From: Darren Atkinson <atkinson@powerconsultingmidlands.com>
Sent: 20 January 2021 11:16
To: Butts, Hywel (ESNR-Planning)
Cc: Randall Smith; Freddy Murray (freddy@MRYRenewables.co.uk)
Subject: RE: Barry Biomass EIA

Good Morning Hywel,

Would you be able to provided an updated status on the below issue please? We are happy to convene
another call this week, should you need to review and discuss where this sits inside your release
process.

Thanks
Darren

Darren Atkinson
Power Consulting Midlands Ltd
Mobile : [redacted]
Email : atkinson@powerconsultingmidlands.com
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From: Darren Atkinson
Sent: 12 January 2021 19:03
To: Hywel.Butts@gov.wales
Cc: Randall Smith <randall@powerconsultingmidlands.com>
Subject: Barry Biomass EIA
Importance: High

Good Evening Hywel,

Apologies for the continued chasing, I hope you don’t mind me following up on the below topic re: the
communication from WAG regarding the ES proposal in relation to Biomass No.2 Ltd

As im sure you are aware we are continuing to come under a lot of pressure from the VoG and local
groups to provide updates on this subject and being able to provide the results of our discussions to the
council is of the upmost importance to us at the moment to enable us to move forward on all issues in a
productive and collaborative manner.

If you could provide the input or a status update on when we might expect it, that would be much
appreciated.

Thanks
Darren

Darren Atkinson
Power Consulting Midlands Ltd
Mobile : [redacted]
Email : atkinson@powerconsultingmidlands.com
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From: Randall Smith <randall@powerconsultingmidlands.com>
Sent: 07 January 2021 13:37
To: Hywel.Butts@gov.wales
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk
Subject: RE: Barry Biomass EIA

Hi Hywel,

Thank you for joining the call on Tuesday, it was good to touch base and confirm our understanding of next steps.

I was wondering if we can still expect the letter to be issued imminently so that we can pass this on to VoG this week.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Randall Smith
Sent: 02 January 2021 18:00
To: Hywel.Butts@gov.wales
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk
Subject: RE: Barry Biomass EIA

Hi Hywel,

I hope you have managed to have as nicer Christmas and New Year as the COVID-19 restrictions allow.

I was wondering if it would be possible for us to have a quick call next week to discuss the status of the
communication from WAG regarding ES and the additional information in my email below. As you are
aware we are continuing to come under a lot of pressure from the VoG and local groups to provide
updates on this subject and being able to provide the results of our discussions to the council is of the
utmost importance to us at the moment.

If convenient I will put a slot in the diary for a Teams call on Tuesday 5th December at 1pm, please let me
know if you are able to catch up with us then.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Randall Smith
Sent: 19 December 2020 11:10
To: Hywel.Butts@gov.wales
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk
Subject: RE: Barry Biomass EIA

Hi Hywel,

Further to below we have started work on the proposed Environmental Statement and are in dialogue
with Vale of Glamorgan council on the matter, would it be possible to give us a timeline for the receipt
of the written communication from WAG on this matter so that we can keep VoG fully informed.

Additionally, we have started to scope out the work regarding the Environmental Statement and would
like your confirmation, or otherwise, that the below is in line with your expectations.

Biomass UK No. 2 intend to provide a comprehensive Landscape and Visual Impact Assessment as that

considers the effects (landscape character and visual) of the 'as built' scheme. Please note that this will be anew assessment and will not be a comparative document that relies on previous LVIA's or the condition of the Site pre-2008.

The LVIA will be prepared in accordance with the Guidelines for Landscape and Visual Impact Assessment, third edition, 2013 (LI and IEMA). The assessment will be prepared by a Fellow of the Landscape Institute (FLI) and subject to peer review by a Chartered Member of the Landscape Institute (CMLI).

In producing this work, we intend to provide WG with a LiDAR generated visual envelope and plan showing the viewpoints which will form the basis of the assessment and photographs. We will also be providing a list of contents / issues tht will be covered in the LVIA and a statement of matters to be scoped out of the LVIA, along with a clear definition of the terminology that will be used in the assessment which include the classification of Receptor Sensitivity, Magnitude of Change, Significance of Effects, Threshold of Significance etc.

Given that this ES is intended to be definitive, we need agreement from Welsh Government to the following:

* Agreement to the viewpoint locations, if additional or alternative views need to be considered WG will provide an annotated plan to show these;
* Agreement to the Study Area – any changes/disagreement to be annotated on a plan.
* Confirmation or otherwise as to the contents
* Agreement of otherwise as to the scope of issues to be omitted.
* Confirmation as to the terms, classification definitions and thresholds.

