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30 May 2024

ESC / SCC – Adequacy of Consultation Letter (21/05/24) - Response

Dear Cllrs Daly and Rout,

Re. Letter on the development of the LionLink project (21 May 2024)

Thank you for your letter regarding the continued design development of LionLink. I have sought to respond to the key themes identified in your letter, specifically regarding the adequacy of consultation on LionLink, the role of scoping, and coordination with other projects in the area.

Our decision to discount Landfall E (Aldeburgh) reflects legal and policy tests that major infrastructure projects must adhere to. The decision on landfall balances the mitigations of onshore and offshore designations where possible.

Role of scoping

We undertake scoping as a technical and environmental exercise rather than a mandatory consultation. The purpose of scoping is to determine the scope, and level of detail, of the information to be provided in the Environmental Statement for LionLink. This is what our scoping report sought to achieve and what the scoping opinion provides. In terms of alternatives, Section 3.3 of our scoping report and Paragraph 2.1.6 of the scoping opinion set out how this will be reported on from an EIA perspective.

Consultation and engagement to date

We have undertaken two rounds of non-statutory consultation whilst the Project design has been at a formative stage to allow for early feedback. Our next step is to carry out statutory consultation and engage with the planning officers at ESC and SCC on the statement of community consultation (SOCC). Environmental scoping is important, but it is not a consultation on the merits of the proposed development or on the adequacy of reasoning for the discounting of alternatives considered.

We have also carried out the following:

December 2023: launched a quarterly community newsletter¹ which is distributed to 18,000 properties in the consultation area.

March 2024: Environmental Scoping Report issued to PINs. Non-Statutory Consultation Summary Report launched, summarising the feedback from our non-statutory consultations.

¹ Spring 2024 Community Newsletter. Available here: <https://www.nationalgrid.com/document/151266/download>

March 2024: the Spring Community Newsletter focussed on the impacts of construction.

April 2024: ran four webinars² to update parish and town councils and the public on the project and our emerging preferences.

Expected in July 2024 (post General Election): the Summer Newsletter will focus on the offshore environment. This will include explanation of the offshore designations the project has considered; answer some of the frequently asked questions we received on offshore issues during the webinars; and provide information on the seabed surveys that started in May. We anticipate this will provide the community with further information on why Southwold and Walberswick were selected as our preferred landfall locations. This is the first newsletter that will be delivered digitally as well as by post.

Expected in September and December 2024: delivery of the Autumn and Winter newsletter.

Expected in Early 2025: the Siting and Routeing Report at Statutory Consultation should also ensure that this is well understood.

Landfall E (Aldeburgh) and alternatives

As you may recall from the meetings in February, under Regulation 64 of The Conservation of Habitats and Species Regulations 2017 (the **Habitats Regulations**) a project which has an adverse effect on a European site can only receive consent if there are “no alternative solutions”. This is a strict legal test and is reflected by National Policy Statements (NPS EN-1³) which states that as a promoter we must show that there are “no deliverable alternative solutions”.

Our optioneering work has identified that the northern landfalls are alternative solutions, and so a project that included Landfall E would not be capable of receiving consent. Your letter requests that we take the northern landfalls and Landfall E forward. It is not possible or appropriate to take Landfall E forward because it would not satisfy the strict legal tests in the Habitats Regulations and it would be disingenuous of us to do so given the outcome of our environmental analysis.

In respect of the comments made regarding alternative assessment, NPS EN-1 sets out guidance on alternatives and makes clear that alternative proposals which mean the necessary development could not proceed can be excluded (see Paragraph 4.3.27). Landfall E falls into this category.

Coordination

We appreciate that coordinating LionLink with our projects in the area is a key priority for you and the wider Suffolk community. Our emerging proposals allow the opportunity to coordinate the Project with Sea Link at the converter station and substation sites.

I hope that the above helps address the concerns raised in your letter. I would be more than happy to meet with you both to discuss this further, so please do let me know if this is of interest and we can get something set up.

Yours sincerely,



Gareth Burden

Construction Director, LionLink

² April 2024 Public Webinars following publication of Scoping and Consultation Feedback Report. Available here: <https://www.nationalgrid.com/document/151911/download>

³ Overarching National Policy Statement for Energy (EN-1). Available here: <https://assets.publishing.service.gov.uk/media/65bbfbdc709fe1000f637052/overarching-nps-for-energy-en1.pdf>