

**The Sizewell C Project**  
**Environment Review Group ("EnvRG")**  
**Terms of Reference**

This Group is established in accordance with paragraph 15 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.

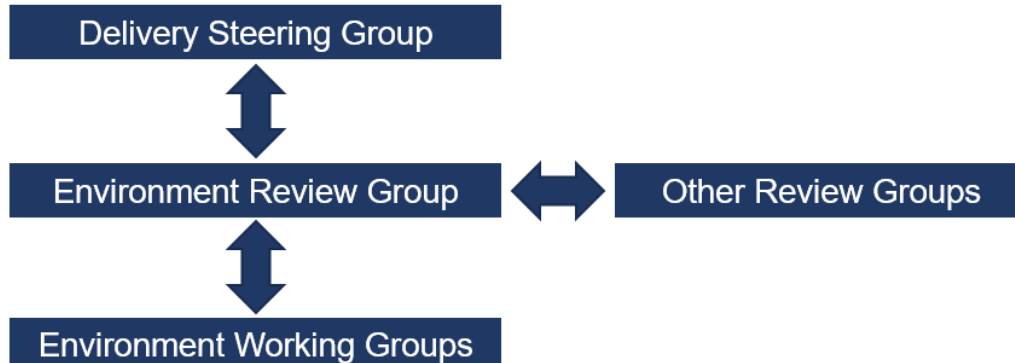
### **1. Establishment**

On or before Commencement, SZC Co shall establish the EnvRG which shall exist from Commencement until the obligations comprised at paragraphs 6.1 or 8.1 of Schedule 11 of the Deed of Obligation end or three years after the end of the Construction Period, whichever is the later.

### **2. Purpose**

The purpose of the EnvRG is to receive reports from the Environment Working Groups and consider and decide any matter referred to it from the Environment Working Groups for the Project, working with the Delivery Steering Group ("**DSG**"), other Review Groups and the Working Groups, in particular the Environment Working Groups.

The relationship between the EnvRG and other relevant groups is set out below.



### **3. Scope of Work**

The Deed of Obligation provides that the EnvRG shall:

- receive reports from the Environment Working Groups;
- consider and decide any matter referred to it from the Environment Working Groups regarding areas of disagreement within the relevant Environment Working Group or any matter where the relevant Environment Working Group has failed to reach a decision;
- consider and provide guidance to SZC Co and the Environment Working Groups in respect of any matter where the EnvRG considers there are interfaces between the Environment Working Groups that need a more strategic approach;
- report to and refer any matter which it cannot agree to the DSG, particularly where there are interface issues across topics that require a more strategic approach or direction or where the EnvRG fails to reach a decision.

- notify the members of the DSG in order to invoke the urgency process in paragraph 13.8 of Schedule 17 of the Deed of Obligation in the event that any of the Quorate Members of the EnvRG considers that a matter needs to be referred to the DSG for urgent resolution;
- carry out the EnvRG Governance Role; and
- provide guidance to the Environment Working Groups on any issues that are referred to it.

The Code of Construction Practice provides that:

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- dust monitoring results must be reported to the EnvRG for review in accordance with the Dust Monitoring and Mitigation Plans approved pursuant to DCO Requirement 2 on an annual basis;
- a registration scheme must be established requiring Non-Road Mobile Machinery to be registered prior to being allowed access to the project sites and registration scheme performance must be reported to ESC and to the Environment Review Group on an annual basis.

#### **4. Membership**

The EnvRG 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 the Environment Agency;
- one representative to be nominated by Natural England; and
- up to two representatives to be nominated by SZC Co, one of whom is the Environment Co-ordinator,

or such alternates as may be nominated by those representatives from time to time. Parties may be represented at meetings by more than one representative provided that each member shall only have one 'vote' on any matter to be determined by the EnvRG.

The EnvRG shall also invite a representative of the Suffolk Coast and Heaths National Landscape Partnership to attend meetings.

Membership of the EnvRG does not fetter the members planning and other statutory duties. The Suffolk County Council and East Suffolk Council representatives shall have knowledge of the Project.

#### **5. Meetings and Quorum**

##### *Meetings*

EnvRG meetings shall take place every six months (or more frequently where agreed by the EnvRG) either virtually or in a convenient location in East Suffolk or Ipswich to be identified by SZC Co from time to time.

The EnvRG meetings will be chaired by East Suffolk Council.

The EnvRG meetings can be attended by members of representatives of the Working Groups, third parties or other experts from time to time and as agreed by the EnvRG members in order to observe and participate in discussions or present information to the EnvRG when specific issues are being discussed, in particular representatives of the Marine Management Organisation, RSPB and Suffolk Wildlife Trust.

SZC Co shall be responsible for the administration of convening and holding meetings of the EnvRG.

During the Construction Period, SZC Co shall procure that the Environment Co-ordinator will attend meetings of the EnvRG.

In the event that any of the Quorate Members of one of the Environment Working Groups refers a matter to the EnvRG for urgent resolution, the EnvRG shall:

- meet as soon as reasonably practicable after the members of the EnvRG are notified and in any event within 10 Working Days for the sole purpose of resolving the relevant matter (with such urgent meeting not counting as one of the standard EnvRG meetings);
- issue a meeting invitation no less than 10 working days ahead of the EnvRG meeting; and
- provide an agenda and relevant briefing note (specifying the matter for discussion and resolution) no less than 5 working days ahead of the meeting.

#### *Quorum*

The EnvRG will be quorate if at least five members (at least one is a member representing East Suffolk Council, one of which is a member representing Suffolk County Council, one of which is a member representing Natural England, one of which is a member representing the Environment Agency and one of which is a member representing SZC Co) are present.

### **6. Decision Making and Escalation**

The EnvRG shall operate (and decisions shall be taken) on a majority voting basis with each member of the EnvRG present at each meeting having one vote provided that in the event that at the conclusion of any such meeting the EnvRG has failed to reach a majority decision on any matter that is voted on by the EnvRG at that meeting, any member can refer the matter to the DSG within 10 Working Days of the date of the relevant EnvRG meeting.

The EnvRG shall report to and refer any matter which it cannot agree by majority to the DSG, particularly where there are interface issues across topics that require a more strategic approach or direction or where the EnvRG fails to reach a decision.

### **7. Reporting**

The EnvRG shall receive reports from the Environment Working Groups.

The EnvRG will receive reports and recommendations from the Ecology Working Group as to what further investigation and/or Additional Mitigation Measure(s) are necessary and appropriate, based on the monitoring undertaken in accordance with this plan.

The EnvRG shall provide reports to the DSG as required in relation to matters for escalation.

### **8. Governance and Administration**

The EnvRG shall make such terms of reference for its governance and administration as it considers appropriate at the first meeting of the EnvRG.

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