



# The Sizewell C Project

## 9.51 Written Submissions Responding to Actions Arising from ISH4: Socio-economic and Community Issues (9 July 2021)

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## CONTENTS

CONTENTS .....	1
1 ISSUE SPECIFIC HEARING 4.....	1
1.1 Introduction .....	1
1.2 Implications of Revised Implementation Plan for Socio-economic Mitigation / Requirements.....	1
1.3 Review of Kelsale-cum-Carlton Written Representation (Deadline 2) .	3
1.4 Economic Cost of Congestion .....	7
1.5 Approach to Conservatism – Implication of HB/NHB Worker Assumptions.....	8
1.6 Strategic Priorities .....	9
1.6.9 Engagement with Mollets Farm .....	9
1.7 Delivery of Project Accommodation .....	10
1.8 Impact of Traffic on Emergency Services .....	10
1.9 Provision of Occupational Health Service .....	10
1.10 Assessment of Workforce Demand for Leisure and Recreation (non-sport) 11	
1.11 Property Blight.....	12
1.12 Governance – Quorum of Groups and Community Involvement.....	14



## 1 ISSUE SPECIFIC HEARING 4

### 1.1 Introduction

1.1.1 This document contains the Applicant's written submissions responding to actions arising from Issue Specific Hearing 4 (ISH4) on socio-economic and community issues held on 9 July 2021.

1.1.2 This document corresponds to the Applicant's **Written Summaries of Oral Submissions made at ISH4** (Doc Ref. 9.44) submitted at Deadline 5.

### 1.2 Implications of Revised Implementation Plan for Socio-economic Mitigation / Requirements

1.2.1 The ExA asked SZC Co. to submit the detail of any changes to the construction programme related to the revised **Implementation Plan** submitted at Deadline 2 [\[REP2-044\]](#), to help the Panel understand in more detail the work programme and the implications for the effects of non-home-based (NHB) workers in terms of accommodation, health provision and gym/amenity provision that the campus brings, and that this will need to include an updated version of **Figure 5.1** of the **Accommodation Strategy** [\[APP-614\]](#).

1.2.2 There were three potential material changes to the Implementation Plan submitted at Deadline 2 [\[REP2-044\]](#) from the original **Implementation Plan** submitted with the application (**Planning Statement Appendix 8.4I**) [\[APP-599\]](#):

- 1) The **Implementation Plan** [\[REP2-044\]](#) now shows a 'Year 0'.
- 2) The **Implementation Plan** [\[REP2-044\]](#) shows 'bulk earthworks' at Phase 2, which was previously entitled 'main earthworks'. The visual representation of Phase 2 shows a later start date and a contracted programme.
- 3) The **Implementation Plan** [\[REP2-044\]](#) now assumes that the accommodation campus is delivered at Q3 of Year 3.

1.2.3 SZC Co. can confirm that there is no material change to the workforce profile that underpins the phases of construction activity in the Implementation Plan that would result in any change to assessment of effects or any need to amend the approach to securing mitigation.

b) Introduction of Year 0

- 1.2.4 By introducing a 'Year 0' to the profile, some of the activity that would otherwise have taken place in Year 1 and Year 2 will now be stretched over Years 0, 1 and 2, effectively reducing the average on-site workforce in that period.

