

Dear Planning Inspectorate

Thank you for the opportunity to comment on the preliminary meeting, I have further points that I wish to raise. This is the first time I have participated in such a process and my observations are as follows:

1. The technology:

- a. Whilst the use of Teams enabled plenty of people to participate it was frustrating that there were a significant number of occasions when it was clear that participants including Examining Authority staff were struggling with the technology. The 'hands up' function was also unavailable to some, making it difficult to actively participate in the process. We note too that the Chair Wendy McKay was uncertain on a number of occasions whether the system was working properly.
- b. There were clearly issues with both vision and sound. This is clearly unacceptable for such an important enquiry. Participants - and, in particular, the Examining Lead, Wendy Mackay - also suffered with screens freezing, poor quality sound (which was sometimes had an echo that made it difficult to hear the points being raised) and the failure of individual broadband connections. We highlight in particular the representation from the RSPB / Wildlife Trust.
- c. The Teams technology demands significant bandwidth which is not always available in a rural community. This unfairly and unreasonably disenfranchises some of the participants. We know of other participants who were unable to contribute as intended due to internet problems.
- d. It is very difficult - if not impossible - for those using a laptop (or tablet) with a relatively small screen to access documents and papers, whilst also engaging with the Teams process. This will lead to participants being seriously disadvantaged in the hearings process if these are conducted online.
- e. Please note that many people also do not have home printers which adds further difficulties.
- f. The inability to have interaction with and observe the reaction of other participants is debilitating and reduces the effectiveness of the discussions.

With the easing of lockdown over the next couple of months we urge that you delay the process until a return to in person hearings is possible in order to ensure a fair and effective process where no parties are disadvantaged.

2. The Preliminary meeting process.

We recognise the complexity of managing so many people, especially as many were new to both the process and the technology. We both attended for all of the first and second day which was exhausting. This was exacerbated by the following points:

- a. It was frequently unclear as to which agenda point was being discussed with some people speaking under the wrong agenda point. This needs to be made much clearer by the chair of each session.
- b. The apparent random nature of people being called made following the process difficult. Why was the list of submissions of people wanting to speak on each agenda point ignored by the Enquiry committee? Whilst it is understandable that

on this occasion timings could not be prearranged it is not clear why the sequence of speakers was abandoned without any reason from the Enquiry Committee and only some people were invited by name to speak.

- c. The counsel for EDF, Hereward Philpott, made a number of assertions (some are detailed below) that we felt should have been challenged by the chair of the sessions in question. Combined, these serve to give the impression that the applicant is placed in a position of authority over proceedings and is perhaps inappropriately influential in shaping the process.
 - i. reference was made to 'important interested parties': who are they; why were they not explicitly identified; who therefore, by implication, are 'unimportant' parties; and what are the consequences of this?
 - ii. he maintained that there were a number of items presented by participants that were 'explicitly ruled out by the national infrastructure planning statement'. Which were they and why was this not clarified immediately by the planning inspectors? If there are areas that are out of scope, it would be helpful, for clarity, if this could be pointed out as soon as it occurs - and not by the applicant's representative later in the proceedings.
 - iii. he stated that some principle Issues would not warrant a separate issue-specific hearing. This is surely not for the applicant or their Counsel to determine and should be challenged by the Examining Authority. We would contend that all principle issues should be allotted an issue-specific hearing.
 - iv. we were particularly concerned that the ExA chair deferred to the EDF counsel for an explanation of the Rochdale Envelope. This seems very inappropriate. We consider it of great importance that inspectors explain process to attendees, rather than the applicant who, by definition, has a huge vested interest. This is particularly an issue in this case, given that the absence of detail in this application and its amendments (which Mr Philpott sought to justify through his explanation of the Rochdale Envelope) is such a contentious point for virtually all interested parties, including local councils and the Environment Agency.

3. Timing of the Examination

We are most concerned about the proposed timing of the examination for the following reasons:

- a. This is a highly complex enquiry and in order to have an effective and inclusive process this needs to be undertaken 'in person' with an online option for those unable to attend.
- b. We understand that the parallel Planning enquiry for Scottish Power Renewables has been extended by 3 months till 6th July. Due to the very close geographical overlap of these projects, there are many people and organisations who are impacted by and responding to both enquiries. In addition to the proposed easing of lockdown when other individual priorities

must be attended to, it is simply unreasonable to have two enquiries of such scale run concurrently.

