

From: [REDACTED]
Subject: Deadline 13 Submission, East Anglia One North & East Anglia Two.
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To the Planning Inspectorate. FAO the Examining Authority.

Deadline 13 Submission, East Anglia One North and East Anglia Two.

Personal reference: EA1N: IP- 20024031/ AFP - 132.
EA2: IP- 20024032/. AFP - 0134.

These remarks apply to both East Anglia One North and East Anglia Two.

1. Cumulative Impact
2. Biodiversity
3. Geotechnical/ Archaeological Ground surveys
(Field spraying).
4. Groundwater Resources and Private Aquifer at Ness House/ Wardens.
5. Non Disclosure Agreements
6. Tourism and Local Economy.
7. Conclusion.

1. Cumulative Impact.

The Applicants have, in their own interests, repeatedly failed to respond to the ExA's enquiries on specific matters in relation to a full Cumulative Impact Assessment (CIA).

Without a comprehensive CIA within the Examination, complete information cannot be provided to the Secretary of State with the information that is legally required.

The *Norfolk Vanguard* judgement has made clear the significance of such information being thoroughly assessed within the Examination. The Applicants' stance on this matter makes clear their disregard for the cumulative impact, to which their proposal of an Interconnector at Friston will be a major contributor and attractant to future projects, on those local communities affected not only by the proposed Substation at Friston but also at Landfall and along the proposed cable corridor route. Their planning is not consistent with the policy stated within the Government's Energy White Paper, "*Powering Our Net Zero Future*" (December 2020) which states on page 80: " to minimise the impact on local communities, we will implement a more efficient approach to connecting offshore generation to the mainland Grid" .

The ExA is aware that if these projects are granted, multiple others will follow, changing this region for ever.

Many submissions have been made to the ExA by Interested Parties to highlight this failure on the Applicants' part to robustly address this issue, but here I refer in particular to The Anglian Energy Planning Alliance Deadline 12 submission (REP12-102) and Suffolk Energy Action Solutions (SEAS) Deadline 11 submission (REP11-183) in which new evidence is noted from National Grid as to its intentions for Friston as an " Energy Hub", along with all of SEAS other excellent submissions on this and other matters throughout the Examination. I also fully endorse SASES thorough Deadline 12 submission, *Cumulative Impact - Comment on Responses to ExQs3*. (REP12-120).

Paul Chandler's (Save Our Sandlings) excellent graphic showing the effects and timeline of multiple projects for this region is an invaluable aid.

I also fully support the Honourable Therese Coffey MP in her excellent testimony and remarks on Government Policy at the Issue Specific Hearing of 28 May and her letter of 7 June 2021. (REP11-165). In this, she states: "*I don't think it's good enough for the Applicant simply not to engage in this developing policy landscape that is rapidly emerging.*" An opportunity is identified here for SPR to be genuinely innovative, and to engage in, rather than resist, these current changes.

Numerous other bodies and institutions have made submissions on the subject, and these I support too.

I'd ask the Panel also to note that, at the Zoom Hustings for candidates for East Suffolk Council, seeking to replace those councillors who have chosen to resign to highlight the lack of confidence in East Suffolk Council's stance in relation to SPRs projects within this Examination, in response to Question 7 on Cumulative Impact, all candidates were adamant that the cumulative impact of the Windfarms and Sizewell C would industrialise the Heritage Coast, some going on to say that the area would become extremely impoverished.

I ask the ExA to consider whether this local landscape, in respect of both its ecology and economy, is suitable for development of what would, with 7 projects already in the pipeline, become the largest such hub in Europe, and to consider the Applicants' true motives in seeking to evade their legal responsibilities in the matter of an adequate CIA.

2. Biodiversity.

I and others have referred in the course of the Examination to the Dasgupta Review, "*The Economics of Biodiversity*", commissioned by the Government, (23 April 2021), and its significance to these projects ' intentions for this exceptional area whose AONB, SPAs and SSSIs make it rich in biodiversity. (See Link 1).

