

Mulbarton Parish Council  
The Common  
Mulbarton  
NR14 8AE

19th May 2021

Ref. EN010079  
EN010087

The Rt. Hon. Kwasi Kwarteng  
Secretary of State for Business,  
Energy and Industrial Strategy

Dear Mr Kwarteng,

### **Re-determination of the Norfolk Vanguard DCO**

Thank you for your letter of 29th April 2021 inviting comments on the procedural aspects of the proposed re-determination. There is more than one approach available to the Secretary of State, and we are pleased to offer the following comments on some of the alternatives, and their implications.

Paragraph 2 of the letter identifies the failure to assess cumulative impacts of Norfolk Vanguard and Norfolk Boreas, taken together. It is not just the cumulative landscape and visual impacts that are at issue, for the case would not have been heard by the High Court unless there was a very real possibility of a different outcome – i.e. a material change to the projects. The purpose of producing and assessing the cumulative impacts is to use them in the evaluation of the DCO application.

In our opinion, this procedure requires, at the very least, the re-opening of the Norfolk Vanguard examination, with particular emphasis on proposals for locating onshore infrastructure at Necton in Norfolk. This can only be done by considering Norfolk Vanguard in conjunction with Boreas. Any attempt to redetermine Norfolk Vanguard in isolation would be to repeat the mistake and avoid the solution highlighted by the judgment, which is to consider both of these projects together.

The letter also makes reference to the Norfolk Boreas DCO examination. Whilst the Examining Authority's report on Norfolk Boreas is not specifically mentioned, we understand that it has been available to the Secretary of State since January 2021. Since this report contains expert professional assessments, we recommend that it should be made available immediately to all interested parties.

This would be a departure from normal practice, but would ensure the necessary degree of trust, transparency and impartiality. We do not consider that it would compromise the Secretary of State's position; on the other hand, it would allow interested parties to make properly informed judgments.

We disagree with the proposition in paragraph 7 of the letter that Norfolk Vanguard and Norfolk Boreas will be treated separately other than in respect of the localised landscape and visual impacts.

We also disagree with the suggestion in paragraph 8 of the letter that the only aspects to be taken into account from the Norfolk Boreas examination are those dealing with the landscape and visual impact assessments. In our view, the only reasonable way forward now is a fresh DCO application dealing with all aspects of both projects at the same time.

Kind regards,

Anne Phillips  
Parish Clerk

On behalf of Mulbarton Parish Council

cc: Mr Richard Bacon, MP  
South Norfolk