of sustainable management of fish, and that Cefas' evidence showed that Hinkley Point C would not impact the sustainability of stocks, and therefore would not compromise the policy objective.

BR stated that three methods of estimating fish numbers in the Severn estuary had been employed, and in each scenario the impact of Hinkley Point C would be negligible. He added that these assumptions had been agreed with the MMO.

BR suggested that the Environment Agency's concerns with the application to remove AFD could be explained by their adoption of an overly precautionary approach. He stated that extrapolating a precautionary approach over a series of projections was unreasonable and gave unworkable results.

iv. Modelling of impacts on the Estuary

BR confirmed that EDF and Cefas were using more recent modelling than the 2009 report cited by the Group. These reports would be provided to the Group following the meeting. BR stated that recent modelling for the project utilised a high performance cluster, using advanced computing power.

BR confirmed that Cefas' modelling work had been improved from 100m to 25m, with a vertical resolution of 0.8m. He stated that there would be localised impacts as a result of the water temperature from the outflow but no impacts for the Welsh coast.

v. EDF and Cefas' application of Welsh law

EDF and Cefas were questioned on how their project would achieve enhanced resilience of species and habitats, as required by the Well-being of Future Generations Act. CF stated that EDF were working to the applicable law in all parts of the project

vi. Other matters

Mesh in the intake tunnel: BR stated that the use of a 5mm mesh, instead of a 10mm mesh, would not have any impact on fish numbers. Any fish affected (killed) as a result of the mesh were likely to be larval fish and would be killed in any event, regardless of mesh type

Chlorination: RP and BR explained that the experience from Hinkley Point A informed their views on chlorination. Br felt that chlorination would be unlikely to be needed, and RP suggested that EDF would need to apply and consult on a variation to their environmental permit should chlorination be required.

CF thanked the group for the opportunity to attend the meeting and discuss the project.

The second part of the session covered the following issues:

i. Cefas' advice to NRW

DC explained that Cefas' advice to NRW had a very specific and limited scope, in relation only to the proposed dredging and disposal of sediment from Hinkley at the Cardiff Grounds. DC stated that NRW and Cefas had a commercial arrangement, with NRW paying a fee for Cefas' advice. Cefas had not provided advice to NRW or the Welsh government on any other aspect of the project, for example the construction of Hinkley Point C. DC stated that he and JL would not be able to comment on Cefas' advice to EDF.

ii. Conflict of duties – perceived or actual

DC and KL outlined that Cefas were satisfied that it had no conflict of interest in this project. DC explained that NRW had tested this and were satisfied that no conflict existed. He acknowledged that there may be a public perception of a conflict but he sought to reassure the Group that no conflict existed.

KL stated that as a scientist his duty was to provide the best possible advice at all times, and DC added that Cefas work was regularly subject to quality assurance processes, including peer review and independent scrutiny

iii. Cardiff Grounds marine disposal site

JL agreed to provide more information following the meeting on the further work Cefas had identified could be undertake on the Cardiff Grounds as part of it review of Welsh marine disposal sites for the Welsh Government (March 2010).

JL explained that NRW could direct monitoring arrangements to assess whether disposal at Cardiff Ground was affecting sedimentation locally, including at Penarth seafront, where there had been observed changes to the beach in recent years

iv. Testing for radionuclides in the dredged material

KL explained how Cefas had tested for radionuclides, including plutonium, in sediment at Hinkley. He highlighted work to compare sediment at Sellafield with sediment at Hinkley, and explained how the results provided assurance that monitoring at Hinkley had not shown any evidence of remobilisation of radioactive material to the surface.

Kl suggested the public perception around testing for radionuclides in sediment at Hinkley was simplistic, and that Cefas' testing used internationally recognised procedures and peer reviewed assessment processes, and was

focused on determining whether dredging and disposal activities posed any risk to environment or human health

The Chair thanked everyone for attending and confirmed follow up questions would be corralled and issued to the EDF communications team and to Cefas in writing

Group deliberations

Following the end of the Cefas and EDF session, the Group discussed some of the evidence and some of the immediate actions it needed to take.

- The Group agreed to offer wording to the Minister for Environment, Energy and Rural Affairs ahead of the Senedd debate on 21 October.
- The Group agreed to make representations on the EDF appeal to the Planning Inspectorate, by 27 October
- The Group agreed it needed to hear from the Environment Agency and the Severn and Devon IFCA and would invite them to attend the next meeting

6. AOB

None raised.