Sir Partha Sarathi Dasgupta is Professor Emeritus of Economics at the University of Cambridge. In this review he urges us to recognise biodiversity as capital, with claims equal to economic capital; the introduction by David Attenborough concludes :

" Economics is a discipline that shapes decisions of the utmost consequence.....the Dasgupta Review at last puts biodiversity at its core and provides the compass that we urgently need " .

This is clearly a matter which is being addressed as key at the highest levels of Government to reflect the interests of society and the planet, and must be weighed against the Government's own Net Zero targets; indeed, the report's significance may be greater, in that the report indicates methodologies and ways of thinking effectively to work against climate change without assuming speed to be the main priority, and certainly not at any price. This is counter to SPR's approach, which we understand to be motivated by financial factors in respect of upcoming the Contract for Difference that will secure the financial benefits they require.

I fully endorse SEAS Deadline 12 submission **Biodiversity** (REP12-128) which explicitly outlines the local ecological richness that would be compromised by SPRs planned , and SPRs unwillingness to recognise the many species to be threatened.

Ecocide Draft Law.

Relevant here too is the recent Draft Law intended to prosecute offences against the Environment . (**The Guardian, 22 June 2021, 17.00 BST.**) (see link 2).

In respect of climate protection (of which The Applicants appear to be vocal supporters), a legal definition of ecocide is proposed: namely, "*Unlawful or wanton acts committed with a knowledge that there is a substantial likelihood of severe and widespread or long term damage to the environment being caused by those acts.*"

On 3rd July 2021, Baroness (Natalie) Bennett, former leader of the UK Green Party, submitted an ecocide amendment to the Environment Bill making its way through the House of Lords.

The organisation **Stop Ecocide** states that:

" the latest Intergovernmental Panel on Climate Change (IPCC) / Intergovernmental Panel on Biodiversity and Ecosystem Services(IPBES) report makes it clear that climate and ecology crises must be addressed together."

What might particularly appeal to The Applicants about this non-anthropometric approach is that, in putting the environment at the heart of international law, it is clearly an "*original and innovative*" step, qualities which the Applicants have repeatedly claimed for their own proposals in urging their fitness for Consent.

While I recognise that this Draft Law has a wider application in global terms, I believe that in the light of all we have heard in this Examination in respect of the patchiness of the Applicants' surveys and consideration of local ecology, it is relevant here. It is certainly indicative of rapidly and necessarily changing policies on climate change and the best methods of combating it, which the Applicants, as well as the Examining Authority, I'd respectfully submit, should take fully into account.

I note in this respect of ecology and wildlife that in Natural England's Deadline 12: Appendix 11, **Risk and Issues Log**, (REP12-092), the large extent of red and amber indicates a majority of issues as yet unresolved at the end of this extended Examination, despite the Applicants having been given an extra 3 months to put their case in order.

Finally, I note that within the Zoom Hustings held by SEAS to question candidates to replace the councillors who have stepped down from East Suffolk Council, on the grounds of ecology and biodiversity, **none** of the candidates supported SPR's plans.

3. Geotechnical/ Archaeological ground surveys.

a) The Examining Authority have received numerous submissions in respect of various destructive or careless actions on the part of SPRs contractors in the course of their geotechnical/ archaeological ground surveys.

These submissions are disturbing and distressing to read. I have experience of surveys conducted at Landfall, but not at Friston, and am shocked at the issues raised by residents there.

However, one grimly useful aspect of these works is that it has given residents a clear taste of the reality of living in close conjunction with SPRs contractors, and an insight into the efficiency of their communication channels with both contractors and residents/ the wider local community.

This experience, when set beside the elevated claims set forth by SPR as to the efficiency and notable success of their communication skills in earlier projects as mitigation against inconvenience/ anxiety caused by their presence, has provided useful material to set before the ExA.

The Panel will be aware that, in respect of the Landfall location, many representations have been made about the presence of horses adjacent to the site and their regular walking out on land occupied by the contractors.