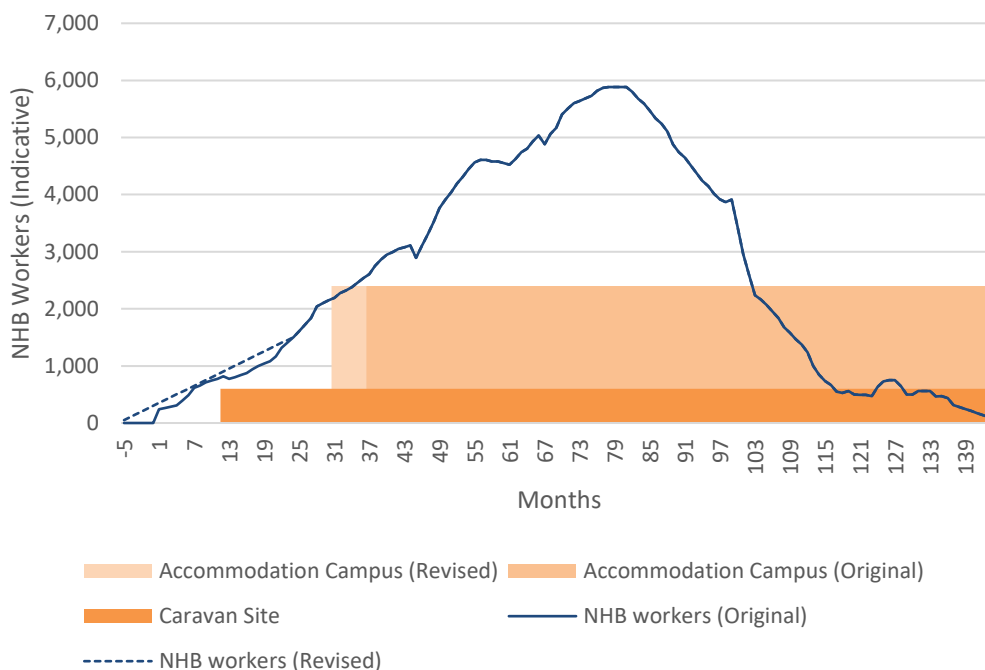
b) Change to Visual Representation of Phase 2 (Earthworks)

- 1.2.5 The change between the **Implementation Plan** submitted with the DCO [APP-599], and the revised version submitted at Deadline 2 [REP2-044] is that in the original [APP-599], Phase 2 was referred to as 'Main Earthworks' and in the revised version [REP2-044] it is referred to as 'Bulk Earthworks'.
- 1.2.6 The latter term is a sub-component of the former. In the revised version [REP2-044] the part of the Phase 2 earthworks that is not 'Bulk Earthworks' (but is still 'earthworks' has been moved to the 'Phase 1' line).
- 1.2.7 This means that Phase 1 and 2 combined – over the c. 4 year period that they occur – is very similar in overall output (workforce) required, with a very similar profile that will not have a material effect on the requirement for mitigation already set out in the DCO application and being negotiated through the **Draft Deed of Obligation** [REP3-024].

c) Delivery of the Accommodation Campus

- 1.2.8 The revised **Implementation Plan** [REP2-044] assumes that the accommodation campus is delivered at Q3 of Year 3. The original **Implementation Plan** [APP-599] assumed it would be delivered at Q1 of Year 3.
- 1.2.9 **Volume 2, Chapter 9** of the **Environmental Statement (ES)** [APP-195] and the **Accommodation Strategy** [APP-614] – at **Figure 5.1**, assume for the assessment that the Accommodation Campus is delivered at the end of Year 3 (i.e. for Q1 of Year 4).
- 1.2.10 As such, given the overall number of workers in Year 3 and Year 4 are considered to be unchanged, there is no additional adverse effect in terms of demand for accommodation or relating to other socio-economic matters assessed in **Volume 2, Chapter 9** of the **Environmental Statement (ES)** [APP-195] and no need to amend the approach to mitigation proposed in the **Draft Deed of Obligation** (Doc Ref.8.17(E)).
- 1.2.11 The following figure (**Figure 1.1**) provides an update to **Figure 5.1** of the **Accommodation Strategy** [APP-614] to visualise these changes:

**Figure 1.1:** Revised Accommodation Strategy Figure 5.1 – Indicative NHB Workforce Profile and Project Accommodation (Original and Revised) based on Implementation Plans (DCO submission version and Deadline 2 Revision).



### 1.3 Review of Kelsale-cum-Carlton Written Representation (Deadline 2)

1.3.6 Kelsale-cum-Carlton Parish Council (Ms Galloway) raised at ISH4 that the Parish Council had submitted a **Written Representation** [REP2-351] at Deadline 2 that SZC Co. had not specifically responded to.

1.3.7 ExA asked the Applicant to review the submission and revert with any specific responses (or cross-reference to any other submissions where the issues raised have been addressed).

1.3.8 At Deadline 3, the Applicant did not undertake to respond to every submission, and instead responded to issues via **Comments on the Council's Local Impact Report** [REP3-044] and **Comments on Written Representations** [REP3-042]. Prior to this at Deadline 2 the Applicant had provided **Responses to ExA's First Written Questions** [REP2-100].