We are currently in the process of generating the visual envelope and plans, and will send these to you as soon as they are available.

On other subjects, namely air, noise, waste and climate, we are progressing on the basis of producing an ES to meet the requirements of the 2017 EIA regulations using 2015/16 (pre-development) as a baseline.

These areas of work shall be utilising the technical reports that were produced in support of the 2016 permit application to the NRW. Noting that these reports are more comprehensive to the reports submitted as part of the 2015 planning approval, have also been technically scrutinised by the competent authority and undergone independent assessment by the NRW's AQ team during the determination of the permit. Please can you provide formal agreement that these documents are suitable to form the basis of the Environment Statement.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Randall Smith
Sent: 12 December 2020 12:51
To: Hywel.Butts@gov.wales
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk
Subject: RE: Barry Biomass EIA

Hi Hywel,

Many thanks for your time last Friday, it was a most productive call that gave clear direction on the route forward with regards to Biomass No.2 producing a satisfactory Environmental Statement.

Based on those discussion we have already begun work although, as you can appreciate, receiving a formal, written position from WAG on this matter is of the utmost importance for us in terms of our ongoing liaisons with the local authorities. Would it be possible for you to give us an indication of when we might expect to receive this communication so that we can effectively manage our stakeholders in the VoG council.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Hywel.Butts@gov.wales <Hywel.Butts@gov.wales>
Sent: 01 December 2020 11:43
To: Randall Smith <randall@powerconsultingmidlands.com>
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk

Subject: RE: Barry Biomass EIA

Randall
The best day for me would be Friday. I am available 10:00 to 13:45 or from 15:00 to
17:00.
Many thanks
Hywel
Hywel Butts
Pennaeth y Gangen Rheoli Datblygu / Head of Development Management Branch
Y Gyfarwyddiaeth Gynllunio / Planning Directorate
Llywodraeth Cymru / Welsh Government
From: Randall Smith <randall@powerconsultingmidlands.com>
Sent: 01 December 2020 10:57
To: Butts, Hywel (ESNR-Planning) <Hywel.Butts@gov.wales>
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk
Subject: RE: Barry Biomass EIA

Hi Hywel,

Would it be possible to secure some time in your diary this week to discuss interpretations of the WSP
report and production of further ES material, we know how busy you are but are keen to discuss this
issue so we can move it forward, we had hoped to progress this by the 25th November.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Randall Smith
Sent: 23 November 2020 10:02
To: 'Hywel.Butts@gov.wales' <Hywel.Butts@gov.wales>
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; 'steve.butler@sol-environment.co.uk' <steve.butler@sol-environment.co.uk>
Subject: RE: Barry Biomass EIA

Hi Hywel,

Apologies for chasing so soon as I know that you, and WAG in general, are extremely busy with COVID-
19 and Brexit preparations. However, we are conscious of the need to resolve the issues surrounding

Biomass No.2 on an urgent basis and if it is at all possible we would appreciate some time in your diary
this week to discuss our joint understanding of the WSP report and production of further ES material.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Randall Smith
Sent: 19 November 2020 10:59
To: Hywel.Butts@gov.wales
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk
Subject: RE: Barry Biomass EIA

Hi Hywel,

Many thanks for your response and I look forward to arranging a session where we can discuss the WSP
work together.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Hywel.Butts@gov.wales <Hywel.Butts@gov.wales>
Sent: 19 November 2020 10:56
To: Randall Smith <randall@powerconsultingmidlands.com>
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; steve.butler@sol-environment.co.uk
Subject: RE: Barry Biomass EIA

Randall

Thanks for your email and communication from last week, which I can confirm receipt. I have had to prioritise Brexit issues this week but agree we need to come to a common understanding of the WSP work and agree a way forward. I have a few issues I need to resolve today before I'll have a clearer idea of my availability this week so will come back to you on this shortly.

Many thanks

Hywel

Hywel Butts
Pennaeth y Gangen Rheoli Datblygu / Head of Development Management Branch
Y Gyfarwyddiaeth Gynllunio / Planning Directorate
Llywodraeth Cymru / Welsh Government

From: Randall Smith <randall@powerconsultingmidlands.com>
Sent: 18 November 2020 19:36
To: Butts, Hywel (ESNR-Planning) <Hywel.Butts@gov.wales>
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; Steve Butler <steve.butler@sol-environment.co.uk>
Subject: RE: Barry Biomass EIA

Hi Hywel,

I wanted to reach out to confirm receipt of our communication last week. I appreciate that the letter is somewhat formal but we hope that it will serve as a useful starting point in interpreting the WSP report and finding a mutually agreeable solution to unlock the issues currently surrounding Biomass UK No.2 Ltd.

