

From: [REDACTED]
To: [East Anglia ONE North](#); [East Anglia Two](#)
Subject: Deadline 9 submission. Comments on the Extension to the Examinations.
Date: 15 April 2021 17:08:46

To the Planning Inspectorate.

Deadline 9 submission.

East Anglia One North, East Anglia Two Proposed Windfarm Developments.

This submission is intended to address both EA1N and EA2.

Ref: EA1N IP - 20024031, AFP - 132.

EA2. IP- 20024032, AFP - 0134.

I write to express my views on the extension of 4 months to these Examinations as applied for by the Examining Authority on 9 February 2021, and the 3 months Extension granted by the Secretary of State for completion of these Examinations of which we were notified on April 1.

The ExA will appreciate that this decision has come as a shock to Interested Parties and Affected Parties in this Examination.

At the very start of this Examination, many of us submitted representations at Deadline C (my own PDC- 043) in response to the PINS Preliminary Virtual Meeting of 16 September 2020 expressing our concerns at such a complex Examination concurrently addressing two separate Windfarm Proposals, East Anglia One North and East Anglia Two, taking place at a time of lockdown and national pandemic in an area where poor connectivity was likely to result in digital exclusion, and the potential non-participation of a number of elderly residents who would be likely to be significantly affected. Many people would also have significant extra duties. An additional factor was the announcement of the BEIS offshore transmission review, which recognised the inefficiency of a piecemeal approach (such as we have here), whose findings and proposals may have enormous implications for our local region and communities. On these bases it was suggested by IPs that delay to the Examination process should be considered.

At the Preliminary Meeting It was made clear by the ExA that it was mandatory that original timelines be observed. It was stated that if changes or delays to the timetabling were made, it would necessitate the Applicants giving notice for 21 days, with the implication that this might be disadvantageous to the Applicant and that the option of change was therefore disqualified.

The ExA may remember that at that time there was a strong perception that this emphasis on haste chimed with the Applicants' interests and favoured their position over other Interested Parties. Marianne Fellowes of Aldeburgh Town Council questioned what the driver may be in forcing these Hearings through without flexibility in response to the extraordinary circumstances. At the Preliminary Meeting, Colin Innes for the Applicants insisted on the " legitimate expectations of SPR " and how delay would " jeopardise " them.

In my own Deadline C submission, I expressed a sense of apprehension that to proceed strictly to timetable favoured the Applicants, did not allow us to gather our own resources,

or the Inspectors to investigate fully, at a time of great pressure, especially as many IPs were engaging at a detailed and professional level with the technically and procedurally detailed responses from SPR.

In respect of Examination of the two projects, EA1N and EA2, it was stated at the Preliminary Meeting that they would be held concurrently unless the Inspectorate were “given good reason” to consider them as separate projects.

The circumstance of two separate DCOs being conducted together is I believe unprecedented, and it could be argued that it has increased complexity. I recall the Panel themselves expressing concerns at the Preliminary Meeting as to how the two applications could be managed in tandem. Additionally, as it is likely that the two projects, if consented, would run consecutively, the second would throw up an entirely different set of circumstances through the doubly extended period of construction and industrialisation of this area.

I am of course rehearsing arguments of a long time ago, and we have come a very long way since then. The ExA will I hope recognise the extent to which their efforts to facilitate engagement by IPs on every level has been appreciated by us throughout the last 6 months.

However, my intention in revisiting this early stage is to highlight the strong impression we received that there could be no flexibility however unusual the circumstances, that the legal guidelines had to be adhered to, fixed by statute, and that would be the structure within which we must all work, however disadvantageous it may appear to be to local interested parties.

It appears that this statutory obligation no longer applies.

This is the context in which I wish to add my voice to SEAS, SASES, Save Our Sandlings and other bodies to express great alarm at the potential implications for our interests as IPs and AFPs of this Extension.

I understand and support fully that the Panels and Case Teams May need additional time to examine and absorb the Applications, especially bearing in mind “the range, scale and pace of the two simultaneous Examinations during this unprecedented time”. That would serve the rigour and integrity of the Examination which has been in evidence to date.

However, although I have been among those who considered that COVID and lockdown conditions have hampered parties within the Examination, my representations on that score were intended to point out a potential flaw within the Examination in that respect, highlighting the imbalance between SPRs representatives whose access to resources, time and money are largely unchanged, and individuals with jobs other than engaging in the Examination, who were obliged to take on new care and schooling obligations.

As there will be no need for ‘settled evidence and completed investigations to be re-stated or re-visited’, I cannot see how an Extension will aid us as IPs and Community groups. What is settled is done; we can’t use the time to go back and do it better or more thoroughly, however much strain we may have been under in terms of delivery. Extension prolongs the strain. Nothing otherwise has changed.

I appreciate that bodies such as East Suffolk Council, Natural England and others have experienced pressures in engagement. However, now that the Sizewell C enquiry is

beginning, it is hard not to suspect that will be prioritised, and where their available resources will be focused, especially as they were presumably working towards the original deadline for these Examinations.

On the contrary, we will be at a critical disadvantage, and this truly alarms me. As SEAS points out in its letter of objection (Point 11), the effect will create *A vast inequality of arms between SPR and those who oppose it. The opposing groups have strictly limited resources.*

Point 13. To meet (the original) timetable we, in effect, emptied the bank accounts to pay for experts and counsel and cancelled or deferred other commitments. All will therefore be severely hampered in their ability to participate further in this enquiry. Some may not be able to participate at all.

Point 14. In this context....SPR has unlimited resources....Relative to other participants it has unlimited financial, human, legal and technical resources at its disposal it has been supported at the Hearings by an army of paid professionals.

I personally feel an obligation, given my very strong objection to these proposals, to continue to participate to the best of my ability should that be necessary, but for the reasons outlined above I feel a chilling sense of disenfranchisement from this point.

The Panel will be aware of the strong and growing sense of mutual support among Interested Parties and the local community groups. If those community groups are unable to engage with the process as they have done to date, having budgeted resources to the 6 months of the Examinations, this will become much harder for us all.

I too feel that SPR has had a fair - and statutory, according to the Panel's own position at the beginning of this process- opportunity to to produce all the evidence it needs to put its case. If, in the Panel's opinion, the Applicants have failed to do so within that statutory period, and have not made an adequate case, it does not seem reasonable or just that they should be offered more time to get it right, while those who oppose the proposals work with diminished resources.

It's my opinion that the Panel have to date conducted this Examination in a manner that has encouraged the confidence of IPs in the development of this difficult process.

I am not sufficiently informed on the legality of this change, but do feel that it may, unintentionally no doubt, be procedurally unfair.

In the interests of transparency, should there be any communications between SPR, the Secretary of State, the Examining Authority and National Grid that have had a bearing on this decision, then as one of those Interested Parties who was not consulted, I do consider that the substance of those communications should be made known to us.

Finally, now that the pre- Consent geotechnical works are fully under way all around us, in our particular case a matter of metres away, I would add that responding to the problems and irregularities that have already occurred is now an additional and significant challenge to the time available for engagement in this Extension.

This is a matter I will address in a separate submission.

End.

This was perceived at the time as being

Additionally,

Sent from my iPad