1.3.9 With regard to socio-economic and community issues, the **Written Representation** [REP2-351] sets out the following issues (*precis*) at Chapter 8 and Chapter 9:

- a) concern that there could be property blight and that the Property Price Support Scheme does not cover a wide enough area in the Parish;
- b) concern about noise, vibration and pollution from trains; and
- c) concern about loss of visitors and therefore income at tourist accommodation businesses;
- d) concern about changes to land holdings to accommodate the Sizewell Link Road (and associated severance);
- e) concern about 'fly-parking';
- f) concern about traffic congestion increasing severance and journey time relating to access to services and emergency response.

1.3.10 Comments related to Property Blight are addressed in a separate section below (**Section 1.11**).

1.3.11 With regard to noise and vibration, SZC Co. confirms that the **Noise Mitigation Scheme** [\[REP-034\]](#) contains an insulation and ventilation offer for the occupants of properties most adversely affected by road and railway noise, subject to qualifying criteria. The scheme applies to both new and existing roads and railways. Ear defenders are not part of the **Noise Mitigation Scheme**, and SZC Co. does not consider it appropriate to include them.

1.3.12 With regard to air quality, the transport air emissions assessment has assessed the impacts of construction traffic at receptors near the A12 in Kelsale cum Carlton during the early years and peak years of construction. During both construction scenarios, levels of NO<sub>2</sub> and particulate matter remain below the current baseline levels, and well below the air quality objective value of 40 µg/m<sup>3</sup> that has been set for the protection of human health. Sensitive receptors in Kelsale cum Carlton are represented by receptors SX1, YX4, YX9 and SX18 and the predicted impacts at these receptors are presented in **Volume 3, Appendix 2.7.C** of the **ES Addendum** [\[AS-127\]](#).

1.3.13 Quiet road surfaces for new roads remain under discussion with Suffolk County Council (SCC) and East Suffolk Council (ESC) and an update will be provided within the SoCG in due course. These surfaces were not originally proposed as they are more expensive to maintain and quiet road surfaces are not proposed for existing roads.

1.3.14 With regard to effects on local tourism businesses, SZC Co. has undertaken a careful and thorough assessment of the likely effects on tourism. This is

reported within **Volume 2, Chapter 9** (Socio-economics) of the **ES** [APP-195], between **paragraph 9.7.63** and **paragraph 9.7.96**, with a summary of effects between **paragraphs 9.7.90** and **9.7.96** and the **Economic Statement** [APP-610].

- 1.3.15 SZC Co. recognises the importance of the inbound tourist economy within and around the Suffolk coast, and has undertaken an assessment of the effects of the Sizewell C Project on tourism at the regional economy scale, in-line with the requirements of National Policy Statement EN-1.
- 1.3.16 This sets out that there is limited empirical evidence that the Sizewell C Project would lead to a quantifiable reduction in visitor numbers, a change in visitor behaviour, expenditure or business viability in the sector over and above normal variation, particularly when a Tourism Fund is applied.
- 1.3.17 Nonetheless – the assessment does recognise that through engagement with local tourism stakeholders, review of environmental effects and mitigation identified, and SZC Co.'s understanding of perceived visitor sensitivities based on quantitative survey of previous and potential visitors has identified that without mitigation there is potential for very local effects on businesses and activities where there is a combination of significant residual environmental effects.
- 1.3.18 As set out in the **Initial Statement of Common Ground** between SZC Co., ESC and SCC (**Chapter 12**, SE25 and SE41) [REP2-076], the principle of the ability of a Tourism Fund to mitigate effects subject to agreement of the scale of the fund is agreed, as is the (broad) scope, governance and implementation of Tourism Fund and relationship to complementary funds.
- 1.3.19 It is anticipated that tourist businesses in the Parish could benefit from this fund, as well as a Housing Fund with a Tourist Accommodation element (see **Draft Deed of Obligation**, Schedule 3 (Doc Ref. 8.17(E))), which could be used to provide resilience to tourist accommodation provision across the area most likely to be affected by demand from Sizewell C's NHB workforce).
- 1.3.20 SZC Co. has provided detailed responses to subsequent questions and concerns about tourism within **Responses to the ExA's First Written Questions (ExQ1), Volume 1 - SZC Co. Responses** (particularly SE.1.7, SE.1.13, SE.1.14 and SE.1.36) [REP2-100] and in SZC Co's **Response to the Councils Local Impact Report (Chapter 26)** [REP3-044].
- 1.3.21 With regard to changes in land holdings, SZC Co. consider that these are matters of confidentiality that will be addressed directly with individual parties with appropriate claims to compensation.

