

Confirmed



Minutes of an Extraordinary Meeting of the **Cabinet** held via Zoom, on **Monday, 21 September 2020** at **6:30pm**

Members of the Cabinet present:

Councillor Norman Brooks, Councillor Stephen Burroughes, Councillor Maurice Cook, Councillor Steve Gallant, Councillor Richard Kerry, Councillor James Mallinder, Councillor David Ritchie, Councillor Craig Rivett, Councillor Letitia Smith

Other Members present:

Councillor Paul Ashdown, Councillor David Beavan, Councillor Jocelyn Bond, Councillor Alison Cackett, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Graham Elliott, Councillor John Fisher, Councillor Tony Fryatt, Councillor Louise Gooch, Councillor TJ Haworth-Culf, Councillor Geoff Lynch, Councillor Steve Wiles

Officers present:

Stephen Baker (Chief Executive), Lisa Chandler (Energy Projects Manager), Sarah Davis (Democratic Services Officer), Andrew Jarvis (Strategic Director), Nick Khan (Strategic Director), Sue Meeken (Political Group Support Officer (Labour)), Agnes Ogundiran (Conservative Political Group Support Officer), Philip Ridley (Head of Planning and Coastal Management), Nicola Wotton (Deputy Democratic Services Manager),

1 Apologies for Absence

Apologies for absence were received from Councillor M Rudd, Cabinet Member with responsibility for Community Health.

Apologies were also received from Councillor M Jepson, Assistant Cabinet Member with responsibility for Community Health.

The Leader of the Council welcomed everyone to this Extraordinary meeting, regarding the Development Consent Order for EDF energy and the response from East Suffolk Council.

2 Declarations of Interest

Councillor Mallinder, Cabinet Member with responsibility for the Environment, declared a Local Non Pecuniary Interest as he was the Vice Chairman of the Suffolk Coast and Heaths Areas of Outstanding Natural Beauty Joint Advisory Committee.

3 Development Consent Order Process for EDF Energy / Szc Co Sizewell C New Nuclear Power Station

The Leader of the Council reported that the Sizewell C twin reactor nuclear power station proposal was submitted to the Planning Inspectorate by EDF Energy on the 27 May 2020. It was accepted for examination by the Planning Inspectorate on the 24 June 2020. The nuclear power station, if permitted and once operational, would provide 3.2GW of reliable low carbon power for a minimum of 60 years, which was equivalent to powering approximately 6 million homes, or 7% of the UK's electricity needs. The station would help provide the baseload capacity needed to replace coal and gas stations and would support the future growth in renewables. If Consented, along with the offshore wind proposals and the existing nuclear power station at Sizewell B, this would see approximately 25% of the UK's electricity supply coming through East Suffolk.

This application provided significant challenges for our district but also significant opportunities. The Leader stressed that if the proposal was consented by the Secretary of State, he gave his commitment to seek to ensure that the programme of works to construct the station had the least possible impact and the best possible mitigation in place. He reiterated that it was important that we keep in mind our part in this process – East Suffolk Council was not the deciding authority. There were no doubt debates to had about the necessity of nuclear Energy, the question of Far East Funding, the inclusion of international involvement in UK infrastructure projects, the cost of the build process and the cost per Mega Watt for end users, which were real and relevant issues. The Leader stated that he was confident that all Members would have views on them all, however these were not issues for the Cabinet to discuss this evening. He noted that Members were charged with looking after the interests of East Suffolk, of protecting communities, the built and natural environments and promoting and enhancing the economic sustainability of our District.

He reported that the purpose of the Cabinet meeting today was to agree East Suffolk Council's Relevant Representations. This document would set out the Council's concerns and acknowledges its ambitions. It would bring to the attention of the Planning Inspectorate and, subsequently, the Secretary of State, the potential impacts on East Suffolk. It also challenged EDF to seek to offer further mitigation and compensation or risk the refusal of the application.

The Leader reported that, like many Members, he had received numerous emails both for and against the project. Many of the concerns highlighted were reflected in the draft document. He noted that Members would be aware that the Council was on a very tight timescale. The Council's Relevant Representations Document needed to be submitted by the 30th September, however the Leader stressed that this was not, by any means, the end of the Council's involvement. It was the start of the Council's negotiations with the Planning Inspector. Within the Relevant Representations document, the Council would be simply setting out its concerns and as the examination progresses, the Council would be submitting more detail, more evidence and more challenges.

