



# The Planning Inspectorate

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To Interested Parties, Statutory Parties  
and Other Persons invited to the  
Preliminary Meeting

Your Ref:

Our Ref: EN010012

Date: 21 April 2021

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Dear Sir/Madam

## **The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure Rules 2010 – Rule 8, 9 & 13**

### **Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for The Sizewell C Project**

#### **Examination Timetable and procedure and notification of hearings**

This letter provides you with the Examination Timetable, details of the publication of the Examining Authority's (ExA) Written Questions and other important information about the Examination.

All documentation associated with this project, including a note of the Preliminary Meeting Parts 1 and 2 (which will be published in due course) and the digital recordings taken at those meetings, can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/?ipcsection=docs>

#### **The Examination Timetable**

We have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A**.

The Examination Timetable replaces the draft timetable that was included at Annex D of the Rule 6 letter dated 23 February 2021 [[PD-011](#)]<sup>1</sup>. In finalising the Examination Timetable, we have sought to accommodate requests and suggestions made at the Preliminary Meeting and in representations submitted at Procedural Deadlines A and B.

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<sup>1</sup> Your invitation to the Preliminary Meeting

In light of the representations received we have moved some of the proposed Deadlines that were included in the draft Examination Timetable at Annex D of the Rule 6 letter [[PD-011](#)]:

- **Deadline 2** is now on Wednesday 2 June 2021
- **Deadline 3** is now on Thursday 24 June 2021
- **Deadline 8** has been added for receipt by the ExA of comments on the RIES (the date for the publication by the ExA of the RIES remains Thursday 9 September 2021)
- **Deadline 8** on Wednesday 6 October 2021 (as set out in the draft Examination Timetable) is now **Deadline 9**

We have also moved some of the Deadlines by which some of the submissions are due:

- The Deadline for receipt by the ExA of Initial Statements of Common Ground (SoCG) is now **Deadline 2** on Wednesday 2 June 2021
- The Deadline for the receipt by the ExA of the Statement of Commonality of SoCG is now **Deadline 2** on Wednesday 2 June 2021
- The Deadline for comments on SoCG is now **Deadline 3** on Thursday 24 June 2021
- The Deadline for receipt by the ExA of comments on any updated application documents and Changed Application documents is now **Deadline 2** on Wednesday 2 June 2021

We have also added an additional day for Open Floor Hearings on Tuesday 18 May 2021. An additional date of 22 June 2021 has been added for an Accompanied Site Inspection at the Hinkley Point C site.

Please refer to the Procedural Decision set out in **Annex B** for further information about the changes to the Examination Timetable. The ExA considers the amended dates provide additional time for the receipt of materials, as requested by Interested Parties, whilst also allowing sufficient time for their consideration before the start of the hearings. All other Deadlines are as set out in the draft Examination Timetable at Annex D of the Rule 6 letter

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the Deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

We request that Interested Parties make their submissions through the electronic portal which will be made available on the project page of the National Infrastructure Planning website (NI website) ahead of the relevant Deadlines ('Make a submission' tab). Further information is provided in **Annex F**. Electronic attachments should be clearly labelled with the subject title and not exceed 12MB. Providing links to websites where your submissions can be viewed is not acceptable. All submissions must be made in a format that can be viewed in full on the NI website. Any submissions that exceed 1500 words should be accompanied by a summary which should not exceed 10% of the original text.

If we consider it necessary to vary the Examination Timetable during the Examination, notification will only be sent to Interested Parties and Other Persons<sup>2</sup> invited to the Preliminary Meeting. The changes will be published on the project page of the NI website.

## Other Procedural Decisions

**Annex B** contains important details and clarifications about our other Procedural Decisions made following, the Preliminary Meeting. These include:

- Close of Preliminary Meeting.
- The Examination Timetable.
- Accompanied Site Inspections (ASI).
- Additional Submissions.
- Statements of Common Ground.
- Principal Issues.

A separate Procedural Decision has been issued regarding the Applicant's Change Request.

## Written Representations

All Interested Parties are now invited to submit any comments on the Relevant Representations already submitted by **Deadline 1** on **12 May 2021** and Written Representations by **Deadline 2** on **2 June 2021** as set out in the Examination Timetable (**Annex A**).

Written Representations can cover any relevant matter and are not restricted to the matters set out in our Initial Assessment of Principal Issues discussed at the Preliminary Meeting and included in our Rule 6 letter<sup>3</sup>. Nor are they restricted to the content of our Written Questions (see next heading, below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why<sup>4</sup>. Interested Parties should also provide with their Written Representations "*the data, methodology and assumptions used to support their submissions*"<sup>5</sup>.

Further written submissions will be requested by the ExA at various points in the Examination.

Any Written Representations, and any further written submissions requested by the ExA in the course of the Examination which exceed 1500 words, should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

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<sup>2</sup> Other Persons are persons that we chose to invite to the Preliminary Meeting, in addition to the prescribed persons listed in section 88(3) of the Planning Act 2008 – see '[Your status in the Examination and future notifications](#)'

<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010012/EN010012-003148-Rule-6-Letter--Combined.pdf>

<sup>4</sup> Required under Rule 10(4) of the Infrastructure Planning (Examination Procedure) Rules 2010

<sup>5</sup> <https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

## ExA's Written Questions

We have published our first Written Questions (ExQ1) about the application and the representations received so far. These questions have been divided in to six parts for ease of navigation and can be accessed through the following link:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/?ipcsection=docs&stage=4&filter1=Procedural+Decisions>

Answers to ExQ1 must be provided by **Deadline 2** in the Examination Timetable (**Annex A**). For those parties to whom multiple questions have been addressed the ExA requests that they submit their responses using the Microsoft Word template (provided separately by email), and that they submit both a PDF version for publication and a Microsoft Word version.

If other Interested Parties would like a copy of the Microsoft Word template of ExQ1s, they should contact the Case Team as soon as possible to request a copy.

## Hearings

We have decided to hold a series of Open Floor Hearings (OFH) between **Tuesday 18 May 2021** and **Friday 21 May 2021**. Notice of the dates, times and place of the OFH hearings is provided at **Annex D** along with other important information about these events, including details of what Interested Parties should include in a request to be heard and the procedure that will be followed at hearings.

In the light of the current Government Guidance to control the COVID-19 outbreak and the ongoing restrictions the ExA has made a Procedural Decision that these OFHs will be held by virtual means, through Microsoft Teams.

If you wish to be heard orally at one of the above OFHs you must confirm your wish to speak by pre-registering with the Case Team using the Open Floor Hearing Participation Form (available below) no later than **Procedural Deadline 1** on **Wednesday 12 May 2021**:

<https://forms.office.com/Pages/ResponsePage.aspx?id=mN94WIhVq0iTIpmM5VcIjfRylwZyV5dGsusrI9ve7z1UQkdFT1hMMEI3QI3VIRYN1BIOEQyTlowSi4u>

The dates of these hearings are also confirmed in the Examination Timetable at **Annex A**.

Notifications of a wish to participate in any further Open Floor Hearing, Compulsory Acquisition Hearing or Issue Specific Hearing must be received by **Deadline 1** on **12 May 2021**. The Examination Timetable also includes periods of time reserved for any hearings to be held after the first set of hearings.

We acknowledge the various suggestions for topics for Issue Specific Hearings submitted so far. We will notify all Interested Parties of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include an additional Deadline for Interested Parties to inform the Planning Inspectorate if they wish to attend the notified hearings.

**Annex D** provides details about what Interested Parties should include in a request to be heard at a hearing, and the procedure that will be followed at hearings.

### **Accompanied Site Inspection**

Information about the Accompanied Site Inspection, scheduled to take place from Tuesday 8 June 2021 to Thursday 10 June 2021, and also Tuesday 22 June 2021, is contained in **Annex B**.

### **Availability of application documents and representations submitted to the Examination**

All documentation and audio recordings associated with the Examination of this application can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010012/EN010012-002292-Examination%20Library%20PDF%20Version%20Sizewell%20FINAL.pdf>

**Annex E** provides details of locations in the vicinity of the Proposed Development at which all Examination documents can be viewed free of charge.

Advice to Interested Parties about how to access and navigate the Examination Library is also provided at **Annex E**.

### **Your status in the Examination**

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with '2002', 'SIZE-AFP', 'SIZE-APL' you are in Group A. If your reference number begins with 'SIZE-SP' you are in Group B and if your reference number begins with 'SIZE-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above. If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

### **Award of costs**

You should be aware of the possibility of the award of costs against parties who behave unreasonably.