- 1.3.22 With regard to severance effects of the Sizewell link road, SZC Co. has liaised closely with landowner to ensure that access is maintained to land, which has included the design of appropriate accommodation works. In addition, SZC Co. has revised the Pretty Road bridge proposals so that vehicular access across the Sizewell link road in this location is maintained. The proposed Pretty Road bridge would also include facilities for non-motorised users, which will act to reduce any severance effects of the Sizewell link road. As part of the design of the Sizewell link road, SZC Co. has liaised with SCC and the Public Rights of Way (PRoW) officer in order to provide safe PRoW crossings over the Sizewell link road. The Sizewell link road will result in reduced traffic flows on the B1122 and provide the opportunity to repurpose the B1122 which will accommodate walking and cycling to the benefit of local residents and visitors alike. SZC Co. continue to work with SCC and ESC to develop a vision, and clear proposals, for a repurposed B1122 once the Sizewell Link Road is available. **Volume 1, Chapter 2** of the **ES Addendum** [\[AS-181\]](#) summarises the environmental transport assessment, including the effect on severance. The A12 at Kelsale cum Carlton would not experience a significant effect on severance.
- 1.3.23 The **Construction Worker Travel Plan (CWTP)** [\[REP2-055\]](#) sets out the transport strategy for the construction workforce and commitments for workers to travel by sustainable modes. With relevance to Kelsale cum Carlton, a parking permit system will be implemented at peak construction whereby only workers living in the ‘drive zone’ would qualify for a parking permit at the main development site (defined as workers living inside the area bounded by the A12, River Blyth, and River Deben (except those living in Leiston or within 800m of the main development site)). All other workers will either be allocated to a direct bus, park and ride bus or will walk or cycle to the main development site. This will act to reduce vehicular traffic through Kelsale cum Carlton.
- 1.3.24 With regards to fly parking, **Section 4.7** of the **CWTP** [\[REP2-055\]](#) sets out the proposed measures to manage fly parking, which will include SZC Co. employing a fly parking patrol team to carry out daily patrols to identify possible cases of fly parking. They will be both proactive and reactive, following up reports from local residents to the Sizewell C community help line who believe Sizewell C construction workers may be fly parking. Where a worker’s vehicle is proven to be fly-parking, SZC Co. will adopt a “Just and Fair” culture with regards to disciplinary proceedings with escalation to higher levels of management at each stage. Any instances of fly parking will be reported to the Transport Review Group as part of the quarterly transport monitoring report as well as action taken.



## 1.4 Economic Cost of Congestion

- 1.4.1 At Deadline 3, SCC submitted an Economic Assessment of the effects of congestion on the economy as an appendix to **ExQ1 SE.1.42**. SZC Co. has reviewed the economic assessment, which is appended to SZC Co.'s **Written Submission arising from ISH3** (Doc Ref. 9.50).
- 1.4.2 The Council's SCC Appendix to **ExQ SE.1.42** (Economic Assessment) indicates that *'for the A12 corridor between Seven Hills and A1152 Woods Lane there would be a significant negative cost to the economy as a result of congestion along this corridor during construction'* and that *'consideration should be given to a fund to mitigate/compensate for economic cost of congestion'* (in addition to the measures to mitigate tourism impacts through the proposed Tourism Fund).
- 1.4.3 The Economic Assessment referred to is a user benefit assessment; this assesses the value of time lost or gained as a result of interventions (such as increase in demand on the road network or changes to infrastructure). The report does not conclude a *'significant negative cost to the economy'*. The assessment is not of local economic cost – it could, for example, include a journey through the area that does not stop. The Economic Assessment does not calculate the effect on the specific locations, businesses or sectors.
- 1.4.4 The Economic Assessment itself does not conclude that mitigation is needed in the form of a fund. It concludes the *'there should be some consideration into what mitigation measures could be adopted to reduce the potential delay along the A12'*. This seems to suggest a transport mitigation – not a financial one – and SZC Co. is satisfied that the suite of transport mitigation to be secured within the DCO and Deed of Obligation, with associated management plans, is proportionate and reasonable to reduce the significance of any effect. It is not clear in respect of whom or how the fund proposed would mitigate against the cost of delay.
- 1.4.5 There are a number of issues with the transport user assessment which means the effect of the Sizewell C traffic is overestimated:
- There are a number of assumptions and limitations set out in the report that mean that the disbenefit of the Sizewell C traffic is likely to be overestimated.
  - In particular, the two park and ride sites are excluded from the modelling of the proposed infrastructure; this reduces the benefit associated with the proposed infrastructure. This is particularly true in the early years since the park and ride sites will come forward in 2024 (and the assessment overestimates the implied net effect of the Sizewell C traffic).

