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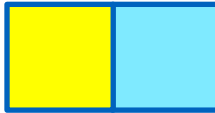
East Anglia ONE North and East Anglia TWO Offshore Windfarms

Applicants' Comments on Elspeth Gimson's Deadline 11 Submissions

Applicant: East Anglia TWO and East Anglia ONE North Limited
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Applicable to East Anglia ONE North and East Anglia TWO



Revision Summary				
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Description of Revisions			
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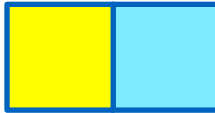
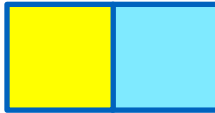


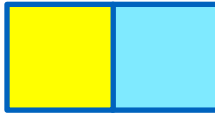
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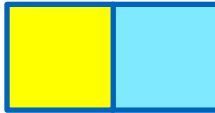
Glossary of Acronyms

DCO	Development Consent Order
ExA	Examination Authority
HDD	Horizontal Directional Drilling
NGV	National Grid Ventures
PD	Procedural Decision
RICS	Royal Institute of Chartered Surveyors
SPR	ScottishPower Renewables



Glossary of Terminology

Applicant	East Anglia TWO Limited / East Anglia ONE North Limited
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia ONE North windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
Horizontal directional drilling (HDD)	A method of cable installation where the cable is drilled beneath a feature without the need for trenching.



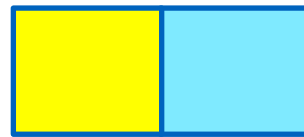
1 Introduction

1. This document presents the Applicants' comments on Elspeth Gimson's Deadline 11 submission (REP11-142).
2. This document is applicable to both the East Anglia TWO and East Anglia ONE North Development Consent Order (DCO) applications, and therefore is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's (ExA's) procedural decisions on document management of 23rd December 2019 (PD-004). Whilst this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it for the other project submission.



2 Applicants' Comments on Elspeth Gimson's Post Hearing Submissions Including Written Submissions of Oral Case (REP11-142)

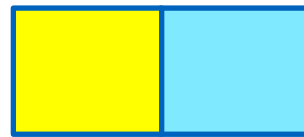
ID	Elspeth Gimson's Comment	Applicants' Comments
Introduction		
1	<p>I am writing on behalf of Mrs Elspeth Gimson, resident at [REDACTED], for whom I hold Power of Attorney.</p> <p>We continue to object very strongly to the behaviour of Scottish Power Renewables (SPR) and their current windfarm cable route application.</p> <p>Notwithstanding the proposal to alter the order limits of the cable route so that the corridor will not cross any property owned by Mrs Gimson we continue to object to the applicants' proposals because of a failure to address concerns about the water supply at [REDACTED].</p>	No further comment.
Failure to address concerns about the water supply at [REDACTED]		
2	<p>We have consistently pointed out the potential risk of directional drilling and boreholes on the aquifer beneath [REDACTED], from which water is drawn for the 5 properties on that site. The report supplied by SPR examining that risk cannot be considered an objective scientific assessment of risk.</p> <p>We have previously submitted a report by BA Hydro Solutions Ltd in which it is stated; "<i>The risk assessment should not be accepted as being complete or valid for the</i></p>	<p>The Applicants note that they have already provided a detailed response to Ms Gimson's comments on these matters and the letter from BA Hydro Solutions Ltd at Deadline 10 (REP10-024), particularly at ID2.2. The Applicants also note the Environment Agency's Deadline 11 submission (REP11-112) and their Deadline 12 response (document reference ExA.AS-17.D12.V1). In short, a tiered approach has been taken to assessing the potential hydrogeological risks posed by the landfall works. The Landfall Hydrogeological Risk Assessment (REP6-021) presents a Tier 1 assessment using the publicly available information. Such an assessment is sufficient to</p>