To assist understanding of what 'unreasonable behaviour' means in the context of an Examination under the PA2008, you may find it helpful to read the government guidance 'Awards of costs: examinations of applications for development consent orders' (July 2013)<sup>6</sup>. It is in everyone's interest that information is brought forward as early as possible in the examination process so you are encouraged to do so.

### **Management of information**

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<sup>6</sup> <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/?ipcsection=overview>

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

We look forward to working with all parties in the Examination of this application.

Yours faithfully,

*Wendy McKay*

**Lead Member of the Examining Authority, on behalf of the Panel**

## **Annexes**

- A** Examination Timetable
- B** Procedural Decisions made by the Examining Authority
- C** Statement of Reasons for Procedural Decisions
- D** Notice of hearings and requests to appear and procedure to be followed at hearings
- E** Availability of representations and application documents
- F** Electronic Portal

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Examination Timetable

The Examining Authority (ExA) is under a duty to complete the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

It is anticipated that, due to the Examining Authority's decision to accept the Applicant's proposed changes to the application, during the Examination there will be a period of additional publicity to comply with the Compulsory Acquisition Regulations. Persons who are **not** currently registered Interests Parties (see section 102 of the Planning Act 2008) who wish to submit representations that relate to the Compulsory Acquisition request for additional land must submit these on the Registration and Relevant Representation Form that will be made available in due course on the project page of the National Infrastructure Planning website in accordance with Regulation 10 of The Infrastructure Planning (Compulsory Acquisition) Regulations 2010.

Item	Matters	Due Dates
	<p><b>Procedural Deadline A</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the Rule 6 Letter</li> <li>• Written submissions on Examination procedure and timetable</li> <li>• Requests to be heard orally at Preliminary Meeting Part 1</li> </ul>	<p><b>Wednesday 10 March 2021</b></p>
	<p><b>Preliminary Meeting Part 1</b></p>	<p><b>Tuesday 23 March 2021 and Wednesday 24 March 2021</b></p>
	<p><b>Procedural Deadline B</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written submissions on Examination procedure and timetable in response to matters raised orally at Preliminary Meeting Part 1</li> <li>• Requests to be heard orally at Preliminary Meeting Part 2</li> <li>• Draft section 106 Agreement(s) (s.106), s.106 Explanatory Memorandum and draft Confirmation and Compliance Document</li> </ul>	<p><b>Wednesday 7 April 2021</b></p>

	<ul style="list-style-type: none"> <li>Applicant's draft itinerary for Accompanied Site Inspection (ASI)<sup>1</sup></li> </ul>	
	<b>Preliminary Meeting Part 2</b>	<b>Wednesday 14 April 2021</b>
	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>Examination Timetable</li> </ul> <p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>ExA's Written Questions (ExQ1)</li> </ul>	<b>Wednesday 21 April 2021</b>
	<p><b>Date reserved for issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>Any request for further information under Rule 17 of the Examination Rules (if required)</li> </ul>	<b>Thursday 6 May 2021</b>
	<p><b>Deadline 1 (D1)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Comments on Relevant Representations (RRs)</li> <li>Summaries of all RRs exceeding 1500 words</li> <li>Comments on Applicant's draft itinerary for ASI and suggested locations for site inspections (Accompanied or Unaccompanied), including justification, for consideration by the ExA</li> <li>Notification of wish to attend ASI*</li> <li>Local Impact Reports (LIR) from any local authorities</li> <li>If needed, draft section 106 Agreement(s) (s.106), s.106 Explanatory Memorandum and draft Confirmation and Compliance Document</li> <li>Notification by Statutory Parties of their wish to be considered as an IP by the ExA</li> <li>Notification of wish to speak at any Open Floor Hearing (OFH)* (<b>NOTE:</b> notification of wish to speak at the OFHs w/c 17 May 2021 MUST be made on the appropriate form)</li> <li>Notification of wish to make oral representations at an Issue Specific Hearing (ISH)*</li> <li>Notification from any Affected Person of wish to speak at a Compulsory Acquisition Hearing (CAH)*</li> <li>Notification of wish to have future correspondence received electronically</li> </ul>	<b>Wednesday 12 May 2021</b>

<sup>1</sup> Please note: an ASI can only go ahead if Government guidance on COVID-19 at that time permits.

\* All notifications of a wish to attend or speak at an Examination Event must be submitted separately from other correspondence



	<ul style="list-style-type: none"> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	
	<b>Open Floor Hearings (OFH)</b>	<b>Tuesday 18 May 2021 to Friday 21 May 2021</b>
	<p><b>Deadline 2 (D2)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post Hearing submissions including written submissions of oral case</li> <li>• Written Representations (WRs)</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Initial Statements of Common Ground (SoCG) requested by the ExA</li> <li>• Statement of Commonality of SoCG</li> <li>• Responses to the ExA's Written Questions (ExQ1)</li> <li>• Comments by registered Interested Parties <b>only</b><sup>2</sup> on any updated application documents and Changed Application documents</li> <li>• Comments on draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document</li> <li>• One dimensional modelling of Soft Coastal Defence Feature (SCDF)</li> <li>• Design details and plans for Hard Coastal Defence Feature (HCDF)</li> <li>• Responses to comments on RRs</li> <li>• Applicant's revised draft of DCO</li> <li>• Updated DCO Signposting Document</li> <li>• National Policy Statement (NPS) tracker</li> <li>• Updated Navigation Document</li> <li>• Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR)</li> <li>• Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land'</li> <li>• Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers'</li> <li>• Comments on any additional information/submissions received by D1</li> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	<b>Wednesday 2 June 2021</b>
	<p>Dates reserved for:</p> <p><b>Accompanied Site Inspections (ASI)</b> (if COVID-19 public health restrictions allow)</p>	<b>From Tuesday 8 June 2021 to</b>

<sup>2</sup> See [Section 102 of the Planning Act 2008](#)

		<b>Thursday 10 June 2021</b>
	Date reserved for: <b>Accompanied Site Inspection (ASI) to the Hinkley Point C site</b> (if COVID-19 public health restrictions allow)	<b>Tuesday 22 June 2021</b>
	<b>Deadline 3 (D3)</b>  For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Operational modelling of Soft Coastal Defence Feature (SCDF)</li> <li>• Comments on WRs</li> <li>• Comments on LIRs</li> <li>• Comments on SoCG</li> <li>• Comments on responses to ExA's Written Questions (ExQ1)</li> <li>• Comments on Applicant's first revised draft DCO</li> <li>• If needed, revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document</li> <li>• Updated NPS tracker</li> <li>• Updated Navigation Document</li> <li>• Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR)</li> <li>• Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land'</li> <li>• Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers'</li> <li>• Comments on any additional information/submissions received by D2</li> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	<b>Thursday 24 June 2021</b>
	<b>Issue Specific Hearings (ISH)</b>	<b>From Tuesday 6 July 2021 to Friday 9 July 2021</b>
	<b>Issue Specific Hearings (ISH)</b>	<b>From Tuesday 13 July 2021 to Friday 16 July 2021</b>
	<b>Deadline 4 (D4)</b>  For receipt by the ExA of:	<b>Friday 23 July 2021</b>

	<ul style="list-style-type: none"> <li>• Post Hearing submissions including written submissions of oral case</li> <li>• Any revised/updated SoCG (if any)</li> <li>• Applicant's revised draft DCO</li> <li>• Updated DCO Signposting Document</li> <li>• If needed, comments on revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document</li> <li>• Updated NPS tracker</li> <li>• Updated Navigation Document</li> <li>• Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR)</li> <li>• Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land'</li> <li>• Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers'</li> <li>• Comments on any additional information/submissions received by D3</li> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	
	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Second Written Questions (ExQ2) (if required)</li> <li>• ExA's proposed commentary on, or schedule of changes to, the dDCO and s.106 documentation (if required)</li> </ul>	<p><b>Tuesday 3 August 2021</b></p>
	<p><b>Deadline 5 (D5)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on Applicant's revised draft DCO</li> <li>• Comments on any revised/updated SoCG</li> <li>• Updated NPS tracker</li> <li>• Updated Navigation Document</li> <li>• Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR)</li> <li>• Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land'</li> <li>• Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers'</li> <li>• Comments on any additional information/submissions received by D4</li> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	<p><b>Friday 6 August 2021</b></p>
	<p><b>Compulsory Acquisition Hearings (CAH)</b></p>	<p><b>From Tuesday 17 August 2021 to Friday</b></p>