- Further, it has been assumed that there will be 1,000 two-way HGVs per construction day between 2028 and 2034. However, the preferred freight strategy is forecast to generate 500 two-way HGVs on a typical day during the peak construction phase and up to 700 two-way HGVs on the busiest day. **Plate 4.2 of the Freight Management Strategy [AS-280]** provided a HGV profile over the construction phase based on the preferred freight strategy (i.e. 4 trains per day and temporary BLF). An updated HGV profile of the construction phase was provided in response to ExQ1 question **TT.1.16 [REP2-100]** and shows that the level of HGVs per day is far less than the 1000 two-way HGVs assessed in the Economic Assessment.

1.4.6 In conclusion, the effect of Sizewell C on the local transport network is overestimated in the Economic Assessment, and in any case, the Economic Assessment is not an appropriate basis for any fund.

## 1.5 Approach to Conservatism – Implication of HB/NHB Worker Assumptions

1.5.6 ExA raised a concern that the implications (of the HB workforce levels estimated by the Applicant not being reached) would have further knock-on effects in terms of home based workers, accommodation standards and so on, and requested a response in writing to understand the degree of confidence in the assessment and approach to mitigation.

1.5.7 The Applicant refers to its **Comments on the Council's Local Impact Report [REP3-044] – Chapter 31** which sets out a step-by-step explanation of the conservatism that is built into the assessment in relation to impact on accommodation. This includes an explanation of what has been achieved at Hinkley Point C in these in these various respects.

1.5.8 In summary – the Applicant has identified a very precautionary assessment case for the number of HB and NHB workers – the latter of which contributes to socio-economic effects with regard to accommodation, public services, community safety and other issues for which mitigation has been developed.

1.5.9 This conservative assessment draws on evidence from Hinkley Point C, where the percentage of HB workers has greatly exceeded the SZC peak estimates and estimates throughout the workforce profile. This is also set out in response to G.1.24 and Cl.1.4 in **Responses to the ExA's First Written Questions (ExQ1), Volume 1 - SZC Co. Responses [REP2-100]**.

1.5.10 Conservatism also applies to assumptions about the baseline, which drives the sensitivity of the assessment of effects – the Applicant has been very

precautionary about the amount of accommodation that may be available to workers, for example.

- 1.5.11 This allows the project to develop a conservative and deliverable level of additional mitigation through e.g. the Housing Fund, which draws on lessons learned from Hinkley Point C and close engagement with ESC's housing team to set out a strategy for long-term improvements to the quality and quantity of accommodation stock in the local area, combined with specific measures for service resilience and tourist sector accommodation, and complementary measures such as a Public Service Resilience Fund to support vulnerable households.
- 1.5.12 All socio-economic mitigation measures are designed with appropriate governance to allow them to be responsive and precautionary, and can be directed through governance proposals (including for the Community Safety Working Group and the Accommodation Working Group) to places where the effects can be most greatly felt, or to re-direct if the concentration of NHB workers differs from predictions, or if measures implemented are less effective than anticipated.
- 1.5.13 The Applicant's approach to flexible, responsive and precautionary socio-economic mitigation applies to **Schedules 3, 4, 5, 7, 14 and 15** of the **Draft Deed of Obligation** [\[REP3-024\]](#).

