



Suffolk County Council (20050784)

Response to action points arising
from Issue Specific Hearings 1 & 2

North Falls (EN010119)

Deadline 4

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Glossary of Acronyms

<i>(d)DCO</i>	<i>(draft) Development Consent Order</i>
<i>EACN</i>	<i>East Anglia Connection Node</i>
<i>ExA</i>	<i>Examining Authority</i>
<i>ISH1</i>	<i>Issue Specific Hearing 1</i>
<i>ISH2</i>	<i>Issue Specific Hearing 2</i>
<i>LIR</i>	<i>Local Impact Report</i>
<i>NSIP</i>	<i>Nationally Significant Infrastructure Project</i>
<i>(O)SEP</i>	<i>(Outline) Skills and Employment Plan</i>
<i>RSCF</i>	<i>Regional Skills Coordination Function</i>
<i>SCHAONB</i>	<i>Suffolk Coast and Heaths Area of Outstanding Natural Beauty</i>
<i>WTG</i>	<i>Wind turbine generator</i>

“SCC” refers to Suffolk County Council.

Purpose of this Submission

The purpose of this submission is to provide Suffolk County Council’s (“SCC’s”) response to action points arising from Issue Specific Hearing 1 (“ISH1”) held on 2 and 3 April 2025, and Issue Specific Hearing 2 (“ISH2”) held on 8, 9 and 10 April 2025. Examination Library references are used throughout to assist readers.

Phasing restriction

1. Following the Examining Authority's ("ExA's") indication that they wish to receive further information on SCC's requested changes to the draft Development Consent Order ("dDCO"), SCC expands upon the positions given in its Local Impact Report [[REP1-074](#)]. SCC also directs the Examining Authority to Appendix B of its post-hearing written submission following Issue Specific Hearing 1 ("ISH1") which contains a detailed representation on the phasing restriction proposed by SCC during the Five Estuaries examination.
2. SCC maintains that its request for a phasing restriction to be added to the draft DCO meets the tests of planning requirements as being relevant to planning and to the development, necessary, precise, enforceable and reasonable.
3. The proposed phasing restriction, provided in paragraph 7.28 of SCC's Local Impact Report ("LIR") [[REP1-074](#)], is necessary to further the purpose of conserving the Suffolk Coast and Heaths Area of Outstanding Natural Beauty ("SCHAONB") as required by the updated duty in section 85 of the Countryside and Rights of Way Act 2000. Specifically, it is necessary to not allow harmful development to proceed unless the justification for it (i.e. the contribution to energy supply to the grid) is capable of being delivered to the grid. The proposed phasing restriction ensures that it is not possible for a scenario in which the proposed development adversely affects the SCHAONB without providing the benefits of clean energy production which serves as the justification for these adverse effects. Should such a scenario arise, the undertaker of the DCO cannot be said to have complied with the strengthened duty on account of bringing about unjustified harm to the SCHAONB and so failing to conserve its natural beauty. No other requirement or control document restricts the proposed development in this way.
4. SCC considers that the financial risk involved in constructing the offshore elements of the project does not undermine the notion that the phasing restriction is necessary. The draft DCO includes provision for transfer of the benefit of the Order so any assessment of the commercial risk of commencing construction before there is certainty as regards the connection would not necessarily be made by Applicant. It is possible that the eventual beneficiary of the Order would have a relatively high appetite for financial risk such that the construction of the offshore array area is conducted before a Grid connection is finalised. Therefore, the proposed phasing restriction is necessary to prevent such a scenario.
5. SCC is aware of a case in Germany where an offshore wind farm (Borkum Riffgrund 3, developed by Ørsted) is physically complete but is still waiting

for a grid connection. The commercial operating date has reportedly been pushed from Q4 2025 to Q1 2026 as a result. The operator is receiving compensation from the transmission provider due to the delays in providing a connection. This example is not quite the situation that SCC has raised concerns about, but it does highlight that any compensation arrangements would substantially reduce the commercial risk for the undertaker of taking the approach that SCC is concerned about.

6. SCC considers that the restriction meets the tests of being precise and enforceable. The control referred to requires a notification to be submitted to the relevant planning authority which “*states the date that development consent was granted for the National Grid substation*”. The requirement imposes a simple test of whether it may be discharged and that is whether the National Grid substation which the Applicant will connect to has been given development consent. It is therefore precise and enforceable.
7. The phasing restriction is reasonable in SCC’s view. It does not unreasonably disadvantage the Applicant in terms of being overly restrictive. The wording does not preclude the possibility of the Applicant connecting to a National Grid substation other than the proposed East Anglia Connection Node (“EACN”). SCC recommended ([\[REP1-074\]](#), Paragraph 7.29) that the Order would benefit from a definition of “National Grid substation” in conjunction with the phasing restriction. This definition could be worded such that it does not exclusively refer to the EACN, but any National Grid substation which is appropriate for the Applicant’s needs. SCC is open to adjustments to the drafting to be even more flexible if necessary.
8. The proposed phasing requirement is worded such that it only applies to Work No.1 – construction of the wind turbine generators (“WTGs”). SCC does not consider that the phasing requirement is a ‘Grampian’ restriction, as that term is conventionally understood because it does not seek to preclude the commencement of the project pending the satisfaction of some external event. Having regard to the Applicant’s indicated timetable for carrying out the works to construct the WTGs that would be subject to the restriction (as set out in the construction programme in Table 5.23 of the Project Description [\[APP-019\]](#)), the Applicant would be free to undertake all and any of the works programmed for Years 1 to 3 of the construction programme without being limited by the proposed phasing requirement. SCC considers that the proposed phasing restriction meets the test of being reasonable in respect of not being overly restrictive in regard to the works covered by the proposed requirement which themselves are planned to be undertaken four years into the project’s construction period.