We feel it might be beneficial to have a dialogue with you on the contents of both the WSP report and our letter so that we can ensure that we have a common understanding on both pieces of communication. If you have any availability for this in the next week then we would make ourselves available to suit your diary.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Randall Smith
Sent: 13 November 2020 10:43

To: hywel.Butts@gov.wales
Cc: Richard Frearson <rf@powerconsultingmidlands.com>; Darren Atkinson <atkinson@powerconsultingmidlands.com>; Steve Butler <steve.butler@sol-environment.co.uk>
Subject: RE: Barry Biomass EIA

Hi Hywel,

Many thanks for communicating the WSP report below.

Please see attached communication sent on behalf of Richard Frearson with regards to the ongoing
planning discussions at Biomass UK No. 2 Ltd.

Kind Regards,

Randall Smith
Power Consulting Midlands Ltd

Mobile : [redacted]
Email : randall@powerconsultingmidlands.com

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From: Hywel.Butts@gov.wales <Hywel.Butts@gov.wales>
Sent: 05 November 2020 16:45
To: Steve Butler <steve.butler@sol-environment.co.uk>
Cc: Neil.Hemington@Gov.Wales; Amy.Ravitz-Williams@gov.wales
Subject: RE: Barry Biomass EIA

Steve

Thank you for your email. Sorry for the delay in responding. Our work on this case has
been delayed because we have been working on responses to coronavirus and Brexit.

WSP completed their review of your environmental statement last year and identified
many deficiencies in the information your client provided. They approached the
exercise from a 'best practice perspective' so in our view not all the further information
requirements they identified are necessary to compile an environmental statement
which would fulfil the requirements of the regulations. We were working through what
further information would be reasonable to provide within the consultation document
when coronavirus issues took precedence.

As we have not yet finished that exercise I attach the WSP report so you can

understand what we have been interpreting. I understand the circumstances under which you compiled the information was not the usual way an environmental statement would be compiled because it pulled together existing information. Our intention however has always been to consult on an environmental statement that fulfils the requirements of the EIA regulations as closely as possible. So for example, the public should get to see a description of environmental effects in regard air pollution based on an assessment which uses the correct flue diameter. On the other hand, we don't support WSP's suggestion a phase one habitats survey should be undertaken as there is no habitat left to survey and the description of what did exist at the time is adequate.

You will note that WSP commented on the need for EIA for the plant. This was not asked for as part of their brief and the Welsh Government does not endorse the approach they have taken. Ministers will reach their own decision on this point in due course.

I will let you consider the WSP report and we can arrange to discuss how to take forward reasonable additional information to supplement what your client has have already provided.

Many thanks
Hywel

Hywel Butts
Pennaeth y Gangen Rheoli Datblygu / Head of Development Management Branch
Y Gyfarwyddiaeth Gynllunio / Planning Directorate
Llywodraeth Cymru / Welsh Government
Ffôn / Tel: 0300 025 1619 / 07825 690522

From: Steve Butler <steve.butler@sol-environment.co.uk>
Sent: 13 October 2020 14:32
To: Butts, Hywel (ESNR-Planning) <Hywel.Butts@gov.wales>
Subject: Barry Biomass EIA

Hi Hywel, I hope that you are well.

I am keen to get in contact with you to discuss the issues relating to the Barry Biomass EIA.

We (Sol Environment) act on the behalf of Aviva and the site developers and have been liaising closely

with the Vale of Glamorgan planning team to resolve the outstanding planning issues.

We understand, from Ian Robinson that you are now in position to provide some feedback on the
voluntary EIA that was presented in support of the 2017 MMA application. It would be very useful to
discuss this issue with you directly in advance of any of formal responses being provided.

Please can you call me on the number below, noting that my mobile is by far the easiest number to
reach me on.

All the best,

Steve
Steve Butler | Sol Environment
Malvern | Bristol | Edinburgh
t: 01684 572727 (Malvern) 01179 372 811 (Bristol)
m: 07540 473170
e: steve.butler@sol-environment.co.uk w: www.sol-environment.co.uk

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http://www.sol-environment.co.uk/covid-19.html

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hysbysiad preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich
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