## 1.6 Strategic Priorities

- 1.6.6 ExA referred to **paragraph 9.6.23 of Volume 2, Chapter 9** of the **ES** [\[APP-195\]](#), which sets out 'strategic priorities' for the Project, one of which is "*setting realistic DCO commitments and leveraging significant additional value*" and asked for clarification of whether this means there is specific commitment within the drafting of the Development Consent Order.
- 1.6.7 SZC Co notes that, for clarity, the paragraph referenced above (in context) summarises the strategic approach of the **Employment, Skills and Education Strategy** [\[APP-611\]](#) including '*Setting realistic DCO commitments and leveraging significant additional value*'.
- 1.6.8 This is not intended to refer to a specific commitment within the DCO itself – rather should refer to the series of obligations now set out in **Schedule 7** of the **Draft Deed of Obligation** [\[REP3-024\]](#).
- 1.6.9 **Engagement with Mollett's Farm**
- 1.6.10 Mr Bull noted that a number of discussions had been held with the proprietors of Mollett's Farm and a further meeting was scheduled on 21 July to discuss the proposed landscaping mitigation for the two village

bypass. The Applicant undertook to keep the ExA updated as the development of this mitigation progresses.

## 1.7 Delivery of Project Accommodation

- 1.7.6 SZC Co. noted that there are practical issues regarding how best to deliver the campus, and all parties have the same intention of delivering the campus early without causing housing stress in the local market. ExA requested that the Applicant examine mechanisms for phasing and delivery with the Council, and provide an update at Deadline 5. SZC Co. and ESC have a meeting on 26 July where this matter will be discussed, therefore an update will be provided at Deadline 6.

## 1.8 Impact of Traffic on Emergency Services

- 1.8.6 SZC Co.'s position is that there will be no impact on journey times on the roads and so there would be no impact on the emergency services response times.
- 1.8.7 SZC Co. has prepared a VISSIM micro-simulation model on the A12 corridor between Seven Hills and A1152. The model has been accepted by SCC and Highways England as an acceptable basis to assess the effects of the development (refer to SoCG with Local Authorities and Highways England).
- 1.8.8 At the ISH on Transport and Traffic (Part 2) Suffolk County Council confirmed that the VISSIM model is the model that SCC considers to be the most reliable model to make judgements from with regards to impacts on journey times.
- 1.8.9 The modelling forecasts an increase in journey time on the A12 corridor of up to 23 seconds in the early years and up to 37 seconds on the busiest day in peak construction in the peak hours. In all other hours of the day the increase will be less. These increases in journey times are over a 14km corridor during the peak of the peak periods of construction.
- 1.8.10 It is SZC Co. view that there would not be a perceptible effect on emergency services response times.

## 1.9 Provision of Occupational Health Service

- 1.9.6 ExA asked for clarification (in writing following the hearing) in reference to the provision of the health services starting as the workforce arrived – the Applicant is asked to provide a reference for where is that set out within the application documents such that the examining authority can rely with its provision within that time frame.



- 1.9.7 The commitment to provision of the occupational health service as soon as the workforce arrives is set out in the **Draft Deed of Obligation, Schedule 6** (Doc Ref. 8.17(E)) which states:

*Definitions: “Sizewell Health” means the private occupational healthcare service to be located on the SZC Development Site and to be provided on behalf of SZC Co to members of the Construction Workforce during the Construction Period, which will provide a package of risk prevention, health promotion and treatment initiatives in accordance with the specification in [Volume 2 Appendix 28A of the Environmental Statement].*

*2. SIZEWELL HEALTH 2.1 SZC Co shall establish Sizewell Health on or before Commencement.*

- 1.9.8 **Volume 2, Appendix 28A** of the **ES** [APP-347] sets out the range of services that will be provided. These need to be flexible to respond to the needs of the workforce and the wider public health status and therefore it will not be sized on a per worker basis, rather, as set out in **paragraph 1.2.19**, the sizing ‘*will be determined by the relative need on the site as the Sizewell C Project progresses, and discussed with the SHWG to inform the provision and align with wider public health programmes*’.