9. The requirement itself requires little work to complete. A simple notification of consent for the East Anglia Connection Node, or whichever substation the Applicant connects to, along with a timetable of works associated with connecting to that substation is sufficient to discharge the requirement. SCC considers that what is needed to discharge the proposed requirement does not exceed what is needed to achieve the purpose of the requirement and so is reasonable in this respect. SCC is not aware of any other respects in which the proposed requirement could be considered unreasonable.

Socio-economic effects

Proposed revisions to the Outline Skills and Employment Plan (“OSEP”) ([[APP-253](#)]) (action point arising from ISH1)

10. Unemployment and economic inactivity rates have changed significantly since the data provided in the OSEP (Paragraph 30). It is expected that this information is updated in the Skills and Employment Plan (“SEP”) and that there is a clear commitment to continually updating the SEP in line with the changing labour market conditions.
11. SCC would expect Suffolk’s skills infrastructure to also be detailed in the OSEP (Section 2.8) including the University of Suffolk and the three Further Education colleges: Suffolk New College, West Suffolk College and East Coast College.
12. A further skills network to be included at Paragraph 36 of the OSEP is the Norfolk and Suffolk Learning Providers Network.
13. SCC would expect inclusion of the Suffolk Economic Strategy (SCC, 2024) and the Energy and Climate Adaptive Infrastructure Policy and Strategic Engagement in Section 3.2 of the OSEP.
14. In Section 6 of the OSEP, the Applicant does not specify what approximate proportion of the workforce will be homebased and non-homebased, and to what extent they will impact Suffolk economically. Clarity is required in the SEP, as per the guidance in the SCC Energy and Climate Adaptive Infrastructure Policy, around role types, their quantity over the duration of the project and split by phase. This could be in the form of an annual update on ‘workforce information’.
15. Clearer commitment is required to an ongoing development of the Applicant’s assessment as data for other projects becomes available to collaborating and coordinating activities and interventions with these projects and to update its Skills and Employment Plan according to relevant new information.
16. The OSEP should include a clearer recognition of the significant competition in the local area to be created by multiple Nationally Significant Infrastructure Projects (“NSIPs”), and future SEPs should include an explanation of the displacement mitigation strategies that the project will implement or contribute to.
17. There should be a firm commitment from the applicant in the OSEP to engage with SCC’s established Regional Skills Coordination Function (“RSCF”). The Applicant needs to commit to work collaboratively with the RSCF and

local stakeholders, share detailed skills and job information in advance, and help direct funding for interventions that will ensure a pipeline of local people can be trained and enter the labour market at the right time with the right skills to take up opportunities that the scheme will provide.

18. SCC contends that the OSEP should include workforce displacement within its scope of mitigations. Working closely with other developments via engagement with the SCC Regional Skills Coordination Function will support the mitigation of this risk.
19. SCC welcomes the applicant's intention to develop the SEP in collaboration with supply chain organisations and would welcome inclusion in the OSEP of a specific intention to collaborate with Suffolk's local supply chain.
20. The OSEP should contain a commitment to produce a clear, detailed plan for an apprenticeship strategy for Suffolk, in collaboration with SCC, in future iterations of the SEP, so that apprenticeship opportunities in Suffolk are maximised.
21. The OSEP should include a commitment to establishing clear Governance arrangements involving relevant local authorities to oversee the ongoing delivery and adaptation of the SEP as required in response to new information and changes in socioeconomic conditions. This could be in the form of an Employment, Skills and Education working group.
22. Future SEPs should include details of the actions that the Applicant will undertake to ensure employment opportunities across the spectrum of roles to be created (by type, phase and level) will be made available to local people.
23. Future iterations of the SEP will be expected to detail the specific outcomes and outputs to be monitored to demonstrate social impact.
24. Future SEPs should include activities to support the transition from, as well as into, employment on the project, ensuring that workers who will no longer be needed after a relevant construction phase can find employment.

Further information justifying SCC's request to be a named consultee to the discharging authority for the Skills and Employment Plan (Requirement 18) (action point arising from ISH2)

25. SCC has provided detail on its request to be a named consultee to the discharging authority for the Skills and Employment Plan ("SEP") in its LIR (Paragraphs 9.34 to 9.39 [[REP1-074](#)]). However, SCC provides further detail justifying this request in this document.
26. To ensure that SCC's interests are properly considered by the Applicant, this alteration is vital for SCC to ensure that it is satisfied with the details of the final SEP as they relate to Suffolk and to ensure that the public interest is properly safeguarded in relation to the important issue of skills and employment benefits.
27. Given that SCC coordinates the various employment skills matters and activity within Suffolk that the SEP deals with for the project, naming SCC as a consultee to the discharging authority for the SEP will ensure coordination of action and interventions and the maximum benefit is gained from the measures in the strategy for both the project and the local area.
28. SCC recognises that a well-constructed OSEP has the potential to translate into a detailed SEP which serves the public interest in Suffolk. Suffolk is recognised as a key area for the Applicant's skills and employment activities in the OSEP. With input from SCC, it is possible to maximise the benefits both for the Applicant and for Suffolk through the final SEP. However, were this not to be translated into the version of the SEP submitted for approval, SCC would have no recourse unless it were a consultee of Requirement 18.
29. As detailed in paragraphs 9.34 to 9.39 of its LIR [[REP1-074](#)], SCC understands the consensual basis upon which activities within the SEP will rely upon and wishes to promote this through its request to be a named consultee for Requirement 18. Being a named consultee, as opposed to an optional one, ensures that SCC receives procedural fairness in its consultation as it will have more time to give an adequate response and be informed of any extra information. It is for this reason that SCC considers it necessary.