The next meeting of the Group will be on 16 November at 9am, held via MS Teams

Hinkley Point C Stakeholder Reference Group Meeting:

16 November 2020, 9.00am via MS Teams

Attendees:

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Professor Roger Falconer, Cardiff University
Dr Justin Gwynn, Senior Scientist, Norwegian Radiation and Nuclear Safety Authority
Rachel Sharp, CEO Wildlife Trusts Wales
Dr James Robinson, Director of Conservation, Wildfowl & Wetlands Trust

Welsh Government officials also present:
Dan Butler – Special Adviser to the First Minister
John Howells, Tara Doster, Jonni Tomos – Secretariat

Apologies:
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University
Dr Huw Brunt, Public Health Wales

1. Notes of last meeting

The minutes of the 4th meeting were agreed.

RS and RF agreed they would work jointly to develop a greater understanding of volume and dispersal patterns in the Cardiff Grounds.

The Group discussed the correspondence from the Counsel General and agreed it needed more clarification and detail on emergency planning matters. It agreed to send a further letter.

2. Matters arising, including correspondence

The Group discussed its forward work programme and agreed a timetable for the production of a report with advice to the First Minister. The Group agreed to finalise its 1st phase report by 15 March, with 1st and 2nd drafts to be prepared prior to the Group's meetings in January and February, respectively.

The Group agreed six priority areas. Members were asked to offer views on the issues by email following the meeting:

- The status and use of marine disposal grounds in the Severn Estuary for dredged material, including from Hinkley Point C;
- Examining the resilience of the Severn Estuary marine ecosystem;
- Emergency and contingency planning;
- The use of legal powers held by the Welsh Government and its agencies;

- Cross-border relations and arrangements;
- The independence of agencies in the development process.

The Group noted that its continued operation would be determined by the incoming First Minister, following the Senedd election on 6 May 2021. It agreed that in the event the Group is asked to continue its work following the election it would work towards preparing a 2nd phase report by July 2021.

The Group considered a draft letter to the Office for Nuclear Regulation and agreed it should be issued. The group confirmed it would await a response before considering whether to raise related issues with Somerset County Council, the Welsh Local Government Association and individual local authorities in south east Wales.

The Group noted correspondence from Tim Deere-Jones and agreed to thank him for his contribution.

3. Latest project timetable

The Group noted the updated timetable for sediment dredging and disposal activities, provided by the Welsh Government Marine and Fisheries Division.

The Group agreed to seek an update from EDF on its Marine Licence application and environmental statement.

4. Supplementary evidence from previous meeting

The Group discussed the evidence provided by NRW, EDF and Cefas at the previous meeting, and considered the further written evidence submitted.

The discussion focussed on the elements of the evidence which should be pursued through further investigations. The Group agreed to invite the Environment Agency and the Devon & Severn IFCA to its next meeting. The invitation should set out the issues that Members wished to raise, therefore Members were asked to provide these to the secretariat.

Additional modelling information from EDF was received during the meeting and circulated to Members

5. Notes on fish deterrence at West Somerset Tidal Energy Lagoon

The Group noted and welcomed the written views of Prof. Chris Binnie. The Group agreed they set out clear potential benefits of Acoustic Fish Deterrent systems, while recognising that an AFD's effectiveness would be affected by its location.

6. Tracking Table

The Group noted updates to the tracking table, including details of its forward work programme and priority issues.

7. AOB

None raised.

The next meeting of the Group will be on 21 December at 9am, held via MS Teams

Agreed Action Points:

- *Members to consider and provide comment on the Group's 6 identified priorities, and any further evidence gathering required – by 27/11*
- *Members to check the latest submission of modelling data from EDF and confirm with Secretariat whether any immediate follow-up is required – by 19/11*
- *Secretariat & Special Adviser to prepare a further letter to the Counsel General - by 19/11 to secure a response by 14/12*
- *Secretariat to amend & re-circulate draft letter to the ONR, and issue following members' agreement – by 18/11*
- *Secretariat, with support from RS and JR, to draft and circulate for Members' comment a letter inviting written views, and attendance at December meeting, from the Environment Agency – by 19/11*
- *Secretariat, with support from RS and JR, to draft and circulate for Members' comment a letter inviting written views, and attendance at December meeting, from the Severn & Devon IFCA – by 19/11*
- *JR to contact Fish Guidance Systems for their written view on the efficacy of Acoustic Fish Deterrent systems – by 20/11*
- *JR to contact EDF's contractor on sediment sampling Peter Henderson for his written view on the process followed by EDF – by 20/11*
- *Secretariat to contact EDF seeking information on submission of Environmental Statement in support of dredging and disposal plans – by 16/11/20.*
- *Secretariat to acknowledge the written submission from Tim Deere-Jones – by 16/11.*