		<b>20 August 2021</b>
	<p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>• <b>Accompanied Site Inspections (ASI)</b> (if COVID-19 public health restrictions allow and if required)</li> <li>• <b>Open Floor Hearings (OFH)</b> (if required)</li> <li>• <b>Issue Specific Hearings (ISH)</b> (if required)</li> <li>• <b>Compulsory Acquisition Hearings (ISH)</b> (if required)</li> </ul>	<p><b>From Tuesday 24 August 2021 to Friday 27 August 2021</b></p>
	<p><b>Deadline 6 (D6)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post Hearing submissions including written submissions of oral case</li> <li>• Responses to the ExA's Second Written Questions (ExQ2) (if required)</li> <li>• If needed, revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document</li> <li>• Response to ExA's commentary on, or schedule of changes to, the draft DCO and s.106 documentation (if required)</li> <li>• Applicant's revised draft DCO</li> <li>• Updated DCO Signposting Document</li> <li>• Any revised/updated SoCG (if any)</li> <li>• Updated NPS tracker</li> <li>• Updated Navigation Document</li> <li>• Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR)</li> <li>• Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land'</li> <li>• Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers'</li> <li>• Comments on any additional information/submissions received by D5</li> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	<p><b>Friday 3 September 2021</b></p>
	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES)</li> <li>• ExA's further commentary on, or schedule of changes to, the dDCO and s.106 documentation (if required)</li> <li>• Third Written Questions (ExQ3) (if required)</li> </ul>	<p><b>Thursday 9 September 2021</b></p>
	<p>Dates reserved for:</p>	<p><b>From Monday 13 September 2021</b></p>

	<ul style="list-style-type: none"> <li>• <b>Accompanied Site Inspections (ASI)</b> (if COVID-19 public health restrictions allow and if required)</li> <li>• <b>Open Floor Hearings (OFH)</b> (if required)</li> <li>• <b>Issue Specific Hearings (ISH)</b> (if required)</li> <li>• <b>Compulsory Acquisition Hearings (ISH)</b> (if required)</li> </ul>	<b>to</b> <b>Friday</b> <b>17 September 2021</b>
	<b>Date reserved for issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• Any request for further information under Rule 17 of the Examination Rules (if required)</li> </ul>	<b>Monday</b> <b>20 September 2021</b>
	<b>Deadline 7 (D7)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Post Hearing submissions including written submissions of oral case (if required)</li> <li>• Responses to the ExA's Third Written Questions (ExQ3) (if required)</li> <li>• Responses to ExA's commentary on, or proposed schedule of changes to, the draft DCO and s.106 documentation (if required)</li> <li>• If needed, comments on revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document</li> <li>• Updated Navigation Document</li> <li>• Comments on any revised/updated SoCG</li> <li>• Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR)</li> <li>• Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land'</li> <li>• Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers'</li> <li>• Updated NPS tracker</li> <li>• Comments on any additional information/submissions received by D6</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>	<b>Friday</b> <b>24 September 2021</b>
	<b>Deadline 8 (D8)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on the RIES</li> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	<b>Thursday 30</b> <b>September 2021</b>
	<b>Deadline 9 (D9)</b> For receipt by the ExA of:	<b>Wednesday</b> <b>6 October 2021</b>

	<ul style="list-style-type: none"> <li>• Comments on responses to the ExA’s Third Written Questions (ExQ3) (if required)</li> <li>• Final DCO to be submitted by the Applicant in the SI template with the SI template validation report</li> <li>• Final DCO Signposting Document</li> <li>• Final updated Book of Reference</li> <li>• Final SoCG</li> <li>• Final Statement of Commonality of SoCG</li> <li>• List of matters not agreed where SoCG could not be finalised</li> <li>• Final Navigation Document</li> <li>• Final Statement of Reasons (SoR) Appendix B ‘Status of Negotiations with Owners of the Order Land’</li> <li>• Final SoR Appendix C ‘Status of Negotiations with Statutory Undertakers’</li> <li>• Final NPS tracker</li> <li>• Final signed and dated s.106, final s.106 Explanatory Memorandum and final Confirmation and Compliance Document</li> <li>• Final ES signposting document</li> <li>• Final Mitigation Route Map</li> <li>• Comments on any additional information/submissions received by D7 and D8</li> <li>• Responses to any further information requested by the ExA for this Deadline</li> </ul>	
	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<p><b>Thursday 14 October 2021</b></p>

### **Publication dates**

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after the Deadlines for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the 'Documents' tab on the project page. Each document will be given a unique reference. These references will be used by the ExA during the Examination:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/?ipcsection=docs>

### **Hearing agendas**

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will aim to publish a detailed draft Agenda on the project page at least five working days in advance of the Hearing date. However, the actual Agenda on the day of each Hearing may be subject to change at the discretion of the ExA.

For Open Floor Hearings Agendas will not be published unless, in consideration of the number of participants notified to the Planning Inspectorate, the ExA decides that establishing a running order will facilitate the process on the day.

### **Report on the Implications for European Sites**

Where an Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Conservation of Habitats and Species Regulations 2017 and / or Regulation 28 of The Offshore Marine Regulations.

## Procedural Decisions made by the Examining Authority

We have made a number of Procedural Decisions at and following the Preliminary Meeting:

### 1. Close of Preliminary Meeting

There were written and oral submissions made at the Preliminary Meeting and at Procedural Deadlines A and B by Interested Parties seeking the deferral of the Examination for reasons including the ongoing impact of the COVID-19 pandemic and associated restrictions, the local Council elections to be held on 6 May 2021 and the associated period of election sensitivity, the Applicant's Change Request, and the East Anglia One North and East Anglia Two (EA1N and EA2) Examinations.

The ExA has given serious and careful consideration to the oral and written submissions made by Interested Parties that the Examination should be deferred which are considered in detail in the Statement of Reasons attached at **Annex C**. However, the ExA concluded that, on balance, the commencement of the Examination should not be deferred or delayed until a later date than the Preliminary Meeting Part 2.

### 2. Examination Timetable

Having considered the responses both prior to and during the Preliminary Meetings Part 1 and 2, the ExA have made a series of amendments to the timetable for the Examination. The full reasoning is set out in the Statement of Reasons attached at **Annex C**.

### 3. Accompanied Site Inspection (ASI)

Time has been reserved in the Examination Timetable to undertake an ASI during the week commencing 7 June 2021. The format and detail of this will depend on the Government's public health restrictions relating to the COVID-19 pandemic in force at the time. If restrictions have been lifted, we may be able to be accompanied by registered Interested Parties, although numbers are likely to be limited. If restrictions remain, attendance may be limited and socially distanced, we may visit unaccompanied (with all necessary consents in place), or we may need to hold a virtual site inspection using photography or technology. We will release details nearer to the time.

The Applicant has provided a draft itinerary for the ASI [[PDB-014](#)] and our Examination Timetable at **Annex A** shows that we are inviting comments on the Applicant's draft itinerary and suggestions, including justification, for locations to be included in the ASI by **Deadline 1**. Given the current restrictions on public gatherings, all suggestions must be accompanied by an explanation as to why the locations cannot be visited by the Examining Authority on an unaccompanied basis. Full details should also be provided of any access permissions and arrangements that would be necessary should the Examining Authority need to undertake an Unaccompanied Site Inspection at the suggested location.



We will consider all of the submissions on this, and if we decide to hold an ASI, we will aim to publish the final itinerary and arrangements on the project page of the National Infrastructure Planning website on or before Friday 21 May 2021.

It is very important for Interested Parties to note that **there is no opportunity to make any oral representations to the ExA about the Proposed Development at an ASI**. However, we may invite participants to indicate specific features or sites of interest.

Time has also been reserved in the Examination Timetable to undertake a site inspection at the Hinkley Point C site on Tuesday 22 June 2021. The Applicant is requested to provide a draft itinerary for this ASI by **Deadline 1**.

Further information about site inspections can be found in the Planning Inspectorate's [Advice Note 8.5: The Examination: hearings and site inspections](#)

#### **4. Additional Submissions**

In addition to the documentation submitted by Procedural Deadline B [PDB-001 to PDB-101] the ExA has exercised its discretion and made a Procedural Decision to accept Additional Submission from the following:

- Trevor Beebee [[AS-310](#)]
- Adrian and Greta Dickerson [[AS-311](#)]
- Suffolk Coastal Friends of the Earth [[AS-312](#) and [AS-319](#)]
- B1122 Action Group on Sizewell [[AS-313](#)]
- Stephen Stansfield [[AS-314](#)]
- Andrew McDonald [[AS-315](#)]
- Alison Shirreff [[AS-316](#)]
- SEAS (Suffolk Energy Action Solutions) [[AS-317](#)]
- Southwold Town Council [[AS-318](#)]
- Ian Cook [[AS-320](#)]
- Anthony Webb [[AS-321](#)]

#### **5. Statements of Common Ground**

In addition to the Statements of Common Ground (SoCG) sought in Annex E of the Rule 6 letter [[PD-011](#)], and having taken into account representations made at Parts 1 and 2 of the Preliminary Meeting, submissions at Procedural Deadlines A and B and the application material, the ExA would wish to see the following SoCGs between the Applicant and;

- The B1122 Action Group, on matters agreed and matters not agreed.
- Suffolk Coastal Friends of the Earth, on matters agreed and matters not agreed
- The Department for Transport, in relation to Article 50 of the draft DCO [[APP-059](#)] and [[AS-143](#)], the MMO's comments in relation to that Article at [[RR-0744](#)], and the creation of a competent harbour authority.

