

Date: 27 June 2023

Dear

ATISN 18579 – Request for information relating to the Inspector’s checking of the Environmental Statement (ES) for the Barry Biomass appeals.

Thank you for your request which I received on 1 June 2023. You asked for:

- All communications between PEDW and the Inspector concerning his checking of the ES for completeness.
- Any checklists the Inspector might have made whilst checking the ES for completeness.
- Records of any consultation with other specialists inside or outside PEDW that informed the Inspector’s report on the completeness of the ES.
- Records of any discussions relating to possible or actual requests for ‘further information’ under regulations 51 and 24 of the Town and Country Planning (Environmental impact Assessment) (Wales) Regulations 2017 (as amended) during the course of the appeals to date, including any consultation with specialist assessors.

Our response

I address the information you have requested in order, for ease of reference.

All communications between PEDW and the Inspector concerning his checking of the ES for completeness.

I attach copies of all communications between PEDW and the Inspector concerning his checking of the ES for completeness that are held by the Welsh Government. Please note that where the Inspector submitted his completeness report for issue by email, I have not included the draft report that was attached as only a small typographical error was corrected before the final version of the report was issued on 5 September 2022. That final version is already publicly available on PEDW’s online portal.

Any checklists the Inspector might have made whilst checking the ES for completeness.

I have confirmed that the Inspector did not make any checklists during his checking of the ES for completeness and therefore no such information is held by Welsh Government.

Records of any consultation with other specialists inside or outside PEDW that informed the Inspector’s report on the completeness of the ES.

I have confirmed that the Inspector did not consult with any other specialists inside or outside PEDW to inform his report on the completeness of the ES, therefore no such information is held by Welsh Government.

Records of any discussions relating to possible or actual requests for 'further information' under regulations 51 and 24 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) during the course of the appeals to date, including any consultation with specialist assessors.

We do not hold any records of discussions of potential or actual requests for further information under regulations 51 and 24 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) during the course of the appeals to date, including any consultation with specialist assessors.

Processing of this response

I note that in your request (and subsequent email of 15 June 2023) you state the view that the information requested is EIA 'further information'. Whilst the request is being dealt with under the EIR, none of the information being released is 'further information' for the purposes of the EIA Regulations. As the handling of this request does not relate to the merits of the appeals either, I do not consider that it would be appropriate for my response to be published with the other appeal documents. However, it will be published online as part of the Welsh Government's disclosures log here:

[Publication of freedom of information \(FOI\) responses | GOV.WALES](#)

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely