

**W. John Rea Price and Judith M. Croton**



5 April 2021

The Examining Authority  
C/o Planning Inspectorate Sizewell C Team

Dear Examining Authority,

**Our Planning Inspectorate reference: 20025737**

We wish to raise a number of issues arising from the recent two day preliminary meeting of the panel.

1. The 'virtual' online nature of the examination. We appreciated the efforts of the Inspectorate's support staff to make the arrangements work, but found the system totally unacceptable for an inquiry of this complexity and gravity. Despite their evident efforts to treat respondents with patience and courtesy, it was clear that members of the Examining Authority struggled with the technology as much as everybody else. Some contributions were almost inaudible; others were so distorted to be incomprehensible. Some speakers, such as the RSPB, were quite unable to make their vital points at all.
2. We are very concerned that this examination is proceeding at all, given that EDF has changed the substance of its application so radically that our responses to Stages Four and Five of its consultations, and our subsequent relevant representations, have all become virtually redundant. Moreover, EDF's revised proposals for increasing delivery of supplies of materials by rail and sea and thereby significantly reducing road traffic are at present entirely speculative. No decision on the DCO should be made based on the company's aspirations until the Examining Authority is absolutely confident that they can be realised. We consider that taken together the revised proposals for rail and sea transport are material changes that significantly change the substance of EDF's application.
3. The task of progressing the examination in an even-handed manner is made even more difficult by the coming elections. These mean that until the period of statutory 'purdah' has concluded and council committees have been reconstituted effective

engagement in the examination process by local elected members will cease for almost two months. As it is, many of the same council members and officers are also struggling with the demands of the examination of the offshore wind farm applications (EA1N and EA2) which are running in parallel to that for Sizewell C.

4. It has just been announced that a combination of two national lockdowns and COVID 19 restrictions has led to the ongoing examination of the wind farm applications being postponed for three months. We feel that the impact of COVID 19 has been just as great for the application for Sizewell C and that the issues we raise above make the argument of a comparable, if not longer, postponement even stronger.
5. We would, finally, like to raise our concern about the representations by Hereward Phillpot QC, counsel for EDF, and the manner in which these were made. He appeared sometimes to be almost hectoring the panel in a quite inappropriate way. He may wish the examination to be concluded speedily, but this cannot happen until he has provided the evidence to substantiate his case. It is entirely unacceptable to inform the panel that EDF would not be providing further information on its revised plans for the coastal frontage to your examination and will only be doing this to the Office for Nuclear Regulation (ONR). We were informed this week by the ONR that its review of EDF's plans would be confined to satisfying itself regarding their likely impact on the integrity of the site and whether this can be assured; ONR would not be considering any wider coastal impacts. We perhaps should remind the Examining Authority that as early as May 2014 the Secretary of State, in his response to EDF's initial scoping report, made it very clear that there must be comprehensive evidence of the likely impacts of the development on the coastline to the north and south of the site. As yet, EDF has failed to provide this. It is essential that this should be in the public domain and fully reviewed in the examination.
6. We were alarmed that Mr Philpot seemed to be requiring you to differentiate between those parties which are important and those which are not. There should be clarity by what he means by this and who he considers to be the unimportant parties. He should also not be permitted to communicate with you in a code that is not fully understood by all participants (for example, his seeking to convince you of the argument supported by the 'Rochdale Envelope' without a full explanation of what this is). We also feel EDF's QC should similarly not be permitted to lecture you on what issues he considers to be within or without your jurisdiction.

Yours truly,

Judith M. Croton  
W. John Rea Price