## **6. Principal Issues**

The ExA has paid careful attention to submissions about its Initial Assessment of Principal Issues (Annex C to the Rule 6 Letter of 23 February 2021). That assessment represents a snapshot in time, a non-exclusive list of issues identified at the start of the of the pre-examination period. Additional important and relevant issues are likely to continue to emerge during the Examination and all important and relevant issues will be examined. For these reasons the ExA does not propose to amend or republish the initial assessment.

We can confirm that we will consider the development's impact on coastal geomorphology as an issue in its own right, covering potential impacts on coastal processes from the proposed hard and soft coastal sea defences together with the permanent Beach Landing Facility, the Coastal Monitoring and Mitigation Plan and the temporary Beach Landing Facility.

We also consider that there is a significant degree of overlap between topic areas where there is the potential for community impacts and that the effect on the local community from the Proposed Development should also be considered a Principal Issue.

In addition, with respect to the effects on the Area of Outstanding Natural Beauty, the overlapping effects will be considered across the relevant topic areas in the Examination.

## Statement of Reasons for Procedural Decisions

Reasons are provided for procedural decisions in circumstances where there was contention about the nature of the decision and/or the ExA (for reasons) has not been able to accommodate requests that have been made.

### 1. Procedural Decision: Close of the Preliminary Meeting

There were written and oral submissions made at the Preliminary Meeting Parts 1 and 2 (PM1 and PM2) and at Procedural Deadline A (PDA) and Procedural Deadline B (PDB) by Interested Parties (IPs) seeking the deferral of the Examination for reasons including:

#### a) The ongoing impact of the COVID-19 pandemic and associated restrictions:

IPs expressed concern about their ability to participate in the Examination due to COVID-19 restrictions. Some IPs felt that they would be digitally excluded or lack the support to participate in virtual events and that a virtual examination would cause difficulties for full engagement with the process including access to documents, liaison with the community and communication generally. Equalities and mental health issues were also raised. There were complaints regarding the virtual events platform used by the Planning Inspectorate with people not wishing to take part in further events having experienced or observed those issues at PM1. IPs suggested that a delay would enable the Development Consent Order (DCO) process and outcomes to benefit from full democratic participation, and increased non-virtual access as COVID-19 restrictions ease with the prospect of hearings in a traditional physical venue, attended in person by them. In addition, a delay was sought to enable people to have a summer break following the lockdown period.

#### b) The local Council elections to be held on 6 May 2021 and the associated period of election sensitivity:

IPs were concerned about their ability and that of their local representatives to participate in the Examination during the election period. It was proposed that PM2 should be delayed for at least 6 weeks until after the elections or a Preliminary Meeting Part 3 should be held at a later date, and the start of the Examination be delayed.

#### c) The Applicant's Change Request:

IPs submitted that further time was required during the Pre-Examination period to consider the Applicant's proposed changes to the original application, if accepted by the ExA, and the additional information submitted by the Applicant in support of the Change Request. It was asserted that the start of the Examination should be delayed until matters relating to the proposed changes have been considered further by statutory consultees, other regulators, and IPs. There was also concern as to the volume of new

material and the manner in which it had been presented. In addition, it was contended that the ExA should decide on the Applicant's Change Request before making final decisions on both the Principal Issues for Examination and the Examination Timetable.

- d) The East Anglia One North and East Anglia Two (EA1N and EA2) Examinations:

IPs outlined the difficulties that would be experienced by them including local councils and action groups in responding to the Sizewell C Project Examination at the same time as the ongoing EA1N and EA2 Examinations. Since the PM1, the Secretary of State on 30 March 2021 agreed a three month extension to those Examination periods which will now close on or before Tuesday 6 July 2021. That means that the period of overlap is now longer than originally anticipated.

- e) Cumulative impact:

IPs raised the in-combination effects of all these various factors upon participants which must also be considered.

## Decision

The ExA has given serious and careful consideration to the oral and written submissions made by IPs that the Examination should be deferred for the various reasons summarised above and considered in detail below. However, the ExA concludes that, on balance, the commencement of the Examination should not be deferred or delayed until a later date than the close of the PM2.

### Deferral of the Examinations:

**Coronavirus (COVID-19):** In the Rule 6 Letter of 23 February 2021 [[PD-011](#)], the ExA explained that in response to COVID-19, and the likely effect of ongoing public health controls, it proposed to start the Examination using virtual methods but would remain flexible so that, should public health requirements allow, there would be the option of holding physical events later in the Examination, if that could be done. It was pointed out that a large number of virtual events have now been held across a number of Nationally Significant Infrastructure Projects (NSIPs) and the recordings of these are available to view on the relevant project pages of the National Infrastructure Planning website. The Preliminary Meeting was to be held as a virtual event.

Many written and oral submissions to the PM1 and PDA, proposed that the Examination should be deferred until physical-only hearing events and/ or blended events (which combine elements of virtual and physical hearing methods) are available. IPs raised concerns that holding virtual events might exclude some people from participation in the Examination or that others might prefer not to participate on a virtual basis. There were others opposed to blended events on the grounds that they would not provide fair and equal opportunities to participate for all. At PDB, similar submissions were made, and

feedback was also provided by IPs in relation to the virtual PM1. Further points along a similar vein were also made at PM2.

Whilst the Government has announced various dates for the gradual lifting of lockdown restrictions, it has made it clear that these dates will be kept under review. The initial Open Floor Hearings (OFHs), will be held as virtual events. The current lockdown exit strategy raises the prospect of holding generally accessible blended events, including additional OFHs later in the Examination. However, if such events are able to be held then they must be undertaken in a safe and fair way. It is highly unlikely that physical-only events would be held during the anticipated timescale of the Examination, as they would not provide a safe environment for all participants.

In addition, some IPs have expressed a desire to retain the ability to participate virtually throughout the Examination period and for the livestream to continue, even if physical events are held. For example, the Marine Management Organisation (MMO) encouraged the continued use of virtual hearings throughout 2021, pointing out that many staff were awaiting vaccinations in line with the Government roadmap. Suffolk County Council (SCC) stressed that, based on experience from the recent EA1N and EA2 hearings, it saw merit in continuing to have some virtual hearings in any event. Likewise, East Suffolk Council (ESC) asked that the ability to participate virtually for all IPs, should they choose to do so for safety or practical reasons, be maintained throughout the whole Examination period. The ExA will endeavour to actively explore the feasibility of the blended event option for later events. However, considerable work is required to enable blended events to be held in a safe and fair way for all participants. For example, blended events would be likely to have strict limitations on the numbers of attendees and require the development of Covid-19 secure venue management practices that meet both Planning Inspectorate and public health controls and guidance in appropriate venues.

During the pandemic, virtual events have become an established method of event delivery that has generally proven to be robust and deliverable in a fair manner during periods of restrictions. On 13 May 2020, the Secretary of State for Housing, Communities and Local Government made a Written Ministerial Statement on Planning (WMS) which sets out the Government's expectations for how the planning system should be operating during the COVID-19 emergency. The Government's view is that continued effective operation of the planning system makes an important contribution to the UK's economic recovery from the effects of the Coronavirus pandemic. The WMS fully supports the Planning Inspectorate's programme for moving to digital events and states that: "*Digital events present opportunities to increase participation in planning processes which are important for local communities and will minimise the impacts of delays to planning decisions which might otherwise occur due to the requirements of social distancing*". It expresses the view that these should become "*...the default method of operation in the vast majority of cases*". The WMS remains a consideration of significant weight.