Hinkley Point C Stakeholder Reference Group Meeting:

21 December 2020, 9.00am via MS Teams

Attendees:

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Professor Roger Falconer, Emeritus Professor of Water Engineering Cardiff University
Dr Justin Gwynn, Senior Scientist, Norwegian Radiation and Nuclear Safety Authority
Rachel Sharp, CEO Wildlife Trusts Wales
Dr James Robinson, Director of Conservation, Wildfowl & Wetlands Trust
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University
Dr Huw Brunt, Lead Consultant in Environmental public health, Public Health Wales

Welsh Government officials also present:
Dan Butler – Special Adviser to the First Minister
John Howells, Tara Doster, Jonni Tomos – Secretariat

Dr Jo Nettleton, Deputy Director for Radioactive Substances and Installations Regulation for the Environment Agency joined the meeting for agenda item 3.

Dr James Stewart, Senior Environment Officer for the Devon and Severn Inshore Fisheries and Conservation Authority joined for agenda item 4

1. Notes of last meeting

The minutes were agreed without amendment

2. Matters arising, including correspondence

2.1 Office for Nuclear Regulation

The Group discussed the ONR's letter of response dated 14 December. The Group agreed the letter highlighted areas of enquiry to be raised with Somerset County Council, local authorities and local resilience fora in south Wales.

The Group noted the ONR's statements regarding its lack of statutory responsibility for oversight and approval of emergency plans under REPPIR19. The Group agreed to respond to ONR to establish how the ONR's role changed as a consequence of the 2019 REPPIR19, and whether those changes were subject to consultation. The Group also agreed that the response should ask for details on the ONR's planned inspection of Somerset County Council in 2021.

The Group's discussions extended to some related matters, including a suggestion to contact the former head of emergency planning at Somerset County Council, and the community risk registers for the South Wales Resilience Forum.

Actions

- *JG to work with secretariat to draft a letter, citing key parts of the ONR response, to Somerset County Council*
- *HB to assist secretariat with letter to welsh local authorities and resilience fora*
- *Secretariat to draft follow up letter to the ONR*
- *RB to contact Tony Hurry, former senior emergency planner at Somerset County Council*

2.2 Counsel General

Secretariat explained that no response had yet been received and agreed to resolve. The Chair stated the Group's independence from Government meant it would address the communications from the Counsel General in its report to the First Minister

2.3 Discussion on latest EDF/Cefas modelling

The Group noted the Cefas *GETM 25m Plume Model* report (Version 2, edition 2), shared with the Group by EDF. The Group were content that this report represented a more robust modelling process than predecessor reports, and accepted the rationale for its conclusions of limited impacts on the Welsh coastline. The Group retained concerns about Cefas' role, the use of Cardiff Grounds as a deposit location for dredged material, and it agreed the report had potential implications for the areas on the English coast. The Group confirmed its intention to publish all its evidence when it presented its report to the First minister in March.

2.4 Correspondence from Tim Green, Cefas.

The Group noted the further correspondence from Tim Green, Chief Executive of Cefas, dated 17 December, addressing the issue of Cefas' dual role and functions. The Group agreed the letter raised new information and that it should seek assurance from both NRW and the EA that they understood and were satisfied by Cefas' arrangements to maintain a separation between the two arms of the organisation.

Action

- *Secretariat to contact NRW and EA*

2.5 Cardiff University model of flows at Cardiff Grounds and particle tracking in Swansea Bay

RF presented animations prepared by Dr Reza Ahmadian of Cardiff University showing currents in the Severn Estuary, with a focus on the levels at the Cardiff Grounds. RF also showed a particle tracking model developed by Dr Ahmadian showing how e-coli particles were distributed in the Swansea Bay area following their release in the mouth of river Neath. The Group agreed to request an equivalent model of particle tracking at the Cardiff Grounds, to aid its understanding of the potential impacts of disposing dredged materials in the area.

Action

- *Secretariat to ask Dr Ahmadian to develop a particle tracking model for the Cardiff Grounds*

3. Environment Agency (EA)

Dr Jo Nettleton, Deputy Director for Radioactive Substances and Installations Regulation joined the meeting at 10am.

The Chair welcomed Dr Nettleton (JN) to the meeting and introduced members of the Group. Matters covered with JN included:

- EA & NRW working relationship

  JN set out the close working relationship between EA and NRW, which included a Memorandum of Understanding between the two. JN explained that EA provided a specialist nuclear resource to NRW, and were in the process of contracting out further resource to support NRW's functions

  JN explained the processes in place to manage and resolve differences of opinion between the two bodies, but was able to confirm that such circumstances were rare and the two organisations worked very well together.