However, contractors working on site had been given no prior information as to this fact, so were not in possession of any information enabling them to mitigate for disruption. One contractor to whom I spoke, who was driving a pilot van for the large vehicle delivering a drilling rig and preparing to proceed along the part of Sizewell Hall Road that has no passing spaces, was clearly alarmed when informed he may meet horses on that stretch who would not be able to reverse. His intention was clearly to be as helpful as possible, but it was a contingency he hadn't been able to foresee through lack of communication.

Another contractor was visibly irritated by encountering horses walking out and being asked to pause to allow them to turn off. His expressed view was that the works would be there a long time; his implication was that it was the owners' responsibility to take evasive action and accommodate the contractors' movements. As the encounter happened on the track adjacent to the horses' stabling, that wouldn't be possible, even if justifiable.

While we appreciate that contractors are under their own pressures, I'd argue that SPR in giving them a full awareness of local circumstances, would benefit those contractors and avoid unnecessary inconvenience for them, and unhelpful encounters with local residents in pursuit of their own routines.

There is no correlation between the reassurance provided by SPR to the ExA on their track record in dealing with communities, and their actual performance. In reading submissions from Friston residents, and SPRs responses to the concerns raised in those submissions, I am struck by the defensive and dismissive tone of the responses to some of those residents most closely involved.

These are the very people with whom, surely, their allegedly excellent communication skills should be most evident. Such an adversarial approach won't be doing much to allay anxiety.

b) Field spraying.

For lovers of this region and its ecology, the photographs and videos submitted into the Examination of the denuded fields at Friston through Spring and early summer are shocking. It is impossible that wildlife and insect life would not have been negatively impacted by the destruction of so much herbiage on such a wide scale.

In numerous Investigation works updates, and in recent submissions, SPR have stated that: *"SPR have not sprayed any form of weed killer or requested the landowners to do so on our behalf. Landowners are free to continue their land management practices such as weed control, which is a regular occurrence on agricultural land and not undertaken as a result of, or in relation to, the ongoing site investigation works."*

It is unlikely that any landowner would undertake weed control on this scale as a regular occurrence; in any case, residents who have lived for years by agricultural fields are familiar with the landowners' and farmers' usual land management practices throughout the year. If it were familiar, it would not be striking. These images suggest something different.

If it is then the case that the landowners are responsible for the field spraying, notably limited to the sites presently occupied by SPR's surveyors, it is not credible that it has no relation to those site investigations as SPR state.

I understand that landowners may do this to prove that they are not able to farm their land. The reason for that would be the investigation works. The link exists. SPRs wording, a flat denial of any connection, might therefore be misleading, and would not appear to inspire trust.

I attach photos of a short section of field spraying. (Figures 1 and 2.)

The Photos show evidence of very specifically located spraying on the verges of our access track at what is known as Plot 12, i.e. the section of the track that passes between Plots 11 and 13 on the cable corridor route and links them within Work 9. It is entirely limited to that interface section, adjacent to where both excavating and drilling work took place, and doesn't appear anywhere else on fields or track where the farmers are working. In 14 years the farmers have never sprayed in this way. I also attach a photo of how the field and verges generally appear.

It's difficult to understand why the farmer would come and use herbicide on this one small stretch within the order limits to facilitate SP as ground works.

Someone does claim to have seen a contractor on a quad bike with a backpack of herbicide spraying here, but I have no evidence to support that.

Of course the fields were home to nesting skylarks at that time; in fact as I passed the backfilled trench on plot 11 just after they had finished a Skylark rose from the very spot where the Earth had been excavated.

My point here is that there is no reason for the farmers to have sprayed this very short section of track where SPR are working.