The ExA has taken very seriously the question of whether some IPs could possibly be digitally excluded and will continue to take action to counter this

prospect and in so doing will have full regard to various equalities and mental health issues that have been raised. The Planning Inspectorate's virtual events technology (Microsoft Teams) supports access to events by IPs using analogue (land line) telephones as well as by digital devices. That option provides a means for those without digital access to take part in events. The Planning Inspectorate has also offered and delivered familiarisation events for IPs, providing opportunities to test digital and analogue access in practice events held before the commencement of the PM1. It will continue to provide similar events as necessary throughout the Examination. Taking this provision into account, IPs who still consider that they cannot participate in virtual events for exceptional (personal and individual) reasons should write to the ExA by Deadline 1 of the Examination Timetable, explaining the reasons for any anticipated difficulties, for example, a lack of access or ability to use the technologies necessary to participate in virtual events. The ExA can then consider whether alternative arrangements can be made for those particular individuals such as assisted virtual events where virtual technology is provided in a local physical venue that an IP can reasonably attend, with technical assistance and/or reasonable adaptations in place to ensure that technology can be accessed and used by people who would not normally be able to access or use it. The ExA does not therefore consider that digital exclusion from events should provide a reason why an IP would be prevented from participating in the Examination or why its commencement should be delayed.

The ExA also reminds all IPs that the Examination will be a primarily written process. If any IP finds that they are unable to attend a hearing, they can set out any important and relevant matters in a written submission that should be submitted at the deadline immediately following the hearing. These submissions will be taken into account by the ExA in the same way as oral submissions and, in principle, will be accorded equal weight to those oral submissions.

In relation to digital documentation, the WMS recognises that the effects of COVID-19 mean that it is not always possible to access public buildings. This means that access to planning documents by making them physically available for inspection at such locations may not presently be available. The Government considers that online inspection of documents should be the default position across all planning regimes. As regards the availability of the Sizewell C Project Examination documents, the Rule 6 letter, Annex G [[PD-011](#)], provides information on this, including details of document deposit locations and the Applicant's contact details, if hard copies of the application documents are needed. In addition, the application documents submitted to date and all further documents submitted in the course of the Examination will be published on the project page of the National Infrastructure Planning website to which a link is provided in the Rule 6 letter, Annex G. The Annex points out that the Town Council location given is currently closed due to the national lockdown. That situation may well improve with the easing of the lockdown restrictions. Nevertheless, the ExA considers that there are sufficient alternative and reasonable means of accessing the documentation available to enable effective and fair participation at this time.

In relation to those seeking a summer break following the lockdown period, the ExA recognises that many people have been working hard without a break during the pandemic and that August is a traditional family holiday period. It also notes that the summer provides the busiest months for those working in the tourism industry in the area. Whilst hearings and other events are proposed to be held during the summer months, in finalising the draft Timetable, the ExA will endeavour to ensure that gaps will continue to be maintained in the Examination Timetable devoid of events and/or deadlines that could be utilised by those people requiring a break.

**Local Elections:** The ExA notes the concerns expressed regarding the scope for full and effective participation by Councillors and Council Staff during the pre-election period of sensitivity between 22 March 2021 to 6 May 2021 and the period of up to 6 weeks thereafter, particularly if any new aspects come forward.

The letter from SCC dated 14 January 2021 [[AS-103](#)] drew the ExA's attention to the impact of the forthcoming elections for the County Council, the PCC Commissioner, partial elections to some of the District and Borough Council and by-elections. It explains that following the election and until the Annual General Meeting of the County Council on 27 May 2021, only the (current) Leader remains in position and available to be consulted should he be re-elected as a Councillor. As a consequence, whilst Council officers could and would continue to participate in any hearings and submit representations to the Planning Inspectorate, the period between 25 March and 27 May 2021 would be a difficult time for officers to respond to any new or changed proposals put forward by the Applicant. They would be unable to depart from the formally agreed position of the SCC in its Relevant Representation on any specific matter until late May at the earliest. It requests that the ExA bear this in mind when preparing Examination deadlines.

The ExA notes that SCC in its PDA submission [[PDA-014](#)] welcomes the fact that Deadline 1 and OFHs are proposed to take place after polling day for the local elections. That is indeed the position and the draft Examination Timetable only provides for the consideration of procedural matters relating to the Examination at the PM1 and 2 and the ExA's issue of the Rule 8 letter and its first written questions to take place before the local election date. All other deadlines and events will take place after that date. In addition, the first Issue Specific Hearings (ISHs) are currently not scheduled until July 2021 and there are reserve dates for all events later in the programme.

At PDB, SCC provided its interim governance arrangements setting out its approach to participation in the Examination during the pre-election and post-election periods [[PDB-034](#)]. It concludes that SCC has put in place robust arrangements to ensure it can operate effectively during the pre-election and post-election periods. In the light of those interim arrangements, the ExA is satisfied that SCC officers will be able to continue to carry out their duties in relation to those tasks required according to the draft Examination Timetable during that time and until the new Council is fully operational again. There is sufficient time within the draft Examination Timetable thereafter for any new aspects that might come forwards to be dealt with and/or for the new Council to



provide revised instructions. The same considerations in relation to the draft Examination Timetable applies to other local councils where elections are being held. The ExA does not consider that the intervention of the local election period would unduly compromise the ability of the various local authorities and their elected representatives to participate fully and effectively in the Examination process.

In relation to the Planning Inspectorate's role and the actions of the ExA at this time of election sensitivity during the pre-election period of 22 March 2021 to 6 May 2021, it is important that business continues where appropriate, whilst having regard to the possibility of potentially influencing the outcome of any election. The ExA is satisfied that the pre-election period can be accommodated during the Examination in accordance with the Civil Service Code without the possibility of influencing the outcome of these elections or rendering the Council representatives and their electorate at any disadvantage in the Examination process.

***The Applicant's Change Request:*** The ExA notes the concerns raised by IPs that the Examination period should not begin until all parties, including statutory consultees, have had and/ or will have the time and opportunity needed to fully scrutinise and appraise the Applicant's amendments.

The Applicant's formal proposed Change Request to the ExA to accept fifteen proposed changes to the application was submitted to the Planning Inspectorate by letter dated 11 January 2021 [[AS-105](#)]. The proposed Change Request confirms that all fifteen proposed changes have been the subject of public consultation<sup>1</sup>. It confirms that Changes 11, 12 and 13 involve an extension to the Order Limits and engage the requirements of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regs).

In response, both ESC and SCC [[AS-099](#)], requested that there should be at least a 6 week period from the date of publication of the Change Request documentation to the commencement of the PM as the proposed changes submission contained a large amount of additional technical information and updates to the originally submitted Environmental Statement and draft DCO. That would ensure all parties could be adequately prepared for that meeting and the start of the Examination. In addition, it would greatly aid an informed discussion at the PM about the impact of the proposed changes submission on the Examination Timetable.

The letter from Natural England (NE) dated 12 January 2021 [[AS-094](#)], whilst not objecting to the Applicant's forthcoming submission either in terms of the previously omitted information or the Proposed Changes, stated that it would be very challenging for them to process and advise the ExA on all this new information, if the aim was to start the Examination in early 2021. The Environment Agency (EA) letter dated 8 January 2021 [[AS-093](#)], also sought appropriate time for statutory and non-statutory consultees to review and

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<sup>1</sup> See Consultation Report Addendum [AS-153]



respond to the numerous impact assessments to accompany the Change Request.

The ExA's letter dated 22 January 2021 [[PD-010](#)], draws attention to 'Advice Note 16: How to request a change that may be material' (AN16), paragraph 2.1. In relation to the timing of the PM and the start of the Examination, it explains that careful consideration has been given to the timing of the start of the Examination in the light of the Additional Submissions from the Applicant [[AS-104](#)], EA [[AS-093](#)], NE [[AS-094](#)], SCC [[AS-099](#)], Together Against Sizewell C (TASC) [[AS-101](#)] and others. In particular, the ExA had regard to the need to allow all parties a fair and reasonable period of time prior to the start of the Examination to assess both the Change Request and the information submitted by the Applicant. The ExA also notes the impacts of the ongoing coronavirus pandemic on staff resources of statutory and non-statutory consultees. For those reasons, the ExA decided that the PM should not be held until March/April 2021. The ExA also requested clarification and documentation in relation to certain aspects of the Change Request and this was subsequently provided by the Applicant on 4 February 2021 [[AS-282](#)].

The ExA therefore recognised in setting the dates for PM1 and PM2 the need for the local councils, statutory consultees and other IPs to have additional time prior to the PM to carefully consider and review the additional information submitted with the Change Request. The ExA responded to that need by delaying the previously anticipated PM date from February/March 2021 to March/April 2021. That provided a substantial gap between the publication of the Applicant's formal Change Request and the supporting information provided with it, and PM1.

The ExA's Rule 6 letter dated 23 February 2021, Annex B, [[PD-011](#)] highlights that the Applicant's material Change Request would be included as an agenda item for the PM. It explains that the consideration of the requested changes at the PM would be limited to a discussion of the materiality of the proposed changes and the examination of the proposed changes, if accepted. That is to say whether the acceptance of the Change Request, separately or in combination, would mean that the development now being proposed is not in substance that which was originally applied for; and how a changed application, if accepted, might be examined. It also explains that the ExA proposed to invite potential Affected Persons to the Preliminary Meeting as 'Other Persons', to enable them to take part, should they wish to do so, in that discussion. Likewise, the ExA invited certain potential Statutory Parties, not originally consulted, as 'Other Persons' so that they might also contribute on that topic, if desired.