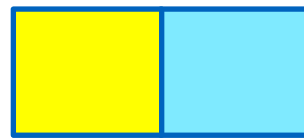
ID	Elspeth Gimson's Comment	Applicants' Comments
	<p><i>following reason. The risk assessment does not adequately characterise the hydrogeological setting in terms of groundwater levels (including season changes and responses to tide), groundwater quality, groundwater movement, groundwater recharge, groundwater abstractions and other receptors. The risk assessment does not define the route of the boring in any axis and does not start to consider the route or nature of other trenches/services that shall form part of the scheme. Without having adequately characterised the hydrogeology or defining the scheme, the potential impact on the different receptors cannot be risk assessed."</i></p> <p>This report does not set out the hydrogeological context, the exact nature of the drilling and its positioning or angle of route, without which any assessment is wholly inadequate. It does not quantify risk. It is scientifically inadequate to formally assess risk.</p> <p>We note that SPR and their contractors have now started to undertake further survey work looking at the groundwater with boreholes and sampling. This was started after the period when the Examination was originally proposed to have completed. That only demonstrates that SPR's plans were not to undertake any formal assessment of the hydrogeology before the examination finished, which again demonstrates their cavalier approach to their impact on residents' right to water.</p>	<p>provide a robust appraisal of potential risks, noting that no potential impact pathways have been identified and as such the proposed activities are considered to be low risk. The Applicants will revisit and refine the risk assessment post consent once ground investigations are completed as part of the horizontal directional drilling (HDD) design process and this will account for those items raised by the Environment Agency in its Deadline 11 submission (REP11-112).</p> <p>The Applicants have recently undertaken ground investigations throughout the onshore development area in order to provide information as part of the detailed design process and not for environmental assessment purposes.</p> <p>The Applicants also note Section 6 of the Outline Code of Construction Practice (document reference 8.1) which summarises proposed control measures regarding ground contamination and the water environment. These measures are well established UK wide and have proved effective on numerous other renewable energy construction projects.</p>



ID	Elspeth Gimson's Comment	Applicants' Comments
3	The issue we raise concerning potential soiling of the aquifer relates not solely to the water supply to but to all groundwater extraction for agriculture in the immediate locality.	Regarding water supplies to agriculture / livestock, the Applicants assessment work is based on the potential for impacts upon potable water supplies to human receptors and is therefore considered worst case; it is applicable to agricultural / livestock receptors also.
4	To repeat our point, SPR have thus far not supplied a formal hydro-geological assessment of the risk of their proposed drilling technique. They have not formally assessed what is an acceptable risk and what might be unacceptable risk. It is clearly impossible to state that there is no risk as the circumstances at the Ness are unprecedented. The issue here is whether the risk is so low as to be acceptable. None of their current assessments have addressed that point.	<p>See comments at ID2.</p> <p>The Landfall Hydrogeological Risk Assessment (REP6-021) was prepared by technical specialists in the field of hydrology and hydrogeology.</p> <p>The Applicants note the Environment Agency's Post Hearing Submissions Including Written Submissions of Oral Case (REP11-112) which confirms that <i>"the potential for the HDD bore to affect groundwater flow within the sand & gravel or Crag aquifer will be highly localised."</i> and <i>"further work is required in due course to inform the detailed design, and we [Environment Agency] are satisfied that we will have the opportunity to review this when it comes forward"</i>.</p> <p>The Environment Agency has acknowledged the low risk profile of the works and the Applicants will further reduce any risk through detailed design of the HDD and the control measures which will be implemented throughout the construction phase.</p>
Attempts to prevent objection to the application		
5	Notwithstanding a proposal to move the cable corridor such that it would not cross Mrs Gimson's property, we continue to stand by a very important principle. Mrs Gimson was offered an "incentive payment – for entering into the option agreement = £7000". That option agreement included the statements; <i>"The Grantor shall</i>	These matters have been fully dealt with in the Applicants' responses to SEAS within REP7-061, REP9-010 and REP10-031.