  JN confirmed that NRW had played a full and active role working with EA on the Hinkley Point C Habitats Regulations assessment and the application for a variation to the environmental permit, and that the two agencies were in full agreement.

- EDF/NNBGenCo appeal to vary Environmental Permit

  The Group asked JN for insight into the EA's views on the EDF application to vary the environmental permit and the appeal against its deemed refusal.

  JN explained that the permit had been considered in 2008-10 and the methods proposed met the relevant tests of the time. It had not been within EA's scope to consider or propose alternatives because the appeal had been made at the end of stage 2, before the commencement of stage 3 (when alternatives could be considered). As a result, the EA could not offer comment on potential alternatives raised by the Group.

  JN confirmed that EDF were kept abreast of EA's consideration of their application throughout the process. She agreed that EDF knew of EA's concerns and the likelihood of the application being refused when the appeal was made.

  JN explained that PINs had received around 66 representations on the appeal, and that EA believed all were supportive of their position.

- EA relationship with Cefas at Hinkley

  JN stated that EA recognised very clearly the separate duties and functions of the two arms of Cefas. The dispute in the context of Hinkley Point C was solely with the commercial arm, not the Government advisory arm. JN acknowledged that while EA understood how Cefas operated it may not be as clear to everyone.

- Public health

  The Group asked about the scale and nature of public health concerns in relation to Hinkley. JN outlined the range of concerns raised by stakeholders, including

ecology, radiation and radioactive discharges and traffic. JN agreed to forward details from stakeholder fora which would show the concerns and support

- Office for Nuclear Regulation functions

  The Group asked about changes to the ONR's role in light of REPPIR19 but JN explained that the EA did not have concerns about these changes. She suggested that ONR officials Mark Foy or Mike Finnerty were better placed to comment on changes to the statutory role of the ONR. JN confirmed that EA had a strong working relationship with ONR

- IAEA review of UK nuclear sector

  JN explained that the International Atomic Energy Agency (IAEA) conducted an integrated regulatory review service (IRRS) of the UK's nuclear energy sector in October 2019, covering the UK Government, devolved governments and regulators. The IAEA concluded that radiation regulation arrangements in the UK were complex but worked effectively.

  The UK established a Senior Radiation Safety Group to work through the IAEA's recommendations, and the implications of Brexit. These included moving from the EU's Basic Safety Standard Directive to using IAEA standards.

Actions:

- *Secretariat to write to EA thanking JN for attending the meeting and to seek further information on the following issues:*
  - *i. All applications by EDF for a variation of permit, currently under consideration or previously considered by EA.*
  - *ii. A summary of the courses of action available to PINS, and the implications to the project and EA of each course.*
  - *iii. Outputs from stakeholder fora, including concerns in relation to public health.*
  - *iv. Any additional information held by the EA on the use of Cardiff Grounds, including cumulative impacts.*
  - *v. Any role played by the EA, in support of NRW, in the review of the sampling strategy and results for sediment dredging and disposal from Hinkley to the Cardiff Grounds.*
- *The secretariat will share the animation showing currents and flows in the Severn Estuary (agenda item 2.5) with JN.*

Following the evidence provided by JN, the Group agreed it should ask the ONR whether the UK's adoption of IAEA standards would result in it resuming any statutory responsibilities.

Action:

- *Addendum to action under item 2.1 – seek clarity on implications of the UK's adoption of IAEA standards on the ONR's roles and responsibilities.*

4. Devon & Severn Inshore Fisheries and Conservation Authority

Dr James Stewart, Senior Environment Officer joined the meeting at 11.15am

The Chair welcomed Dr Stewart (JS) to the meeting and introduced members of the Group. Matters covered with JS included:

- IFCA's role and involvement in the Hinkley C project

  JS explained that the IFCA had actively contributed its views through consultation opportunities and that it sat on the Marine Technical Forum in a non-statutory role. The IFCA felt its concerns had not always been fully addressed by EDF or Cefas, whereas it welcomed the EA's position on the application for a variation to the environmental permit.

- Use of IFCA expertise and research by Cefas

  The group asked whether Cefas had utilised research by IFCA and JS confirmed that Cefas had not done so. JS outlined the local knowledge held by the IFCA including staff with expertise in specific species found in the Severn estuary, e.g. bass and herring. The IFCA's view was that Cefas had not been sufficiently focussed on the local marine environment in its evidence, choosing instead to cite data and projections for an area up to 15,000 times larger than the project's immediate local environment (the Special Area of Conservation). By placing Hinkley in a wider context, stretching from the Shetlands to Brittany, the evidence lost its focus on the estuarine environment and included analysis of habitats with little relation to the locality around Hinkley.