## 1.10 Assessment of Workforce Demand for Leisure and Recreation (non-sport)

- 1.10.6 Th Applicant undertook to respond in writing with regard to a query raised by ExA on NHB workers demand for other leisure facilities (than football).

- 1.10.7 SZC Co considers that the formal assessment within **Volume 2, Chapter 9** of the **ES** [APP-195] and **Volume 2, Chapter 15** of the **ES** [APP-267] set out an appropriate level of assessment of demand for informal recreation and formal sport and recreation activities, and is accurate to the scope of the assessment as set out in the **Scoping Report** [APP-168] having had regard to the **Scoping Opinion** [APP-169].

- 1.10.8 **Paragraph 9.7.159** of **Volume 2, Chapter 9** of the **ES** [APP-195]) sets out that ‘*the introduction of a new NHB workforce into the 60-minute area could have impacts on demand for public services and community facilities, and the ability of service providers to respond. Demand would vary between different types of service depending on the demographic profile of the workforce (particularly age and gender) and the location of workers*’.

- 1.10.9 The assessment goes on to list services provided by the public sector or of a statutory nature that may be of relevance to the assessment – this includes some leisure/recreation activities such as libraries and other cultural activities, sport and leisure.

- 1.10.10 It is noted that (**paragraph 9.7.166 of Volume 2, Chapter 9** of the **ES** [\[APP-195\]](#)) where workers are living in accommodation where they pay council tax, this should in effect self 'mitigate' the impacts of their demand, and similarly where there are fees and charges for services (e.g. leisure).
- 1.10.11 It is noted that (**paragraph 9.7.196 of Volume 2, Chapter 9** of the **ES** [\[APP-195\]](#)) that due to the demographic profile of the NHB workforce – mainly single, male and of working age – their likely shift patterns, and the temporary nature of much of the workforce – impacts on SCC-run services for example libraries, arts and other cultural services are assumed to be negligible.
- 1.10.12 The **ES** (from **paragraph 9.7.197 of Volume 2, Chapter 9** of the **ES** [\[APP-195\]](#), and supported by **Appendix 9E** [\[APP-196\]](#)) recognises that the NHB workforce is likely to create some additional demand for formal sport and leisure provision and based on market segmentation techniques identifies that for the demographic of NHB workers, football and going to the gym are by far the most important sports requiring facilities.
- 1.10.13 The assessment uses published materials from the Councils (See **Section 1.3 of Appendix 9E** [\[APP-196\]](#)) to assess potential demand for playing pitch, built facilities, non-pitch facilities.
- 1.10.14 SZC Co considers that beyond this definition the commercial provision of leisure activities, such as cinemas and restaurants, are essentially driven by economic demand and supply for those activities, and do not require regulation through the planning system in terms of the effect on demand from NHB workers.
- 1.11 **Property Blight**
- 1.11.6 The issue of property blight and compensation was raised by Interested Parties in ISH4.
- 1.11.7 In response Mr Phillpot (for SZC Co.) referred to the separate Property Price Support Scheme which has been provided by SZC Co. in addition to any obligations relating to statutory blight and stated that a written explanation of the differences and interaction between those two methods of addressing this issue would be provided.
- b) **Statutory Blight – land inside the Order Limits**
- 1.11.8 The statutory blight provisions set out in sections 149 to 171 of the Town and Country Planning Act 1990 create a procedure enabling certain persons to serve a notice on SZC Co. and require SZC Co. to purchase their interest in a private dwelling, certain business premises (or mix of the

two) or agricultural unit (or the whole of the wider interest of which it forms part).

1.11.9 The statutory blight procedure is available to persons seeking to sell their property who have made reasonable endeavours to do so, and are unable to sell other than at a substantially lower price as a result of 'blight'. The relevant circumstances constituting "blight" are listed in Schedule 13 of the Town and Country Planning Act 1990 and include at paragraph 24 an application for or grant of a development consent order authorising compulsory acquisition of the relevant property.

1.11.10 It functions to enable owners to sell their property to SZC Co. at a time of their choosing, rather than wait for SZC Co. to purchase their interest through the compulsory purchase powers in the Development Consent Order.