ID	Elspeth Gimson's Comment	Applicants' Comments
	<p><i>not make a representation regarding the EA1N DCO Application nor the EA2 DCO Application (and shall forthwith withdraw any representation made prior to the date of this Agreement and forthwith provide the Grantee with a copy of its withdrawal save as the Grantor shall have absolute discretion over the withdrawal of all comments pertaining to the impact of the Project(s) on ground source water aquifers only in document refs. REP1-, REP2-098, REP5- 135 and REP5-136) nor any other Permission associated with the EA1N Development or the EA2 Development and shall take reasonable steps (Provided That any assistance is kept confidential) to assist the Grantee to obtain all permissions and consents for the EA1N Works and the EA2 Works on the Option Area (the Grantee paying the reasonable and proper professional fees incurred by the Grantor in connection with the preparation and completion of such permissions and consents).” With this contract we were offered remuneration which included a “gate opener” and an “incentive payment” for entering into the options agreement.</i></p>	
6	<p>If we had signed that agreement, we would not have been able to make objections, we would have had to withdraw previous objections and we would have been required to assist SPR in all future applications in the Option Area. It is our opinion that this demonstrates that SPR is not a reasonable or responsible negotiating partner, and may be seeking to stifle dissenting voices.</p>	<p>As narrated in previous submissions the document being referred to was a generic Option Agreement which is then adjusted for individual circumstances. Dr Gimson raised concerns about certain terms and amendments were proposed by the Applicants. The Applicants have received no substantive response.</p>



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7	It is our strong opinion, and that of other commentators on the planning process, that the use of non-disclosure agreements, particularly when signed after the offer of an inducement to sign, is corrosive of trust in an open and fair process, which is fundamental to all National Infrastructure Planning.	The Applicants refer to the Royal Institute of Chartered Surveyors (RICS) guidance lodged with REP7-061. Option fees are standard in relation to such Options arrangements. In addition, clauses regulating the conduct of parties post the signing of an option are also reflected in the guidance.
8	We suspect that the cable corridor has now been routed away from Mrs Gimson's property in order to try to neutralise our principled objections concerning incentives and non-disclosure agreements.	The Applicants refer to REP11-053 which sets out the context for the change in order limits.
Cumulative Impacts		
9	It is now clear that National Grid Ventures intend to use the Friston substation to connect into the National Grid. The cumulative impact of another cable corridor – in NGV's case being even wider than that for SPR – will have a devastating impact on the local environment, on tourism, on the value of local properties and the social fabric of the community.	The Applicants have now made several submissions to the Examinations on this matter. It is incorrect to state that National Grid Ventures (NGV) intends to use the Friston substation to connect into the national grid. NGV's Deadline 3 submission (REP3-112) states that while it has engaged in early discussions with stakeholders and maintained a dialogue with National Grid Electricity System Operator, at no point has this translated into a confirmed grid connection at Friston for Nautilus or Eurolink. NGV's Deadline 11 submission (REP11-119) states that a grid connection at Friston is an assumption in its site selection process for these projects it is also noted that a landfall location has not been determined. NGV will not undertake public consultation on its site selection process for these projects until late summer 2021 and Environmental Impact Assessment scoping will not occur before the first quarter of 2022.
10	We call upon the Examining Authority to take note of the impact over many years from two cable corridors. That impact will dramatically affect local residents, especially those at [REDACTED], local community facilities such as Wardens Trust, social resilience, social capital and local mental health.	
11	Irrespective of whether the corridor for SPR crosses Mrs Gimson's property, consent for a second additional NGV	

Applicants' Comments on Elspeth Gimson's Deadline 11 Submissions

28th June 2021



ID	Elspeth Gimson's Comment	Applicants' Comments
	<p>cable corridor would result in the properties at [REDACTED] being enclosed by fencing to the south, west and north-west with a haul road and all attendant traffic, noise and dust until approximately 2028. That would be a devastating burden for those residents.</p>	
Issue Specific Hearing 17		
12	<p>Prior to ISH 17, I had asked, on behalf of my mother, to be able to speak but was refused that opportunity. I did not attend as I have a full-time job and have to take a day's holiday in order to speak at these meetings. It was therefore very disturbing to hear that issues that directly affect both Mrs Gimson's property and Wardens Trust were discussed. SPR was able to make points in public to which I was not able to respond. It is not adequate to say that I can give a written response by Deadline 12 (which I will). If a written response has equal weight to oral presentation, why does the Examining Authority have any oral presentations at all rather than just written submissions?</p> <p>I strongly object that I have been excluded from verbally responding to SPR's proposal when they were allowed to speak themselves.</p>	This is a matter for the Examining Authority.