  JS outlined an example of a separate project where IFCA, Cefas and other relevant agencies had conflicting views. In that case there had been proactive efforts to resolve disputes, but a similar approach had not occurred in relation to Hinkley. JS agreed that IFCA had not proactively sought to reach out to Cefas, but that it had made its views known through appropriate and official means.

- IFCA's view on the proposed removal of the acoustic fish deterrent (AFD).

  JS confirmed that IFCA opposed the removal of the AFD, which it believed was vital given the project employed a direct cooling system. He added that the AFD was also necessary for the other mitigation methods to be effective. JS stated that direct cooling systems did not represent best available techniques, as demonstrated by other power stations. It suggested that EDF were taking decisions on economic grounds rather than environmental ones. JS said that IFCA understood EA's view to be that direct cooling system could be considered a best available technology only with AFD in place to mitigate impacts on fish populations.

  The group asked whether siting of the intake pipe 3.3km offshore would offer protection to fish. JS responded that the tidal range of the estuary meant that nursery areas for species were not static and it could not be said confidently that they would not be threatened.

Actions

- *Secretariat to write to JS thanking him for attending the meeting and to seek further information or details from the IFCA, including:*
  - *The IFCA's view on specific technical features of the project, including the use of Archimedes screws to move fish*
  - *A link to a report by Henderson & Seaby (2000) cited in the IFCA's written response to the Group*

5. Structure of draft report

The Group noted the suggested structure for the draft report. The Group reviewed the wording of its six priority areas and agreed a revised order. The Group also allocated responsibility for drafting the substantive chapters – see initials:

1. The resilience of the Severn Estuary marine ecosystem.
2. The implications for Wales of the use of Cardiff Grounds marine disposal site for dredged material from Hinkley Point C.
3. Emergency and contingency planning.
4. The use of legal powers held by the Welsh Government and its agencies.
5. The independence of agencies in the development process.
6. Cross-border relations and arrangements.

Action

- *Group to begin to develop the draft report*

6. Tracking table

The Group noted updates to the tracking table and updated its priorities in accordance with decisions taken at item 5.

7. End of year review – letter to the First Minister

The Group agreed to amend the draft letter to reflect updates to the priority areas of enquiry.

Actions

- *Members to provide suggested amendments to the letter*
- *Secretariat to issue letter on 22 December*

8. AOB

None raised

The next meeting of the Group will be at 9am on Monday 18 January 2021.

Actions

- *JG to work with secretariat to draft a letter, citing key parts of the ONR response, to Somerset County Council*
- *HB to assist secretariat with letter to Welsh local authorities and resilience fora*
- *Secretariat to draft follow up letter to the ONR. Letter to seek clarity on implications of the UK's adoption of IAEA standards on the ONR's roles and responsibilities.*
- *RB to contact Tony Hurry, former senior emergency planner at Somerset County Council*
- *Secretariat to contact NRW and EA for views on Cefas separation of duties*
- *Secretariat to ask Dr Ahmadian to develop a particle tracking model for the Cardiff Grounds*
- *Secretariat to write to EA thanking JN for attending the meeting and to seek further information on the following issues:*
    - *All applications by EDF for a variation of permit, currently under consideration or previously considered by EA.*
    - *A summary of the courses of action available to PINS, and the implications to the project and EA of each course.*
    - *Outputs from stakeholder fora, including concerns in relation to public health.*
    - *Any additional information held by the EA on the use of Cardiff Grounds, including cumulative impacts.*
    - *Any role played by the EA, in support of NRW, in the review of the sampling strategy and results for sediment dredging and disposal from Hinkley to the Cardiff Grounds.*
- *Secretariat to share the animation showing currents and flows in the Severn Estuary with EA.*
- *Secretariat to write to IFCA thanking JS for attending the meeting and to seek further information or details, including:*
    - *The IFCA's view on specific technical features of the project, including the use of Archimedes screws to move fish*
    - *A link to a report by Henderson & Seaby (2000) cited in the IFCA's written response to the Group*
- *Group to begin to develop the draft report*
- *Members to provide suggested amendments to the end of year letter to the FM*
- *Secretariat to issue letter to FM on 22 December*

Hinkley Point C Stakeholder Reference Group Meeting:

18 January 2021, 9.00am via MS Teams

Attendees:

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Professor Roger Falconer, Emeritus Professor of Water Engineering Cardiff University
Dr Justin Gwynn, Senior Scientist, Norwegian Radiation and Nuclear Safety Authority
Rachel Sharp, CEO Wildlife Trusts Wales
Dr James Robinson, Director of Conservation, Wildfowl & Wetlands Trust
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University
Dr Sarah Jones, Consultant in Environmental public health, Public Health Wales

Welsh Government officials also present:
Dan Butler – Special Adviser to the First Minister
John Howells, Tara Doster, Jonni Tomos – Secretariat

The Chair welcomed Dr Sarah Jones to her first meeting of the Group and thanked all members for the quality of the work prepared so far.