1.11.11 Where it receives a notice requesting it to purchase a property on the grounds of blight, SZC Co. may object on certain specified grounds set out in the Town and Country Planning Act 1990. Where the sale is not agreed, the owner then has the right to refer the issue to the Upper Tribunal for its decision.

b) **Generalised Blight – land outside the Order Limits**

1.11.12 Compensation for owner-occupiers of property not inside the Order limits is in accordance with the 'compensation code,' most particularly Section 10 of the Compulsory Purchase 1965 Act and Part 1 of the Land Compensation Act, along with relevant case law.

1.11.13 Section 10 claims for injurious affection compensation can be brought during construction where, in consequence of the works which are being undertaken pursuant to the DCO powers, legal rights held with land are interfered with but no interest is acquired from the claimant. The measure of compensation is the reduction in the value of the claimant's land as a result of the interference.

1.11.14 A Part 1 claim cannot be made before 1 year and 1 day that the 'public works' have been operational, and the claim for injurious affection would be in respect of any demonstrable diminution in value to an interest in respect of prescribed 'physical factors' (such as increases in dust or air pollution).

c) **Property Price Support Scheme**

1.11.15 Unlike statutory blight, the Property Price Support Scheme is an additional and voluntary scheme being provided by SZC Co. It is not required by law

or policy and does not impact upon any other legal rights which those eligible may have.

1.11.16 Under the Property Price Support Scheme certain owners of residential properties who do not have land which is subject to compulsory acquisition are offered "Assistance Payments".

1.11.17 The Property Price Support Scheme does not require SZC Co. to purchase the relevant land (as is the case with statutory blight). Instead, it provides that SZC Co. will pay the difference in value between the with and without Sizewell C values of the property minus any amount above the with Sizewell C value actually achieved upon completion of the sale (the "Assistance Amount").

## 1.12 Governance – Quorum of Groups and Community Involvement

### a) Quorum of Groups

1.12.7 At ISH4, the Applicant noted the concerns raised in respect of quorum of governance groups, and agreed to provide a written explanation of the proposals under the **Draft Deed of Obligation** [REP3-024].

1.12.8 Having further considered these concerns in light of the discussion at ISH4, the Applicant considers that the proposals under the **Draft Deed of Obligation** (Doc Ref. 8.17(E)) in respect of quorum are appropriate and enforceable, such that their effective operation would not be risked through non-attendance of a particular party necessary for quorum.

1.12.9 In accordance with the Schedules of the **Draft Deed of Obligation** (Doc Ref. 8.17(E)), meetings of the Governance Groups' established will not be quorate unless a representative of the Applicant is in attendance.

1.12.10 The Applicant considers that its participation in such Governance Groups forms a key element of their function in monitoring impacts and mitigation and providing information to other members in respect of the Project.

1.12.11 It is noted that members are able to attend meetings virtually or appoint alternates to attend in their place. Therefore, it is considered unlikely in practice that SZC Co. would be unable to attend meetings once arranged. However, in exceptional circumstances where a SZC Co. representative or representative from either Council was unable to attend the meeting and no alternate was available, then it is acknowledged that an alternative date for the meeting would need to be agreed. This alternative date would need to be set in accordance with the terms of the Deed of Obligation, which includes specified frequencies for meetings.



- 1.12.12 Further comfort is provided by the enforceable commitment at Schedule 17, Paragraph 2.1 of the **Draft Deed of Obligation** which applies to all Governance Groups and requires SZC Co. to nominate representatives and participate appropriately. Equivalent commitments are provided for the participation of the Councils. A failure to participate in the Governance Group, due to absences preventing the groups from meeting as regularly as required under the Deed of Obligation, would be a breach of Schedule 17, Paragraph 2.1 and enforceable by the Councils, including by mandatory injunction requiring attendance.
- 1.12.13 As evidenced by recorded meeting attendance of the Socio-economic Advisory Group at Hinkley Point C (<https://www.sedgemoor.gov.uk/SEAG>), to-date no planned quarterly meeting has not been attended by representatives from EDF/NNB which should give confidence that SZC Co. will attend similar groups charged with making similar decisions at Sizewell C.
- b) **Community Involvement**
- 1.12.14 At ISH4, the Applicant noted the concerns raised in respect of community involvement in the governance groups, and committed to provide details at Deadline 6.