The Leader confirmed that as this particular timescale was tight, he wished to advise Members, as he had previously indicated at the Extraordinary Full Council meeting on 3 September 2020, he had now sought and gained the agreement of the Chairman to suspend Call In for any decision that was made tonight by the Cabinet. This was allowed under paragraph 12 of our Constitution which stated: 'The call-in procedure shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interest.'

Clearly to not submit our Relevant Representations by the 30th September would cause significant risk both to the Council and the wider community. By having the Extraordinary Full Council Meeting on the 3 September 2020, to help to shape tonight's decision, it was felt that we have given every Member the opportunity to engage in the process. Many of the comments made at the Extraordinary Full Council meeting had helped to develop the latest, much expanded iteration.

The Leader reported that he had asked each and every Cabinet Member to review the document and to consider the impact of the project on their individual areas of responsibility. The Cabinet presented their findings at the Extraordinary Full Council Meeting and have since reviewed their position in light of the debate that took place. They have fed any further concerns or observations on to the Lead Member and the Officer Team. The Leader stated that he was looking forward to the debate that will follow and asked all Members to keep in mind the limited but vital part we play in the decision-making process. The decisions that we were made today would impact on the whole District for many years to come. The Leader then handed over to Councillor Rivett, Deputy Leader and Cabinet Member with responsibility for Economic Development.

The Deputy Leader reported that this Cabinet report was a revision of the relevant representations considered at the Extraordinary Full Council meeting on 3 September 2020. It contained a summary of the issues that the Council wished to bring to the attention of the examining authority as they consider, and the Secretary of State would ultimately decide, upon EDF's Sizewell C application. The Council continued to hold that it should seek to continue to work with EDF, to maximise the benefits whilst minimising the negatives.

This Relevant Representation was a further refinement of those presented to the Extraordinary Full Council of the 3rd September. Full Council saw an opportunity for all Councillors to ask questions and then participate in a well-mannered and informed debate to assist our considerations as we prepared our relevant representations.

The Leader made the point at the start of Extraordinary Full Council and this was later reiterated by Councillor Byatt at debate stage, that our Relevant Representation was not about discussing the rights and wrongs of the principle of nuclear energy, although many did stray into that area. Many Councillors spoke about tourism, coastal defences and environmental impacts. Further detail had therefore been added, for example, on the need to consider the tranquillity of Area of Outstanding Natural Beauty (AONB) and, as such, further assessment was requested on plant and machinery noise levels, compared to background levels. The Deputy Leader had reiterated the Council's expectations on coastal defences, the Monitoring and Mitigation Plan identified

increasing investment demands which would be required to manage the increasingly exposed Hard Coastal Defence Feature (HCDF) over the life of facility, the desire for a covenant or other legal mechanism to bind any new owner in the event of transfer and a legally standing body to oversee the Monitoring and Mitigation Plan. It has also been added that, whilst the Development Consent Order (DCO) sees this sitting with the MMO (Marine Management Organisation), the Council would work with them, to see what could be done to ensure our interests are protected.

Councillor Pitchers had spoken of his conversations with university students; the desire to build it and the need to press for mitigation. Equally Councillor Lynch had added, as Chairman of the Audit and Governance Committee, the importance of effective oversight. Pages 125 through to 127 of the meeting papers cover the additional Relevant Representations on Monitoring, mitigation and compensation. Councillor Smith-Lyte and Councillor Poulter spoke of mental health/quality of life issues and Members were asked to note that the socio-economic impacts had been expanded to include Human Health; furthermore, these are referred to throughout the document. Councillor Poulter had commented that the 24/7 operation of the park and ride sites had not been considered. This had been added and we intend to add to the landscape impacts via our written representations.

Local Councillors Haworth-Culf, Bond and Cooper had made comments including that the project was akin to marmite, that skills and jobs needed to be robust in order that promises made by EDF come to fruition, the timing of mitigation and the life long experiences of the benefit of SZA and SZB. On these points, the Council received a joint signed letter by representatives of organisations such as Suffolk Chamber of Commerce, New Anglia LEP, CBI, Federation of Small Businesses, many colleges, schools, the University of Suffolk, Inspire Suffolk and Access Community Trust supporting the project to what they see as “huge local employment, education and skills opportunities,” as well as that the value of contracts with East of England businesses already secured at Hinkley Point C, offers a great foundation for these firms if Sizewell C starts soon.