1. Notes of last meeting

The minutes were agreed without amendment

2. Matters arising, including correspondence

The Group discussed the correspondence received from the Counsel General, Fish Guidance Systems and Pisces Conservation. It agreed to issue the draft letters, with some minor amendments, to the Environment Agency, the Office for Nuclear Regulation and Somerset County Council.

3. Update from EDF

Chris Fayers (CF), EDF's Head of Environment for Hinkley Point C, joined the meeting at 9.30. Members asked a range of questions in relation to EDF's applications to dispose of dredged material at Cardiff Grounds and Portishead, EDF's use of consultants, and the Environmental Permit appeal to remove the requirement for an Acoustic Fish Deterrent (AFD).

CF outlined the circumstances that had made Portishead disposal area a viable option for the dredge disposal, including the spare capacity of the site as a result of changes in its use by Bristol Port. He stated that Portishead was being explored as a 2nd option, and Cardiff Grounds remained the preferred site due to its closer proximity to Hinkley. He stated that using Cardiff Grounds would be environmentally preferable as there would be lower fuel consumption by the vessels transporting the

dredged material. He confirmed that an application had been lodged with the Marine Maritime Organisation (MMO) in relation to Portishead, and that an application to Natural Resources Wales for Cardiff Grounds was being prepared and would be submitted soon

CF reiterated EDF's view that evidence demonstrated the AFD was no longer required, and he confirmed that EDF had plans in place for each of the potential outcomes of the appeal. He described how the low velocity side intake heads worked

Action: *The Group will write to EDF to thank them for attending the meeting and to ask for its views on the relative merits of Cardiff grounds and Portishead as locations for deposing the dredged material*

4. Feedback from Ministers

The Chair and DB reported they had met the First Minister shortly before Christmas and that he was pleased with the Group's progress and with the priority areas identified by the Group. He had added that Cardiff Grounds remained a major priority, along with the wider environmental health of the estuary.

The Chair confirmed that the Group's stated timetable should remain in place regardless of whether Senedd elections were delayed as a result of Covid-19.

5. The draft report

Members provided short updates on each chapter and highlighted additional meetings taking place between members.

The Group agreed the six previously identified priorities should be recast as four main chapters, with legal powers and independence of agencies (previously slated as chapters 4 and 5) to be issues threaded throughout. The Group agreed that a foreword from the Chair would set the context for the report, and that the authors of each chapter should aim for no more than 5 pages. Supporting information and evidence, and a reference list will be set out in a separate document from the main report.

Members agreed to provide updates on progress with each chapter by 1 February, and to use the next meeting to consolidate the content of the report. The Group agreed to schedule an additional meeting to review the 1st draft report on 1 March at 1pm

Action: *Members to provide updates on each Chapter by 1 February*

Action*: Members to review the biographies published on the Group's webpages by the end of January*

Action: *Secretariat to arrange an additional meeting on 1 March*

6. Tracking table

The Group reviewed the tracking table and agreed that the 'Priorities' tab should be updated.

7. Final requests for information

The Group agreed to seek information on the EDF application at Portishead from the MMO. It also agreed to it needed to seek more information on the history and use of Cardiff Grounds. It was suggested that the Crown Estate could have useful information.

Action: *Secretariat to write to Marine Maritime Organisation*

Action: *Secretariat to write to the Crown Estate*

8. AOB

None raised

The next meeting of the Group will be at 9am on Monday 15 February 2021.

