



The Planning Act 2008

Sizewell C (SZC)

Planning Inspectorate Reference: *EN010012*

Deadline 7 – 3 September 2021

Written summary of oral case

Compulsory Acquisition Hearings, 17-18 August 2021

Philip Ridley, Head of Planning and Coastal Management, was present on behalf of East Suffolk Council, though this was primarily in an observational capacity.

Agenda Item	East Suffolk Council submissions
1. Welcome, introductions, and arrangements for the Hearing	<p>Speakers on behalf of East Suffolk Council:</p> <p>Philip Ridley, Head of Planning and Coastal Management</p>
<p>CAH Part 1</p> <p>2. The statutory conditions and general principles applicable to the exercise of powers of compulsory acquisition:</p> <p>(a) Whether the purpose for which Compulsory Acquisition powers are sought would comply with section 122(2) of the PA2008?</p> <p>(b) Whether all reasonable alternatives to Compulsory Acquisition have been explored?</p> <p>(c) Whether the Secretary of State could be satisfied that the land proposed to be acquired is no more than is reasonably necessary for the purposes of the Proposed Development?</p> <p>(d) Whether having regard to section 122(3) of the PA2008 there is a compelling case in the public interest for the land to be acquired compulsorily and the public benefit would outweigh the private loss?</p> <p>3. Whether there is a reasonable prospect of the requisite funds becoming available:</p> <p>(a) The resource implications of both acquiring the land and implementing the project for which the land is required.</p> <p>(b) Whether adequate funding is likely to be available to enable the Compulsory Acquisition to proceed within the statutory period following the draft DCO being made?</p> <p>4. Whether the purposes of the proposed compulsory acquisition are legitimate and would justify interfering with the human rights of those with interest in the land affected: (a) What regard has been had to Articles 8 and 6 of the European Convention on Human Rights (ECHR) and Article 1 of the First Protocol?</p>	<p>Agenda Item 2(a): Whether the purpose for which Compulsory Acquisition powers are sought would comply with section 122(2) of the PA2008?</p> <p>ESC has nothing further to add to what has already been set out in previous written submissions. ESC notes this includes statements on the benefits of the permanent retention of the Sizewell Link Road in relation to agenda item 2(a).</p>

<p>(b) The degree of importance attributed to the existing uses of the land proposed to be acquired.</p> <p>(c) The weighing of any potential infringement of ECHR rights against the potential public benefits if the draft DCO is made.</p> <p>5. Consideration of duties under the Equality Act 2010 The Applicant to provide an update in relation to compliance with any duties under section 149 of the Equalities Act 2010.</p> <p>6. Sections 127 and 138 of the PA2008 – the acquisition of statutory undertaker’s land and the extinguishment of rights and removal of apparatus of statutory undertakers</p> <p>(a) The current position in relation to negotiations with Statutory Undertakers.</p> <p>(b) Whether Protective Provisions have been agreed with all Statutory Undertakers.</p> <p>(c) In the event that agreement is not reached with all Statutory Undertakers, whether the relevant tests for the exercise of powers pursuant to sections 127 and 138 PA2008 would be met.</p> <p>7. Section 135 of the PA2008 - Crown Land The Applicant to provide an update in relation to the position on Crown Land.</p>	
<p>CAH Parts 2-4</p> <p>8. Continuation of Agenda from CAH Part 1 (if required)</p> <p>9. Representations from parties who may be affected by the compulsory acquisition provisions in the draft DCO. The ExA will hear oral representations from: (a) Affected Persons (APs) including additional APs who have notified a wish to make oral representations at this CAH</p> <p>(b) Any section 102 or Category 31 persons wishing to make oral representations.</p> <p>10. Representations from Statutory Undertakers The ExA will hear oral representations from: Network Rail</p> <p>11. Any other matters relevant to the Agenda</p>	<p>Agenda Item 9: Representations from parties who may be affected b the compulsory acquisition provisions in the draft DCO</p> <p>ESC noted our interest in four parcels of land comprising the small piece of land at Leiston Sports Centre (reference SF/11/02), and three parcels of land around the Yoxford Roundabout (references OHI/24/02, OHI/24/06, and OHI/24/11). ESC noted there were no particular issues to be raised.</p> <p>ESC then noted the ongoing discussions between Suffolk County Council and the Department for Education in relation to the status of the Alde Valley sports fields. ESC’s land abuts this piece of land and as such, ESC will continue to listen to updates on these discussions.</p>
<p>Close of hearing.</p>	