
From: SEAS <info@suffolkenergyactionsolutions.co.uk>

Sent: 15 June 2021 20:28

To: Williams, Emre [REDACTED]@planninginspectorate.gov.uk>

Cc: East Anglia Two <EastAngliaTwo@planninginspectorate.gov.uk>; East Anglia ONE North <EastAngliaOneNorth@planninginspectorate.gov.uk>; Fiona Gilmore [REDACTED]

Subject: Re: EN010078 - East Anglia TWO - Objection letter response / EN010077 - East Anglia ONE North - Objection letter response

Dear Emre,

Thank you for your email of 10 June 2021 in which you have explained that the ExA will not publish our procedural objection of 7 May 2021.

With respect we fundamentally disagree with the approach that has been adopted.

Our complaints relate directly to a procedural step taken by the ExA concerning the conduct of the ongoing applications for development consents.

Whilst you might wish, from an internal perspective, for the issue to be dealt with by the Inspectorate Operations team that does not alter the fact that our objection is of direct concern to this particular examination and will be of interest to everyone concerned with it, whether they agree with our objection or not. How the ExA deals with this internally is therefore irrelevant. This is an elementary point about transparency. Our complaint concerns this examination, and everyone interested in the examination and the general public are entitled to know how it is being responded to.

The impression given by your response is that the ExA is keen to avoid any suggestion of criticism being made public about its conduct of the Examination. By failing to publish the complaint the ExA is therefore curtailing any possible debate about this important matter.

This approach lacks transparency and is procedurally unfair.

Your response is in any event inconsistent since on 19 April 2021 you published and placed on the website our initial letter of complaint. There is therefore no logic in failing to publish follow up material.

As for the Freedom of Information (FOI) request we make the same point. A FOI request which relates to the conduct of an ongoing public examination is part of the record of that investigation. It is not separate. The fact that internally you might wish to treat them separately is, again, not a reason for concealing that request from the public. It is ironic that when we rely upon a law (the

FOIA) relating to transparency and openness by public bodies the ExA then takes steps to conceal the fact of the request and all responses which follow from the request.

In conclusion we request you immediately place our full correspondence on the website. Time is of the essence since the longer that the ExA delays the shorter the time that is now left for others to learn about the issue and, if they see fit, respond.

If it is a matter of not submitting at a deadline, please accept this email chain and the said correspondence as a late submission for DEADLINE 11.

Thank you for your assistance in this matter.

Regards
Glynis Robertson
on behalf of SEAS.

On Thu, 10 Jun 2021 at 12:43, Williams, Emr  [REDACTED] <[\[REDACTED\]@planninginspectorate.gov.uk](mailto:[REDACTED]@planninginspectorate.gov.uk)> wrote:

Dear Glynis,

Thanks for your correspondence.

Please be advised that the correspondence which you are referring to have not been raised with the ExA.

Your complaints letter dated 7 May 2021 is being dealt with by the Inspectorates Operations team and therefore these correspondence will not be published as they do not fall under submissions related to the Examinations , however a response to your concerns will be issued to the relevant parties as soon as possible. We would advise that any matters contained in your correspondence that you wish to form part of the Examinations should be submitted to the Examinations as part of the Examination deadlines. However, any complaints or matters pertaining to the extension of the examination (under FoI) will be dealt with and responded to by the Inspectorates operations teams, which is standard practice for the Planning Inspectorate.

If you wish to discuss these matters further please do not hesitate to contact me.

Kind Regards

Emr  Williams
NSIP Case Manager
National Infrastructure Planning
Direct Line: [REDACTED]
Helpline: 0303 444 5000
Email: [REDACTED] <[\[REDACTED\]@planninginspectorate.gov.uk](mailto:[REDACTED]@planninginspectorate.gov.uk)>

Web: <https://infrastructure.planninginspectorate.gov.uk/> (National Infrastructure Planning)

Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)

Twitter: [@PINSgov](https://twitter.com/PINSgov)

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From: SEAS <info@suffolkenergyactionsolutions.co.uk>

Sent: 05 June 2021 21:58

To: Williams, Emre [REDACTED] <[\[REDACTED\]@planninginspectorate.gov.uk](mailto:[REDACTED]@planninginspectorate.gov.uk)>; East Anglia Two <EastAngliaTwo@planninginspectorate.gov.uk>; East Anglia ONE North <EastAngliaOneNorth@planninginspectorate.gov.uk>

Cc: Fiona Gilmore [REDACTED]

Subject: Fwd: EN010078 - East Anglia TWO - Objection letter response / EN010077 - East Anglia ONE North - Objection letter response

Dear Emre,

Hope you are keeping well.

The attached letter doesn't appear to have been published on the PINS website. I'd appreciate if you'd kindly bring this to the notice of the ExA so it may be submitted into the examination asap.

Many thanks for your help

Best wishes

Glynis Robertson

for and on behalf of SEAS

----- Forwarded message -----

From: **SEAS** <info@suffolkenergyactionsolutions.co.uk>

Date: Wed, 19 May 2021 at 15:39

Subject: EN010078 - East Anglia TWO - Objection letter response / EN010077 - East Anglia ONE North - Objection letter response

To: East Anglia Two <EastAngliaTwo@planninginspectorate.gov.uk>, East Anglia ONE North <EastAngliaOneNorth@planninginspectorate.gov.uk>

Cc: <secretary.state@beis.gov.uk>, SASES.ORG.UK <saveeastsuffolk@outlook.com>, Save Our Sandlings <info@saveoursandlings.org.uk>, Katherine Mackie

[REDACTED], Thérèse Coffey MP <therese.coffey.mp@parliament.uk>

[REDACTED]

Dear EA1N and EA2 Case Teams,

Thank you for your email of 7th May. Please find SEAS response attached.