Actions

- *The Group will write to EDF to thank them for attending the meeting and to ask for its views on the relative merits of Cardiff grounds and Portishead as locations for deposing the dredged material*
- *Members to provide updates on each Chapter by 1 February*
- *Members to review the biographies published on the Group's webpages by the end of January*
- *Secretariat to arrange an additional meeting on 1 March*
- *Secretariat to write to Marine Maritime Organisation*
- *Secretariat to write to the Crown Estate*

Hinkley Point C Stakeholder Reference Group Meeting:

15 February 2021, 9.00am via MS Teams

Attendees:

Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Professor Roger Falconer, Emeritus Professor of Water Engineering Cardiff University
Dr Justin Gwynn, Senior Scientist, Norwegian Radiation and Nuclear Safety Authority
Rachel Sharp, CEO Wildlife Trusts Wales
Dr James Robinson, Director of Conservation, Wildfowl & Wetlands Trust
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University
Dr Sarah Jones, Consultant in Environmental public health, Public Health Wales
Professor Karen Morrow, Hillary Rodham Clinton School of Law, Swansea University

Welsh Government officials also present:
Dan Butler – Special Adviser to the First Minister
John Howells, Tara Doster, Jonni Tomos – Secretariat

The Chair welcomed Professor Karen Morrow to her first meeting of the Group. The Chair outlined that Prof Morrow had been invited to the Group to offer advice on matters related to reserved and delegated powers, and on potential or perceived conflicts of interest

1. Notes of last meeting

The minutes were agreed without amendment.

Action – Secretariat and JG to work together to write to relevant Welsh local authorities on emergency planning.

2. Matters arising, including correspondence

The Group was given an update on the status of outstanding correspondence, including letters issued to Somerset County Council, the Marine Maritime Organisation (MMO) and the Crown Estates. The Group agreed that responses should be pursued urgently, with a deadline of 1 March set to allow the report to reflect any information received. The Group also discussed the letter of response dated 12 February from the First Minister.

Action - MMO to be invited to the next meeting.
Action – Crown Estates to be invited to the next meeting

The Group discussed the update circulated by EDF on its dredge disposal applications at Portishead and Cardiff Grounds. JG provided an assessment of the sampling and testing assumption underpinning the applications. The Group

recognised that the circumstances of having two separate applications would potentially enable EDF to make the choice of whether to dispose at Portishead or Cardiff Grounds, rather than a regulatory assessment of the relative environmental merits of each option being the deciding factor. The Group agreed it wanted to comment on this situation in its report.

The Group discussed the role of Marine Plans and the arrangements in the Severn estuary for two separate plans. The Group agreed to invite the Welsh Government's marine planning team to it next meeting

Action – Welsh Government marine planning team to be invited to the next meeting, on 1 March

3. Draft Report

The Group received updates on each draft chapter from the lead authors. Following a detailed discussion Members agreed a rearranged structure for the report, as follows:

- Foreword & introduction
- Chapter 1 – the integrity of the ecosystem
- Chapter 2 – cross-border systems and processes
- Chapter 3 – sediments and radioactivity
- Chapter 4 – modelling and the Cardiff Grounds
- Chapter 5 – emergency planning
- Chapter 6 – use of Welsh Government powers
- Chapter 7 – advice to the First Minister

The Group discussed how it expected its report to be received and considered, and agreed it should have this in mind in its drafting.

Action – Secretariat to issue updated structure and style guide

Action – Members to provide updated draft chapters by 24 February

Action – members to provide list of Cefas evidence and Secretariat to ask Cefas to confirm which side of the organisation the evidence came from

4. Tracking table

The Group reviewed the tracking table and agreed that it needed to be updated.

5. AOB

None raised

The next meeting of the Group will be at 1pm on Monday 1 March 2021.

Actions

- MMO to be invited to the next meeting.
- Crown Estates to be invited to the next meeting
- Welsh Government marine planning team to be invited to the next meeting, on 1 March
- Secretariat to issue updated structure and style guide
- Members to provide updated draft chapters by 24 February
- Members to provide list of Cefas evidence and Secretariat to ask Cefas to confirm which side of the organisation the evidence came from

Hinkley Point C Stakeholder Reference Group Meeting:

1 March 2021, 13.00pm via MS Teams

MINUTES

Attendees:
Jane Davidson (Chair), Pro Vice-Chancellor Emeritus, University of Wales Trinity Saint David
Professor Roger Falconer, Emeritus Professor of Water Engineering Cardiff University
Dr Justin Gwynn, Senior Scientist, Norwegian Radiation and Nuclear Safety Authority
Rachel Sharp, CEO Wildlife Trusts Wales
Dr James Robinson, Director of Conservation, Wildfowl & Wetlands Trust
Dr Rhoda Ballinger, Reader, School of Earth and Ocean Sciences, Cardiff University
Dr Sarah Jones, Consultant in Environmental public health, Public Health Wales
Professor Karen Morrow, Hillary Rodham Clinton School of Law, Swansea University

Welsh Government officials also present:
Dan Butler – Special Adviser to the First Minister
John Howells, Tara Doster, Jonni Tomos – Secretariat

Lindsey Mullan and Tracey Chapman from the Marine Management Organisation joined the meeting for agenda item 2.