AN16, paragraph 6.5, states: "*Ideally a request to materially change an application should be made by the Applicant before the Rule 6 letter has been issued to the Interested Parties. This would allow the ExA to include information about the material change request in the Rule 6 letter and to direct Interested Parties to information provided by an applicant about the material change request. It would also allow the ExA to take account of the request in the draft Examination Timetable and include time for discussion about the examination of the proposed change in the draft Preliminary Meeting agenda. This would enable*

*all Interested Parties to be fully informed before the Preliminary Meeting and to facilitate a focussed discussion about how a changed application might be examined”.*

The Rule 6 letter therefore drew attention to the Change Request and explained the basis on which the discussion on that agenda item would proceed at the PM. It also explained that the discussion would not consider the merits or otherwise of the various Change Request proposals. There would be an opportunity for such discussions during the Examination should the Change Request be accepted. This reflects the advice set out in AN16 applicable to situations where the Change Request is made before the Rule 6 letter inviting people to the PM is issued.

The ExA’s letter dated 25 February 2021 [[PD-012](#)] sought additional information from the Applicant about the proposed Change Numbers 2<sup>2</sup> and 6<sup>3</sup>. This was provided by letter from the Applicant at PDA on 10 March 2021 [PDA-001 to PDA-006]. At PDA [[PDA-025](#)], concern was expressed that the date for submission of that information coincided with the deadline for written responses by other IPs to PDA. That information provides further clarification in relation to the proposed changes including the provision of detailed plans, and cross and longitudinal sections of both the enhanced permanent and temporary Beach Landing Facilities (BLFs) and the SSSI crossing. There were opportunities to comment on that information, within the context of the Change Request agenda item, either orally at the PM1, in writing for PDB or by requesting to be heard at the PM2. The ExA does not believe that its provision on 10 March 2021 justifies any delay to the start of the Examination.

At PDA, a number of local councils, statutory consultees and other IPs indicated that they were awaiting some information on modelling from the Applicant in relation to the changes to the BLFs and coastal defences. This includes the EA [[PDA-009](#)], NE [[PDA-013](#)], the MMO [[PDA-011](#)], ESC [[PDA-008](#)] and SCC [[PDA-014](#)]. ESC pointed out that if receipt of that information was delayed, it might be that these elements would need to be examined later in the Examination Timetable to enable full input from the Council. The MMO advised that the changes should be fully considered, assessed, and submitted prior to the Examination, to allow for one set of hearings for the entire project as a whole. NE required all the fundamental evidence, assessments, and strategies to be submitted and sufficient time given for them to review and advise on the implications these changes (if accepted) might have on designated sites. Further submissions were made at PDB by the MMO, EA and NE in relation to the provision of additional modelling information [[PDB-023](#)], [[PDB-020](#)], [[PDB-027](#)].

At the PM1, the Applicant stated that it did not consider that it was necessary to provide further information to explain its modelling for coastal geomorphology, and the like, but nonetheless agreed that this would be submitted by PDB in advance of the PM2. The ‘Modelling of the Temporary and Permanent Beach Landing Facilities at Sizewell C Report’ [[PDB-010](#)] was subsequently submitted

<sup>2</sup> Enhancement of the permanent beach landing facility (BLF) and temporary BLF

<sup>3</sup> Change to the SSSI crossing design to a single span bridge with embankments

at PDB. In relation to the Soft Coastal Defence Feature (SCDF), the Applicant explained that further modelling is being carried out to establish the trigger point at which monitoring should identify that mitigation is necessary. That modelling is due in two stages, namely, at the end of April and at the end of June 2021. It was confirmed at PM2 that the results would be submitted to the Examination. In addition, details of the design of the Hard Coastal Defence Feature (HCDF) would also be available in April and submitted to the Examination.

At PDB, the Applicant also submitted an Environmental Statement Signposting Document [[PDB-011](#)], to assist the RSPB and others in navigating the documents. This identifies the environmental information submitted to the ExA since submission of the original Environmental Statement in May 2020 and explains how that information supplements or changes the Environmental Statement on a chapter by chapter basis.

The ExA notes the concerns raised by statutory consultees in relation to the additional modelling required to complete their assessments. However, given the submission of the 'Modelling of the Temporary and Permanent Beach Landing Facilities at Sizewell C Report' at PDB and the anticipated submission date for further modelling in respect of the SCDF, the ExA considers that this can still be accommodated within the anticipated Examination Timetable. The ExA believes that there will be sufficient time during the course of the Examination for the merits of proposed changes, if accepted, to be appropriately considered by all. It is not necessary or reasonable to extend the Pre-Examination period for that purpose.

TASC indicated at PDB [[PDB-052](#)] that the Office for Nuclear Regulation (ONR) have advised that the earliest date they would expect to have completed their review of the Sizewell C licence application is June 2022. TASC submit that this means that there is no urgency to conclude the Examination as set out in the current draft timetable and a delay in starting the Sizewell C DCO Examination would be greatly beneficial and allow for the ExA to be far better informed with the views of the primary regulator. However, National Policy Statement for Nuclear Power Generation (NPS) EN-6 paragraph 2.7.3 advises that the decision-maker should not delay a decision as to whether to grant consent until completion of the licensing or permitting process. The completion of the ONR review or the EA permitting process does not justify the delay to the start of the Examination.

The PDA responses also indicate that some IPs anticipated that the ExA's decision on the Change Request would be made immediately following the PM1 discussion. The detailed Agenda [[EV-003](#)] for that meeting, specified that the ExA would not make any decision on the acceptance of the Applicant's proposed Changes Request at the PM. During PM1, the ExA pointed out that to do so would not be fair to those people not participating in the virtual event. The Rule 6 letter, Annex A, explains that the purpose of the adjournment between the two parts of the PM is to enable all IPs who do not participate in the first virtual event to use either the livestream, or the recording of the virtual event to be published on the project page of the National Infrastructure Planning website, to listen to all matters raised in PM1. They could then submit any comments in

writing by PDB on 7 April 2021. If, following PM1, they wished to be heard orally at the PM2 they could request to do so in writing by PDB.

At PM1, it was then suggested that a third PM could be held once the Change Request decision had been made. However, since the discussion on the Change Request at the PM was limited to the two points mentioned above, the ExA does not consider that that would provide any material advantage, as opposed to consideration of the merits of the Changes, if accepted, during the Examination. The key point is whether any further Pre-Examination time is needed for parties to digest and respond to the changes and supporting information. The ExA takes the view that the Pre-Examination period has already been extended with that aim in mind and the Examination period would provide sufficient time and opportunities within which that could be achieved. It is not therefore necessary to further delay the start of the Examination for that reason.

It was also suggested that the ExA should decide on the Applicant's Change Request before making final decisions on both the Principal Issues for Examination and the Examination Timetable. At PM1 and PM2, the ExA explained that the Initial Assessment of Principal Issues (IAPI) was just that, and the list was not intended to be exhaustive or set in stone for the duration of the Examination. The detailed Agenda for PM1 [EV-003] also refers to the dynamic nature of the assessment of Principal Issues (PIs) during the Examination and explains that requests for topics to be considered as PIs would be heard, including new topics that would merit consideration as PIs should the Change Request be accepted which could be put forward without being taken as weakening or prejudicing an IPs position on the acceptance of the Change Request. In addition, part of the purpose of the Change Request agenda item was to consider how a changed application, if accepted, might be examined. That agenda item enabled consideration of relevant timetabling matters should the Change Request be accepted. The timing of the ExA's decision on the acceptance of the Change Request does not provide a cogent reason for delaying the start of the Examination.

There was also concern expressed orally at PM1 and in writing at PDB, that owners/occupiers of any Additional Land sought by the changes would not have an opportunity to provide an input before acceptance of those changes. However, as indicated above, those persons were invited by the Rule 6 letter to the Preliminary Meeting as 'Other Persons'. In addition, if the proposed changes are accepted by the ExA, the additional Affected Persons will be notified in accordance with the requirements of Regulations 7 and 8 of the CA Regs and invited to make representations in respect of the proposed changes. The Applicant also proposes to carry out publicity that reflects the requirements of the EIA Regulations so as to mirror the dates required pursuant to the CA Regs. The ExA is satisfied that the start of the Examination does not need to be delayed for that purpose.