Kind Regards
The SEAS Team

CC: Secretary of State for Business, Energy and Industrial Strategy
Substation Action Save East Suffolk (for the attention of Michael Mahony)
Save our Sandlings (for the attention of Paul Chandler)
The Aldeburgh Society (for the attention of Katherine Mackie)
Friston Parish Council (for the attention of The Clerk)
The Rt Hon Dr Therese Coffey MP

From: [East Anglia Two](#)
Sent: 07 May 2021 17:21
Cc: [East Anglia Two](#)
Subject: EN010078 - East Anglia TWO - Objection letter response

Dear Madam or Sir,

Thank you for your correspondence dated 8 April 2021, please see response attached.

Kind regards,
East Anglia TWO Case Team

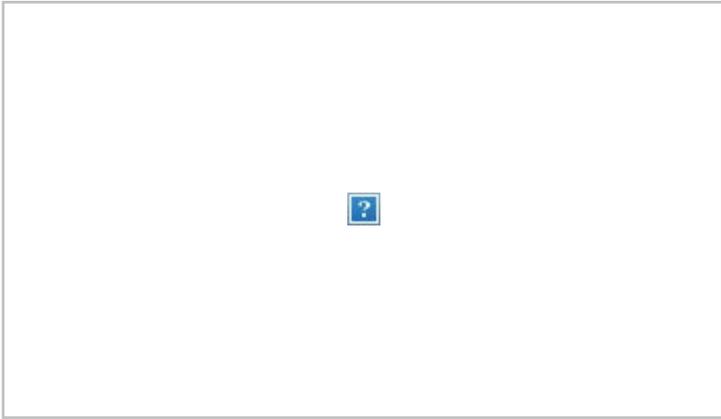
National Infrastructure Planning
Helpline: 0303 444 5000
Email: EastAngliaTwo@planninginspectorate.gov.uk

Web: <https://infrastructure.planninginspectorate.gov.uk/> (National Infrastructure Planning)
Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)

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National Infrastructure Planning
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Customer
Services: 0303 444 5000
e-mail: EastAngliaOneNorth@planninginspectorate.gov.uk
EastAngliaTwo@planninginspectorate.gov.uk

To:

Your Ref:

Suffolk Energy Action Solutions (SEAS)
Substation Action Save East Suffolk
(SASES)
Save Our Sandlings (SOS)
Aldeburgh Society
Friston Parochial Church Council

Our Ref: EN010077 & EN010078

Date: 7 May 2021

Sent by email

Dear Sir/Madam

**Application by East Anglia ONE North Limited for an Order Granting
Development Consent for the East Anglia ONE North Offshore Wind Farm
(EA1N)**

**Application by East Anglia TWO Limited for an Order Granting Development
Consent for the East Anglia TWO Offshore Wind Farm (EA2)**

Extension of the Examinations

Thank you for your letter dated 8 April 2021 regarding the above applications.

In regard to your objection to the extension of the Examinations, the Examining Authorities have no power to revoke decisions made by the Secretary of State for Business, Energy and Industrial Strategy ("the Secretary of State");, however it is for the Examining Authorities to decide how the remaining elements of the Examinations will take place and I trust you will have seen the Examining Authorities' correspondence on this.

The decision to extend an examination is a decision for the Secretary of State and not the Examining Authority and there is no statutory requirement for consultation on such a decision; it should be noted that the question about who (if anyone) to consult before such a decision and on what terms is one for the Secretary of State alone. The Examining Authorities invited all parties involved in hearings in January 2021 to make specific procedural submissions to Deadline 5 if they were experiencing difficulty due to public health controls. As stated in the extension request letter dated 9 February 2021, a number of interested parties raised concerns over timing and resource constraints.

Following the submission of the request for the extension on 9 February 2021, the Examining Authorities were under a duty to continue to examine the applications, as the outcome of the request was unknown until the end of March 2021. It is acknowledged

that some (but not all) matters which were outstanding at the start of February were concluded by the time the Secretary of State's decision to allow an extension was made. We would like to thank yourselves and all parties who were able to contribute to the examinations within the original examination deadline. We hope the following wording from the Examining Authorities' letter dated 6 April 2021 provides comfort regarding submissions already made:

"In delivering these procedures, the ExAs will ensure that there is no need for settled evidence and completed investigations to be re-stated or re-visited unless there are underlying changes in circumstances. There are also some matters for which the relevant parties have been clear that there is no reasonable prospect of agreement being reached, and for which the ExAs consider that we have the evidence that we require to make findings and recommendations.

This next phase in the Examinations will focus on those remaining matters, issues and questions in respect of which it is important that additional information is provided to enable sound findings and recommendations to be made. We will seek to ensure that either agreements are reached on these points, or that positions of difference are clearly stated in a concluded manner".

The Examining Authorities have published FAQs on the project webpages for these applications and they are updated at key points within the examinations. Here are links to the FAQs:

EA1N: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005068-APPROVED-FAQs-v3-2.pdf>

EA2: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010078/EN010078-004982-APPROVED-FAQs-v3-2.pdf>

It is noted you have requested information in your correspondence to us, please note this has been replied to in a separate response by the Planning Inspectorate's Freedom of Information team.

We hope you find the above information helpful.

Yours faithfully

Kay Sully

Kay Sully
Operations Manager

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