Members were asked to note the repeated expectations for a definition of home based workers and the Council's commitment to the supply chain within our Relevant Representation on education, skills employment and economic development. On timings we detail, for example, the need for the bypass as early as possible as well as pre-emptive training to mitigate worker displacement. Councillors Fryatt and Yule made the points of the cumulative impacts and traffic. The Deputy Leader reiterated that the Council would continue to work with the government and energy promoters amongst others. Pages 115 to 125 now cover these points.

At the Extraordinary Full Council meeting, Councillor Bird had reminded all those present of the point of the recommendations: that of enabling the team and the Deputy Leader to proceed with these relevant representations. The vote resolved 30 in favour, 9 against and 4 abstentions.

The Council's team of officers continued to review the 56,000 pages of the application and to prepare for the examination. The Deputy Leader then drew fellow Cabinet Members' attention to the fact that the Relevant Representation has progressed significantly, and had increased by a further 19 pages. The Council had been notified

that Sizewell C would be increasing their apprenticeships target from 1,000 to 1,500, a topic of personal importance to Councillors Green and Mortimer, with a desire to utilise the colleges in our district.

The Deputy Leader then stated that, with Cabinet's permission, he would like to amend recommendation two, in order to include evidential additions. Therefore recommendation two would then read 'That the Head of Planning and Coastal Management, in consultation with the Deputy Leader and Cabinet Member with responsibility for Economic Development, be authorised to include additional evidence to strengthen the draft Relevant Representation as agreed with the Leader of the Council prior to its submission to PINS.' The Deputy Leader reported that he was joined this evening by the Head of Planning and Coastal Management and the Energy Projects Manager, who would be pleased to answer any questions.

The Leader then invited Cabinet Members to raise any questions. There being no questions, the Leader invited other Members to raise any questions they may have.

Councillor Haworth-Culf sought assurance that funding for the Leiston Together initiative would continue in the longer term. She reported that she felt Leiston had been damaged by the development of Sizewell A and B and she wanted to protect the local area if Sizewell C was approved. The Leader reported that there were currently 3 place-based initiatives within the District and it was important that they continued to be supported to ensure that they were fit for purpose and working with local communities to bring about improvements. The Deputy Leader drew Members attention to page 113, paragraph 2.229 of the report, which stated that the Council was continuing to work with Leiston-cum-Sizewell Town Council to promote a range of mutually acceptable mitigation measures to improve that area.

Councillor Haworth-Culf queried the funding or support that was being provided to the relevant Town and Parish Councils in order to assist them in responding to the public consultation for Sizewell C. The Head of Planning and Coastal Management reported that the Council had been working closely with those Town and Parish Councils affected. Support had been provided to assist those Town and Parish Councils that had required it, whilst others had fed in their views to the Council and were content for them to be presented on their behalf. Members were reassured that there were mechanisms in place to ensure that a full engagement process was completed and that all relevant views could be expressed.

Councillor Fryatt took the opportunity to raise concerns about the local road network and in particular the B1078 and the B1079, which were already grossly overcrowded. He felt that the additional traffic from the Sizewell C site would cause gridlock and suffering to local residents. He felt that the increase in traffic could not be mitigated by minor improvements to the A12, as the minor B roads would not be affected. The Deputy Leader reported that this was a matter for Suffolk County Council to respond to, as the Highways were not an area that the District Council was responsible for. However he did encourage all those people with concerns about congestion on the B1078 and B1079 to submit their views by 30 September 2020. It was noted that this matter would then be considered in more detail as part of the upcoming examination process. The Leader confirmed that it was crucial for such concerns to be raised now, as they would be looked at in more detail in the future and

possible mitigation could then be put in place. The Head of Planning and Coastal Management reported that Councillor Brooks was the Cabinet Member with responsibility for Transport and he would be raising the matter in the relevant forum, with Suffolk County Council and others to find ways to offset the impact of the Sizewell C development on the highways network.