John Hamer and Mike Dowell from the Welsh Government's Marine and Fisheries Division joined for agenda item 3.

1. Notes of last meeting

The minutes were agreed. The Group decided that as the report was the product of the Group, lead chapter writers would not be identified individually.

Marine Management Organisation

The MMO were represented by Lindsey Mullan, Senior Case Manager and Tracey Chapman, Case Manager. They were welcomed to the meeting by the Chair, who outlined the Group's role, introduced the members and explained the Group's intentions to provide a report to the Welsh Government in mid-March.

The Group asked MMO about cross-border working arrangements and received details about how MMO has worked with Natural Resources Wales (NRW) on sampling plans for marine dredging works. MMO explained how the application by EDF to dispose of material at Portishead was being considered, and confirmed their understanding of the volumes that had been applied for.

MMO acknowledged the Group's view that their website held little information on sampling for radionuclides, suggesting that as the issue had only occurred twice in the past four years it was not guidance that was needed frequently. The MMO confirmed that the relevant guidance is made directly available to applicants.

The Group asked what weight the MMO gave to Marine Plans at various stages in their preparation. MMO confirmed their licensing team worked on a Plan-led basis, with draft Marine Plans only given weight once they were issued for consultation. In relation to the Portishead application, the South West draft plan is regarded as a material consideration though it is with the Secretary of State for their consideration. MMO also confirmed that their planning department cooperated with the Welsh Government's Marine Planning team on

MMO highlighted Coastal Concordats between themselves and local authorities in coastal locations as formal agreements of each other's roles and responsibilities. MMO agreed to share an example of a concordat with the Group. The MMO agreed they offered more detail than a typical Memorandum of Understanding.

The Group asked how the MMO scrutinised modelling and other evidence provided by applicants. MMO confirmed their use of ABPmer as their advisory specialist consultants, and highlighted the value of consultation periods in drawing out specialist views on modelling studies.

The Group asked how the MMO it would be affected under each possible scenario on the ongoing appeal to vary the environmental permit at Hinkley. MMO confirmed that the original conditions of the DCO did not allow for a deemed marine licence, and therefore in the event of a variation to the environmental permit, the MMO permit would need to be varied - as well as the DCO. MMO stated they expected to run their permit process in parallel with the DCO variation by using the same consultation and decision-making processes.

The chair thanked the attendees for joining the meeting and confirmed that a copy of the Group's report would be shared in due course

2. Welsh Government Marine and Fisheries Division

Mike Dowell, Deputy Director Marine and Fisheries Division and Dr John Hamer, Head of Marine Policy joined the Group's meeting to discuss the Wales National Marine Plan and interactions between the Welsh Government and UK Government departments on marine issues.

The Group highlighted references in Marine Plan background documents that indicated a Memorandum of Understanding between the Welsh Government and MMO, but it was established that only a short Ways of Working document agreed by the two organisations was currently in place.

The Group explored other ways in which the Welsh Government sought to influence plans across the border and invited reciprocal contributions to its work. The Welsh Government highlighted that marine plans were still very new and that they provided a much stronger basis for cooperation across borders, for joined-up consenting and decision-making. There was a general discussion on suggestions for joint Supplementary Planning Guidance and specific locational guidance for sectors as ways of increasing coordination between plans in the Severn Estuary.

The Welsh Government drew the Group's attention to the State of Natural Resources Report (SoNaRR) for Wales 2020 and Area Statements as key evidence

that enabled the Welsh Government and other key authorities to embed ‘future generations’ principles into decision-making.

The Welsh Government agreed to share its Ways of Working document with the Group and to provide an infographic on cross-border working and decision-making arrangements. The chair thanked John and Mike for attending the meeting

3. Draft Report

The Group agreed that a contribution from Welsh local authorities on emergency planning was required, and a reply from Somerset County Council was still outstanding.

Action – Secretariat to contact the Welsh Local Government Association

The Group agreed next steps for drafting and editing the report, including timeframes for the week ahead. The Group discussed publication arrangements and debated how to publicise the report. The Group agreed a press technical briefing as its favoured option, to be arranged by the secretariat and the Welsh Government press office for Monday 15 March.

Action – Secretariat to arrange press technical briefing

4. Tracking table

The Group reviewed the tracking table.

5. AOB

None raised

The next meeting of the Group will be at 9am on Monday 8 March 2021, with the draft report as the only agenda item.