**The EA1N and EA2 Examinations:** The ExA notes that the Examination period for the EA1N and EA2 Examinations has now been extended until 6 July 2021 and that there will be a period of overlap with the Sizewell C Project until then.

The PDB submission of ESC [[PDB-019](#)] explains that they are concerned that this may result in implications for, and complications to, ESC's ability to respond to three challenging DCO examination timetables simultaneously given that there is shared technical expertise and Counsel across all three Examinations. The ExA is asked to consider revising the timetable for the Sizewell C Examination to take this into account. It suggests that one solution could be some flexibility in initial deadlines through May and June, another would be to delay the start of the Sizewell C Examination. This would recognise the difficulty ESC and others, including residents local to all projects, would have in participating, co-ordinating, and responding to both.

The ExA is aware that there are many IPs who will be participating in all those Examinations. It also recognises the complexity of the applications and the volume of material that people have to consider and respond to. However, it is satisfied that the amended timetable for the EA1N and EA2 Examinations has been devised so as to avoid anticipated events and busy periods for the Sizewell C Project. The ExA will endeavour to avoid any burdensome clashes between events and to assist further in that respect, if it is possible to do so, when finalising the draft Examination timetable for the Sizewell C Project. Thus, it does not believe that the contiguous period until 6 July for all these Examinations should place an unreasonable burden upon participants or prevent their making effective contributions.

The ExA also notes that the reasons for the EA1N and EA2 ExAs seeking the extension of those Examinations include the impact of the COVID-19 restrictions and two national lockdowns on the ability of parties to engage effectively in the Examinations and on the ability of the Panels and Case Teams to examine the applications fully. However, that does not dissuade the ExA from its view expressed above that the commencement of the Sizewell C Project Examination should not be delayed due to the COVID-19 restrictions.

**Cumulative Impact:** The ExA has borne in mind that IPs might potentially experience a combination of two or more of the factors considered above. Nevertheless, the ExA is satisfied that this would not place an unreasonable burden upon them and that they would still be able to participate fairly and effectively in the Examination.

**Other factors:** There are other factors relevant to the consideration of whether the start of the Examination should be delayed. The ExA believes that generally timeliness is an important consideration in dealing with applications made under the PA 2008. In addition, NPS EN-1, section 3.3, makes it clear that there is an urgent need for new electricity generating capacity within all of the classes of NSIP energy development to which it relates. Paragraph 3.5.1 states that "*For the UK to meet its energy and climate change objectives, the Government believes that there is an urgent need for new electricity generation plant, including new nuclear power.*" There is therefore a public interest element in ensuring that NSIP applications such as this are dealt with expeditiously, unless there is reasonable justification to proceed otherwise.

The urgency for the Examination to begin was queried at PM2, given the timing of the Applicant's licence application to the ONR. As indicated above, NPS EN-6, paragraph 2.7.3, explains that the decision-maker should not delay a decision as to whether to grant consent until completion of the licensing or permitting process. Hence, the progress of the ONR licence application does not provide support for a delay to the Examination.

The claim for urgency, and for the Examination to start immediately, was also questioned at PM2 in the light of EDF's 2020 Financial Report and the comments made therein on the ability to make the final investment decision (FID) on the Sizewell C Project and participate in the financing of the project beyond the development phase. In response, the Applicant explained that the FID has to come after, and depends upon, not only the grant of development consent, but also other consents that are needed. These have to come first before the FID can be made. Therefore, whilst IPs have doubted the urgency of the process in the light of the available information on funding and other matters, such considerations provide little justification for delaying the start of the process.

In addition, the application includes proposals for the Compulsory Acquisition and Temporary Possession of parts of the Order Land. The delay to the start of the Examination would prolong the period of time before any decision on the grant of a DCO and the associated Compulsory Acquisition and Temporary Possession proposals was made. This could cause or exacerbate inhibiting, disruptive, or blighting effects upon individuals, families, and businesses whose land or rights are affected by the undecided proposals with adverse effects upon them. In general, the public interest is not best served by any prolongation or exacerbation of such adverse effects. The ExA considers that it is important that delay and uncertainty around the effects of such proposals is kept to a minimum.

### **Overall conclusions**

On the matter of the COVID-19 implications, virtual events have become an established method of event delivery during the pandemic that has generally proven to be robust and deliverable in a fair manner during periods of restrictions. The Government fully supports this approach as evidenced by the WMS.

The draft Examination timetable provides for OFHs to be held between 18 to 21 May 2021. These can be held as virtual events in this Examination in accordance with the Government's expectations set out in the WMS and will provide a lawful and reasonable opportunity to be heard for most IPs.

Later on in the Examination Timetable, should it prove possible and prudent to conduct physical or blended events from 21 June 2021 onwards, subject to technical and capability advice from the Planning Inspectorate, the ExA will use its best endeavours to do so. In addition to the later ISHs and Compulsory Acquisition Hearings, there are other dates reserved within the draft Examination Timetable that could accommodate one or more further OFHs. However, that prospect should not be relied upon given the unpredictable nature of the pandemic and the caveats surrounding the arrangements for blended



events that must be organised in a way that is fair to all. Where hearings are deemed to be necessary and it is not possible to conduct physical or blended events, virtual events will continue to be held.

For the reasons given above, the ExA does not consider that digital exclusion from events or lack of access to digital documents, advice and related matters, should provide a reason why an IP would be excluded from participation in the Examination or why its commencement should be delayed. The ExA is satisfied that the ability of parties to take part in the Examination would not be improperly inhibited by the COVID-19 pandemic.

In relation to the forthcoming local elections, the ExA does not consider that the intervention of the local election period would unduly compromise the ability of the various Councils and their elected representatives to participate fully and effectively in the Examination process. Furthermore, the ExA is content that it can continue to operate during that period in accordance with the Civil Service Code without the possibility of influencing the outcome of these local elections.

As regards the Applicant's Change Request, the timing of the PM reflects the advice set out in AN16 applicable to situations where the Change Request is made before the Rule 6 letter inviting people to the PM is issued. The ExA considers that there will be sufficient time during the course of the Examination for the merits of proposed changes, if accepted, to be fully considered during the Examination period. The ExA does not believe that further Pre-Examination time is necessary for that purpose. The Change Request does not provide a reasonable and necessary justification for delaying the start of the Examination.

Turning to the extension of the EA1N and EA2 Examinations until the 6 July, the ExA recognises that this means that there will be a period of overlap with the Sizewell C Project until then. However, the ExA will endeavour to avoid any serious conflict between events when the draft Examination timetable is finalised. In those circumstances, the period during which all these Examinations will coincide should not place an unreasonable burden upon participants or prevent their making effective contributions.

The ExA has given serious and careful consideration to the proposals that the Examination should be deferred for the various reasons summarised above, and set out in full in oral and written submissions to PM1, PM2, PDA and PDB. It has also had regard to the 'in-combination' effects of all these various factors taken together. Taking all these considerations into account, the ExA concludes that, on balance, the commencement of the Examination should not be deferred or delayed until a later date.

## **2. Procedural Decision: The Examination Timetable**

The ExA has given serious consideration to the requests made regarding the proposed Timetable for the conduct of the Examination and have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at Annex A.

The Examination Timetable replaces the draft Examination Timetable that was included in the Rule 6 letter dated 23 February 2021. In finalising the

Examination Timetable, the ExA have sought to accommodate requests and suggestions made at the Preliminary Meeting Parts 1 and 2 and the representations submitted in writing in advance and made between the meetings at PDA and PDB.

Minor errors were noticed within the draft Examination Timetable for the submissions of post hearing submissions of oral cases at (Deadline 5) which has been corrected to (Deadline 6) correctly reflecting the date which would follow the preceding hearing.

### **Submission of Statements of Common Ground (SoCG)**

Requests were made to move forward the submission of Local Impact Reports (LIR) and SoCG set out in the Rule 6 draft Examination Timetable as 12 May 2021 (Deadline 1) to enable Interested Parties more time in preparing responses to 26 May 2021 (Deadline 2).

East Suffolk Council (ESC), Suffolk County Council (SCC) and the Applicant expressed significant concern about the implications of such a change. The Applicant also expressed reservations as to the impact this could have on the preparation of these documents and the consequential effects on their readiness for submission to the Examination.

An alternative suggestion was made to set the submission of SoCG back which would give greater time for preparation, but also reduce some conflict with the timing of the extended Examination period for the East Anglia 1 North and East Anglia 2 projects.

In conjunction with this has been the ExA's deliberations in respect of the Change Requests made by the Applicant. The reasons for accepting the changes is subject to a separate Procedural Decision.