If SPR believes, as they tell us, that no spraying has taken place in relation to the ongoing site investigation works, then perhaps the contractor did it to facilitate investigation without their knowledge. If so, this would be more evidence of poor communication. Whatever the case, in this one instance I don't believe that SPRs remarks on the practice of herbicide can be justified.

c) " Concreted-in pipes." I note that in relation to Chris Munden's Deadline 12 submission reporting concreted-in metal " pipes" at the borehole sites, SPR has introduced the same infrastructure, fenced with new wooden fences, at Plots 11,4 and 7. It is worrying to see these invasive works made permanent. Photo attached (Figure 3).

4. Groundwater resources and Private Aquifer at Ness House/ Wardens.

The ExA will understand from my Deadline 12 submission (REP12-130) that I don't consider the issue of groundwater contamination and the potential effect on the private water supply to Wardens Trust, host to vulnerable children and adults, yet to have been responsibly addressed.

Like so many other aspects of these proposed Projects, EA1N and EA2, no detailed information is to be made available until after the close of the Examination. This is despite the extensive period during which the ground investigations have been taking place (results not available or inconclusive) , and extended time being made available to SPR to clarify their reasoning.

It is hard to understand how the ExA could be content, within an Examination, with Applicants repeatedly asserting that they don't intend to submit key and relevant information to be considered by the Panel conducting that Examination, despite requests being made for that information.

5. Non-Disclosure Agreements.

I personally can add nothing to this serious issue from my own experience, but the testimony of Dr Alexander Gimson and SEAS , among others, has been of great concern. The ExA is in possession of all the detail and I rely on their judgement in assessing the facts.

The alleged potential use of NDAs within such an Examination could be seen, as the Honourable Therese Coffey pointed out, as sharp practice. It certainly isn't transparent.

I have noted certain bodies, Cadent Gas among them, withdrawing earlier submissions. Why? Isn't it enough to simply cease to object if one is satisfied with the arguments?

I do not know if money has induced changes of position on the part of any interested parties, but I feel that this is another issue may point to the lack of good faith and failure to rely on sound arguments on the part of The Applicants.

6. Tourism and Local Economy.

In her Deadline 11 submission (REP11-149), in which Jocelyn Bond explains why she felt compelled to resign from East Suffolk Council in the light of its stance to SPRs projects

and failure to address the likely effect on the local coastal region where the infrastructure is to be built, she refers to," the existing tourism sector. " This clearly refers to the area, Thorpeness to Friston, affected.

The Applicants, in their response to her comments (REP12-052), simply respond to a different point. At point 3, they identify the benefits for sites associated with Great Yarmouth and Lowestoft. These are not the local areas whose particular characteristics, those of a natural wild beauty, are central to attracting a tourist sector which will inevitably be adversely affected. Have SPR not understood, or do they prefer to respond to issues which they, rather than other Parties, regard as significant to their own arguments?

On a very local note: lobsters and crabs are now no longer available to buy from Sizewell. SPR are paying fishermen not to cast pots in their offshore surveying area. Again, money. An interruption in a long-standing local economy. That I hope is not to foreshadow what is to come.

Conclusion.

The ExA will appreciate, I hope, that many of us do not now understand what conversations might have taken place between themselves, the Secretary of State and SPR in respect of the 3 month Extension, and the full reasons for it. There is inevitably a feeling that SPR are being given extra time and paper, as it were, to get their answers right.

This, if the case, must invalidate the process of Examination. We have relied throughout on the Panel's perspicacity, lack of partiality, rigour and good sense.

I rely on it now in urging you, for these few reasons and the many many others far better expressed over the period of this Examination, not to recommend Consent to the Secretary of State for ScottishPower Renewables East Anglia One North and East Anglia Two proposals.

With thanks,

Tessa Wojtczak.

Links.

1. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962785/The_Economics_of_Biodiversity_The_Dasgupta_Review_Full_Report.pdf
2. <https://www.theguardian.com/environment/2021/jun/22/legal-experts-worldwide-draw-up-historic-definition-of-ecocide>
3. <https://www.stopecocide.earth/press-releases-summary/uk-ecocide-amendment-submitted-to-environment-bill>

Figure 1. Selective spraying Work 9

Figure 2. Selective spraying Work 9.