Councillor Bond raised concerns that some local residents felt very unprotected and that they were excluded from the consultation process, which had been made worse by moving online. She felt that some people required additional support as they may not be very computer literate or had limited experience of using the internet, whilst others may be held back by poor internet connections. The Leader reported that the Council would be happy to assist people to engage in the consultation process. He suggested that they should contact their Ward Councillor in the first instance and they would be able to take their views or concerns forward and act as a conduit. The Deputy Leader reported that Parishes should not feel alone, as there had been several local engagement events which helped to provide them with the opportunities to share their views, however he concurred that the Council would support to those who needed it, in order for them to take part in the public consultation.

Councillor Elliott raised concerns that the Relevant Representation from the Council was supportive to the principle of nuclear energy. Whilst he had welcomed the debate at the Extraordinary Full Council meeting regarding the merits or not of nuclear energy, he felt that there had been a lack of understanding regarding the proposed amendment to the recommendation, made by the GLI Group. He felt that the Council had taken the position that it should prepare for the upcoming approval of Sizewell C, whereas he felt that it would be better to try to avoid the development of Sizewell C altogether, rather than try to mitigate the damage it would cause to the district. He also queried the difference of opinion between the Council and Suffolk County Council, in relation to Sizewell C, as he felt that both Councils should be in agreement. The Leader reported that the Council and Suffolk County Council had not yet made their final decisions, at this stage of the proceedings. He stated that each Council would be looking at Sizewell from their own viewpoint and although the two Council's views were not identical, there were still many similarities. The Deputy Leader confirmed that the Council was working closely with Suffolk County Council and the amended recommendation had been debated and voted upon at the Extraordinary Full Council meeting, the views of that meeting were then used to inform the final report for Cabinet. The Examining Authority would now have a very detailed response to consider.

Councillor Gooch stated that the report had been improved, since it was first considered at the Extraordinary Full Council meeting, however she felt that the indicative theme of the report overall was general support in favour of the Sizewell C project. She stated that lots of concerns had been raised by Members at the Extraordinary Full Council meeting, however there was no suggestion of this from the framing of the report. The Leader stated that this report was predominantly the same wording as the report considered at the Extraordinary Full Council meeting. The issues which were raised by Members at the meeting were included, however it was noted that some matters raised at the meeting were not relevant and so had not been included.

Councillor Gooch stated that she felt it was important for local residents to have a full update on the matters raised at the Extraordinary Full Council meeting and she did not feel that the tone of the report reflected the issues that had been raised. The Leader reported that the concerns raised by Members had been included in this report, which was significantly longer as a result. Should Members of the public be interested in knowing every issue that was raised, they were able to view the meeting in full on the YouTube feed or they could read the minutes from the meeting, when they became available.

Councillor Haworth-Culf enquired whether the Leader would be providing those present with an update regarding a petition which had been submitted, in relation to Sizewell. The Leader reported that there was a Petitions Protocol which needed to be followed and it was not therefore appropriate to provide an update on the petition at this meeting. Due process would be followed and the relevant people would be informed, in due course.

There being no further questions, the meeting went into debate.

Councillor Mallinder stated that East Suffolk was a beautiful area and it was important that there was an open and robust discussion about the proposed Sizewell C development. The environment was crucial to all. The Council could either engage thoroughly with the process and endeavour to get the best outcome and mitigation for the district or it could choose not to support the project. The Council had chosen to represent its constituents to the best of its ability, to try to get the best possible outcome for local residents. By engaging in this way, the Council would have more involvement in the vision of the future and ensure that the correct mitigation and compensation was put in place. Sizewell C would be a national benefit and it was important that the district was recompensed appropriately for any disruption it may cause.

Councillor Burroughes reported that the matter had already been discussed in detail at the Extraordinary Full Council meeting and all Members had been given the opportunity to raise any concerns they may have. He felt confident that the Council was doing everything it could to get the best outcome for the district. The Leader confirmed that the Council had a good working relationship with EDF and it was important to be involved in the process to get the best mitigation for the district.

Councillor Kerry stated that he had every confidence in the work being undertaken by the Housing Team, in relation to the additional workers needing to be housed in the area during construction. He felt that the report presented today would ensure the best outcome for local residents.

Councillor Haworth-Culf stated that she would have preferred the Council to take the same stance as Suffolk County Council and not support the development. There were huge concerns among local residents about the impact on local roads, the environment and the effect on tourism and small businesses. She felt that the Council should request that EDF undertake more sea transport in order to keep heavy goods off the roads. Local residents were also concerned by the size of the proposed pylons and they were fearful that they would be overwhelmed by them. There were many concerns from local residents and it was not felt that they were being thoroughly

addressed.

