

The Sizewell C Project

Natural Environment Awards Panel ("NEAP")

Terms of Reference

This Group is established in accordance with paragraph 18 of Schedule 11 to the Deed of Obligation between (1) East Suffolk Council ('ESC') (2) Suffolk County Council ('SCC') and (3) Sizewell C Limited ('SZC Co') dated 08 October 2021 as varied by the first and second deeds of variation dated 13 April 2022 and 6 May 2022 respectively (the 'Deed of Obligation' or 'DoO').

This Terms of Reference includes the scope, obligations and agreed governance as set out within the DoO. Any revisions to the Terms of Reference have been agreed in accordance with the Terms of Reference themselves. Except where expressly stated otherwise, words and expressions used in this Terms of Reference will have the same meaning as defined in the Deed of Obligation.

1. Establishment

On or before Commencement, SZC Co shall establish the NEAP which shall exist until the obligations in paragraph 2 of Schedule 11 of the Deed of Obligation end, unless otherwise agreed by the members of the NEAP.

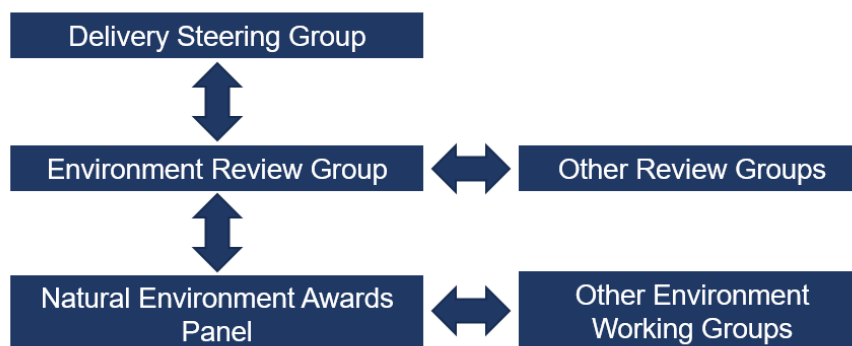
2. Purpose

The purpose of NEAP is to consider the recommendations of the Natural Environment Improvement Project Officer (NEIPO) for the Project and approve the funding of such projects. Additional responsibilities include:

- Refer all enquiries for the Natural Environment Improvement Fund (NEIF) to the NEIPO without prejudicing their decision making;
- Receive a report and recommendation on all valid applications from the NEIPO and should consider all applications along with the NEIPO report and recommendations;
- Assess applications, giving regard to the NEIF Framework and other guiding documents, and marking applications to achieve the desired outcomes of the NEIF;
- Assess applications using the evaluation process agreed by core members and award, partially award, request more information or refuse applications; and
- Treat decisions as confidential until notice has been issued by the NEIPO to the applicant.

The NEAP will work with the Environment Review Group, other Review Groups and Working Groups, all under the Delivery Steering Group. The NEAP will review the Natural Environment Improvement Fund and recommendations for change, as necessary, for decision by the Environment Review Group

The relationship between the NEAP and other relevant groups is set out below. Whilst there is no formal link between the NEAP and other Environment Working Groups members of the groups should be engaged to promote opportunities of the NEIF.



3. Scope of Work

In accordance with Paragraph 2.5 of the DoO, the NEAP shall consider the recommendations of the Natural Environment Improvement Project Officer and approve the funding of such projects if in the NEAP's reasonable opinion the relevant project will:

- mitigate the residual landscape and visual impacts of the Project;
- deliver sustainable long-term management and maintenance of woodlands, hedges and other established vegetation that contribute to the conservation and enhancement of landscape character; or
- enhance ecology, biodiversity, and wildlife, and improve habitat connectivity and resilience;
- and
- not be inconsistent with local and national planning policy or plans, for example new or improved transport infrastructure;
- deliver effective outcomes;
- not be contradictory to or duplicate agreed mitigation measures set out elsewhere in the Deed of Obligation or assessed in the Environmental Information; and
- be consistent with a not for profit purpose.

The NEAP shall also, in respect of projects within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty (SCHAONB) and Suffolk Heritage Coast, consider whether the relevant project will conserve and enhance the natural beauty and special qualities of the SCHAONB and Suffolk Heritage Coast and their setting.

