

Hannah Blythyn AC/AM  
Y Dirprwy Weinidog Tai a Llywodraeth Leol  
Deputy Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref WAQ 78609

Andrew RT Davies AM

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14 August 2019

Dear Andrew

Thank you for your Written Assembly Question 78609 where you asked me to outline the latest position in the decision making process regarding an environmental impact assessment for the Barry Incinerator.

A Written Statement was issued on 15 May which explained we continue to consider whether the planning application submitted by Biomass UK No.2 Ltd under section 73 of the Town and Country Planning Act 1990 (reference number 2017/01080/FUL) to the Vale of Glamorgan Council must be subject to Environmental Impact Assessment (EIA).

It went on to explain, as part of the consideration we have identified a potential breach of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 ("the EIA Regulations") in relation to planning application 2015/00031/OUT. If there has been a breach of the EIA Regulations we have a duty of sincere co-operation under European Law which requires us to exercise any powers available to us under domestic law to remedy any breach that may have occurred if taking such measures is lawful and proportionate.

The statement set out our approach which includes a public consultation. We continue to consider matters in light of representations made.

Yours sincerely

**Hannah Blythyn AC/AM**  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.