Councillor Bond supported the concerns raised by Councillor Haworth-Culf. She felt that there needed to be sufficient and accurate data provided to local residents in order that they could be fully informed. Information should not be taken at face value, it needed to be challenged. There were significant concerns about the number of rail movements at night, there needed to be more information about how the noise and vibration of those rail movements would be dealt with, so they would not affect nearby residents. She stated that there were several gaps in the information provided and that some areas were beyond any possible mitigation. She finished by stating that she would have preferred the Council to take the same view as Suffolk County Council and not support the development.

There being no further Members who wished to speak, the Leader invited the Deputy Leader to sum up and present the recommendations.

Councillor Rivett, Deputy Leader, thanked everyone for their participation at this meeting. He stated that the Council had made strong representations which would help to ensure that the best results would be sought for local residents. He then proposed the recommendations contained within the report, subject to the proposed amendment to recommendation two, and these were shown on a power point slide for all to see. This was duly seconded by Councillor Gallant, Leader of the Council. Upon being put to the vote, it was unanimously

RESOLVED

1. That the Head of Planning and Coastal Management, in consultation with the Deputy Leader and Cabinet Member with responsibility for Economic Development, be granted authority to fully engage with the Pre-examination and Examination stages of the Development Consent Order process in relation to the Sizewell C nuclear power station project. This will include:

- Submission of Written Representations to expand upon the Relevant Representation where necessary,
- Submission of a Local Impact Report,
- Submission of Statements of Common Ground between the application and the Council,
- Attending/authorising technical officers to participate at Preliminary Meetings/hearings/accompanied site visits,
- Responding to Examining Authority's questions and requests for further information,
- Commenting on other interested parties' representations and submissions as appropriate,
- Signing planning obligations if required.
- Any other requirements not yet identified.

Should the DCO be granted by the Secretary of State, this will include:

- Discharge of requirements on the DCO.
- Facilitating the Council's responsibilities under any Section 106 agreement.
- Consideration of any minor revisions to the DCO proposed via PINS.

2. That the Head of Planning and Coastal Management, in consultation with the Deputy

Leader and Cabinet Member with responsibility for Economic Development, be authorised to include additional evidence to strengthen the draft Relevant Representation as agreed with the Leader of the Council prior to its submission to PINS.

3. That following agreement by the Cabinet of East Suffolk Council, the draft Relevant Representation set out in Appendix A and summarised below, subject to any agreed amendments, be submitted to PINS.

4. That PINS be informed by the Relevant Representation that East Suffolk Council recognises the national benefit these projects will bring in meeting the low carbon energy targets and creating sustainable economic growth in Suffolk. However, this would need to be achieved without significant damage to the local built and natural environment, local communities and tourist economy. The Council has raised concerns on the following matters:

- Landscape and Visual Effects
- Flood Risk Assessment / Sea defences
- Design and Masterplan
- Freight management strategy / transport strategy
- Cumulative Impacts
- Measures to address residual impacts of the projects

The Council also has concerns or wishes to make representations in a number of additional areas which have been outlined below:

- Socio-Economic Impacts
- Air Quality
- Public Rights of Way
- Ecology
- Coastal geomorphology
- Archaeology
- Construction Management including noise and vibration

East Suffolk Council is supportive of the principle of new nuclear development, recognising the strategic need for zero/low carbon energy and the contribution the industry can make to sustainable economic growth in Suffolk. This must however be achieved without significant damage to the environment, local communities and tourist economy of East Suffolk. The projects as designed to date will result in impacts as set out above, particularly in relation to the environment around the nuclear power stations site and associated development sites, and significant effects on the designated landscape.

5. That this Council continues to engage with EDF Energy/SZC Co. to identify means by which the impact of the proposals can be mitigated and/or compensated if the developments do take place and seek appropriate s106 agreements to secure the necessary mitigation and/or compensation.

6. That the continued work with Government, namely MHCLG and BEIS with regards to the cumulative impacts on East Suffolk of the numerous energy projects existing and forthcoming be noted.

The meeting concluded at 7:37 PM

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Chairman