- c. The Environment Agency permitting and ONR process for approval will extend significantly beyond the current enquiry timescale and EDF would not be able to start until these are in place therefore the timing of this DCO process is not as critical as EDF maintain.
- d. EDF still seem to be struggling with details of their proposal that a short extension would allow them to clarify to ensure all parties are clear as to exactly what they are proposing, benefitting all.
- e. Clarity on whether the Planning Inspectorate will decide or not to accept the EDF amendments to the DCO application before the examination starts is essential. Unlike EDF who are able to plan and resource up for their own amendments, the wider community does not have the resources to respond quickly and effectively to changes and reducing wasted effort would be in everyone's including the Planning Inspectorates, interest. It should also be noted that significant additional cost will be incurred by all parties to provide responses to multiple options as opposed to having clarity and focus on what is actually being proposed.
- f. Further to my (Bill Parker's) comment on day 2 of the preliminary meeting, I wish to emphasise that with the local County Council elections due on 6th May and the lack of an effective cabinet until end of May 2021, the failure to have democratic representation by one of the key parties is both unacceptable and avoidable.
- g. It should be noted that EDF's record of time keeping for the delivery of EPR stations is lamentable and so a delay of a few months to this stage of the process will have little impact on their delivery should this development proceed, especially as EDF does not yet have a funding model in place and is unlikely to for some time. Indeed, the RAB model, if agreed, would need an Act of Parliament in order to proceed.
- h. The Planning Enquiry should recognise that the speed of its process is not therefore on the critical path for delivery for Sizewell C even with a delay of several months. Therefore, there is no reason for not delaying the start of the process to enable many of the above issues to be resolved.
- i. Furthermore, we endorse Marianne Fellowe's concern that the application that has been submitted is not of a sufficiently high standard for examination, given its lack of detail. Contrary to Hereward Philpott's assertion, we (and large numbers of attendees at the preliminary Meeting Part 1) say the application is absolutely not 'complete and ready for examination'. It is unreasonable to start the detailed examination when there is wide consensus that the necessary detail is still absent from EDF's proposals.
- j. The Counsel for EDF stated that the changes proposed in January 2021 would have no new significant environmental effects and most of the new changes were mostly beneficial. There is no evidence to support this statement and it too should be rigorously challenged.

4. Presentation of documentation

- a. We agree with the demand of both Michael Bedford (acting for Suffolk CC) and Andrew Tate (acting for E Suffolk council) that, if accepted, the amendments proposed by EDF must be integrated into a consolidated document. Furthermore, we believe that it is absolutely critical that this document is made available prior to commencement of the 6 month planning process. How can we be expected to respond effectively if documentation is effectively unusable, especially for interested local community parties relying on small home laptops and tablets?
- b. EDF committed to provide an updated signposting document during the Preliminary Meeting. However, no clarity has been given as to when this would be delivered. Again, it is vital that this is made available at the start of the 6 month process not part way through.
- c. The hierarchy of headings of the documentation fail to follow accepted protocols which therefore makes both reading and accessing references difficult. I believe that the Planning Inspectorate have already requested amendments - but this corrected version needs to be made available urgently at the start of the process, not part way through.

In summary, we are highly concerned that the quantity and vagueness of the amendments submitted by EDF, the confused and difficult presentation of their documentations, and the chronic absence of the detail that we all feel is necessary are deliberate tactics employed by the applicant to make this process as difficult as possible for participants. We are particularly concerned that our councils, public bodies and NGOs are all saying that they do not have the information they need to proceed with this examination. Furthermore, the covid-19 crisis has exacerbated these difficulties to the extent that democratic participation in this process is now at risk.

We hope very much that you will look favourably on our representations and those of the many participants in the preliminary meeting part 1.

Thank you for your attention

Yours sincerely

Bill Parker + Frances Crowe
6/4/21