The NEAP shall approve requests for funds for eligible projects:

- of up to £6,202,640 during the Construction Period; and
- of up to £3,500,660 for the period three years following the end of the Construction Period.

A minimum of 50% of the Natural Environment Improvement Fund shall be allocated to projects within with SCHAONB and Suffolk Heritage Coast located within East Suffolk unless otherwise agreed between SZC Ltd and the Councils and for the avoidance of doubt, this minimum percentage will not preclude a higher percentage being spent on projects within the SCHAONB if those project prove the best way to mitigate the environmental impacts of the Project in accordance with Paragraph 2.5 of the DoO.

4. Membership

The NEAP shall comprise:

- one representative to be nominated by East Suffolk Council;
- one representative to be nominated by Suffolk County Council;
- one representative to be nominated by Natural England;
- one representative to be nominated by the SCHAONB Partnership; and
- one representative by SZC Co,

or such alternatives as may be nominated by those representatives from time to time as agreed by the above members of the NEAP (referred to as the "**Core Members**").

Three additional members shall be nominated by agreement of the Core Members, and the term of each additional member's membership shall be determined by the Core Members.

East Suffolk Council and Suffolk County Council may each invite one further representative to attend meetings of the NEAP (the "**Non-Voting Members**").

Core members can delegate voting rights to non-voting members if this is communicated to the chair in advance of each meeting.

5. Meetings

- SZC Co shall act as secretariat to the NEAP and be responsible for organising the meetings and providing minutes of the NEAP.

- The Core Members shall agree the chair of the NEAP which shall rotate between the Core Members. The duration of the appointment of the chair would be 12 months, unless otherwise agreed by the Core Members.
- The Natural Environment Improvement Project Officer shall attend all meetings of the NEAP.

The NEAP shall:

- meet either virtually or in a convenient location in East Suffolk or Ipswich no less than once per annum and a maximum of three times per annum (excluding extraordinary meetings where required) unless otherwise agreed by the Core Members of the NEAP from time to time.
- meet no later than three months after the Commencement Date.
- encourage participation at its meetings by members or representatives of other organisations, groups, and persons with relevant expertise from time to time in order to observe and participate in discussions or present relevant information to the NEAP when assessing applications for awards of the Natural Environment Improvement Fund.

6. Quorum

The NEAP meetings shall be quorate if the core members representing East Suffolk Council, Suffolk County Council and SZC are present.

7. Decision Making

The NEAP shall refer any matter to the Environment Review Group where members of the NEAP are unable to agree on any matter unanimously.

8. Escalation

In the event that any of the Quorate Members of the NEAP considers that a matter needs to be referred to the Environment Review Group for urgent resolution, it shall notify the members of the Environment Review Group accordingly to invoke the urgency process in paragraph 15.7 of Schedule 11 of the Deed of Obligation.

9. Reporting

The NEAP shall report to the Environment Review Group annually on the expenditure of the previous year's contribution from the Natural Environment Improvement Fund and the effectiveness of such contributions.

10. Governance and Administration

The NEAP shall make such terms of reference for its governance and administration as it considers appropriate at, or following, the first meeting of the NEAP. The following administrative guidance should be followed:

- The expectation is that meetings will be scheduled 3 months in advance to provide members with sufficient notice and prevent potential scheduling conflicts. As a minimum, meetings should be scheduled at least 4 weeks in advance.
- The agenda, supporting papers and report should be issued at two weeks before the date of a meeting, by email.
- Panels can choose to meet in person or virtually.
- Administration of the panel including minute taking will be the responsibility of the secretariat. This includes reasons for decisions made at the meeting.
- Decisions of the panel including the reasons for those decisions should be issued in writing to applicants within 1 week of the date at which it was agreed.
- Minutes of the panel meeting should be circulated to members within two weeks of a meeting.

The NEAP may make such further administrative arrangements and terms of reference as it considers appropriate for the proper and efficient functioning of the NEAP from time to time, with such arrangements and terms of reference to be approved by the Environment Review Group.

The membership of and other provisions for the functioning of the NEAP may be amended from time to time with the agreement of SZC Co and the Councils and any such amendments shall be recorded in writing.