To endeavour to resolve concerns expressed by IPs prior to and during the Preliminary Meeting as well as those which were voiced at the Preliminary Meeting the ExA has decided to adjust the timetable as set out below.

The ExA has decided to leave Deadline 1 as the 12 May 2021 but move Deadlines 2 and 3 back to 2 June 2021 and 24 June 2021 respectively giving all parties additional time to respond.

The Examination Timetable has also been adjusted to require the submission of SoCG and comments on updated documents, comments on the additional information and the changed application documents by Deadline 2 as opposed to Deadline 1.

### **Issue Specific Hearings (ISH)**

Requests were made to hold a large number of ISH, with both ESC and SCC providing an agreed list of 25 issues which were considered suitable for hearings. These included for the following topics and in respect of individual geographical locations linked to the different associated development sites as well as the main development site:



- Policy and Need
- The Draft Development Consent Order
- The Transport Strategy, including the freight management strategy, rail freight path availability and deliverability
- Associated Development Sites of the Two Village Bypass, Sizewell Link Road, Northern Park and Ride, Southern Park and Ride, Green Rail Link, Freight Management Facility and Yoxford Roundabout. For each to include the principle of need, alternatives, highway impacts, LVIA, ecology, air quality, noise, drainage, lighting, access, archaeology, minerals, soils and agriculture, PROW
- Community Impacts and Safety including law and order impacts and the role of the emergency services, displacement of residents and potential need for diversionary routes. Broader impacts on housing, public services, sports, recreation and health and wellbeing for the local community
- Impacts of the operation of night-time trains along the rail corridor
- Effect of the proposed development on the AONB designation
- Coastal Geomorphology to cover the permanent and temporary Beach Landing Facilities proposed Hard and Soft Coastal Defences, drainage outfall and the relationship to climate change and resilience
- Funding Case
- Socio economic issues including skills development, accommodation impacts, tourism impacts, supply chain, and opportunities for local people and businesses
- Water supply
- Flood Risk
- Radiological considerations, including the management of major accidents and disasters. Provision of storage of Intermediate Level Waste (ILW) and spent fuel
- Habitats Regulations, Water Framework Directive and Imperative Reasons of Overriding Public Interest (IROPI).

It is recognised that this is a complex case with many interrelated and overlapping issues relating to the main development site but also a series of associated development sites. The ExA will notify IPs of the content and schedule of ISHs as soon as practicable following the receipt of all the responses at Deadline 2

Requests were also made from IPs in respect of how the Issue Specific Hearings should be conducted in respect of the following:

- The order and sequence of events
- Restrictions on timing of ISH due to amongst other things availability of consultants, availability of accommodation particularly during the holiday season, and operational challenges due to ongoing Covid restrictions
- The need to cover for absences due to the holiday period and the need to accommodate holidays following and during the ongoing pandemic situation

- The capacity to respond to information anticipated to be received from the Applicant, in particular in respect of the modelling of flooding, and the hard and soft coastal defence features.

The ExA will take into consideration these issues when finalising the number, order, and agendas for the Issue Specific Hearings.

### **Open Floor Hearings (OFH)**

Requests were made to accommodate additional Open Floor Hearings (OFH) to ensure that the significant number of IPs had sufficient time to be able to present their cases. With this in mind the ExA has decided to add an additional day of hearings on Tuesday 18 May 2021. Further dates remain later in the Examination Timetable in the event these are required.

### **Site Inspections**

Requests were made to adjust the dates scheduled to accommodate Accompanied Site Inspections (ASI) and for the ExA to visit Hinkley Point C if this could be facilitated in a Covid secure way which ensured the ExA's impartiality and fairness for IPs was retained.

These requests covered two main issues:

- Moving the date for ASIs initially scheduled beyond the 21 June 2021 when the final stage of the response to Covid restrictions is currently anticipated to be removed.
- IPs desire for the ExA to understand the nature of the area and the change in character that comes about during the holiday season due to the significant number of holiday makers who visit the area.

The ExA is mindful of the continuing uncertainty over the Covid pandemic and the potential for additional restrictions to be imposed if required. However, the ExA has decided to retain the dates originally scheduled for the ASI. Utilising these dates will ensure that the ExA is able to undertake visits early in the programme thereby assisting the ExA in gaining an understanding of the area and the context for the proposed development.

By the date of the ASI, if restrictions regarding social contact rules have been lifted, and no new guidance issued, it is likely that we will be able to be accompanied by registered Interested Parties although numbers will be limited to ensure safety. If restrictions remain in place, a review of measures required to enable a visit to take place safely whilst retaining integrity of the ExA will be undertaken and communicated accordingly.

Further capacity for ASIs is included within the Examination Timetable should these be required.

The Examination Timetable has been adjusted to add a date for a visit to Hinkley Point C subject to the guidance in place at the time regarding public health restrictions, enabling a visit to take place safely for all parties and retaining integrity of the ExA.

## **Timing of the Report on the Implications for European Sites (RIES)**

A request was received to bring forward the date for the publication of the RIES. Natural England [[PDA-13](#)] and the Environment Agency [[PDB-020](#)] both expressed concern about the need for full information and the pressure of time in being able to respond fully. The Examining Authority have decided to retain the dates within the initial timetable as this appears to be most conducive to enable the best use of Examination time for the consideration of HRA issues.

As referenced previously, the scale of the Proposed Development and the apparent complexity of HRA issues, in conjunction with an already busy schedule the Examination Timetable will require time to allow the preparation of the RIES to maximise the value for the Secretary of State as the competent authority. The ExA has therefore decided to retain the date for publication as initially scheduled of 9 September 2021, but comments on the RIES have been adjusted to be required by an additional Deadline 8, 30 September 2021.

The date for documents previously required for Deadline 8 remains the same, 6 October 2021, but is now Deadline 9.

### **Deadlines**

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the Deadline. If IPs do not make their submissions by the dates specified in the Examination Timetable, they may be disregarded by the ExA.

**Notice of Open Floor Hearings****Notification of hearings under Sections 93 of the Planning Act 2008**

Notification of the date, time and place of Open Floor Hearings to be held from Tuesday 18 May to Friday 21 May 2021.

<b>Date</b>	<b>Hearing</b>	<b>Time</b>	<b>Venue</b>
Tuesday 18 May 2021 (morning)	Open Floor Hearing 1 (OFH1)	Start:10.00am (Arrangements Conference:9.30am)  End:12:30pm	By Virtual Means (see below)
Tuesday 18 May 2021 (afternoon)	Open Floor Hearing (OFH2)	Start: 2.30pm (Arrangements Conference: 2.00pm)  End:5.00pm	
Tuesday 18 May 2021 (evening)	Open Floor Hearing (OFH3)	Start: 6.30pm (Arrangements Conference: 6.00pm)  End: 8.30pm	
Wednesday 19 May 2021 (morning)	Open Floor Hearing (OFH4)	Start:10.00am (Arrangements Conference:9.30am)  End:12:30pm	
Wednesday 19 May 2021 (afternoon)	Open Floor Hearing (OFH5)	Start: 2.30pm (Arrangements Conference: 2.00pm)  End:5.00pm	
Wednesday 19 May 2021 (evening)	Open Floor Hearing (OFH6)	Start: 6.30pm (Arrangements Conference: 6.00pm)  End: 8.30pm	
Thursday 20 May 2021 (morning)	Open Floor Hearing (OFH7)	Start:10.00am (Arrangements Conference:9.30am)  End:12:30pm	
Thursday 20 May 2021 (afternoon)	Open Floor Hearing (OFH8)	Start: 2.30pm (Arrangements Conference: 2.00pm)  End:5.00pm	
Friday 21 May 2021 (morning)	Open Floor Hearing (OFH9)	Start:10.00am (Arrangements Conference:9.30am)  End:12:30pm	

In the light of the current Government Guidance to control the COVID-19 outbreak and the ongoing restrictions the ExA has made a Procedural Decision that these hearings will be held by virtual means, through Microsoft Teams.

### **Requests to appear at hearings**

If you wish to be heard orally at one of the above Open Floor Hearings **you must confirm your wish to speak by pre-registering with the Case Team using the Open Floor Hearing Participation Form** (available below) no later than **Deadline 1** on Wednesday 12 May 2021:

<https://forms.office.com/Pages/ResponsePage.aspx?id=mN94WIhvg0iTIpmM5VcIjfRylwZyV5dGsusrI9ve7z1UQkdFT1hMMEI3QII3VIRYN1BIOEQyTlowSi4u>

### **Please note:**

- A maximum speaking time guide of 5 minutes per Interested Party will apply to oral submissions by individual IPs.
- Organisations and groups with shared representation will receive a maximum speaking time guide of 15 minutes.
- Anyone that speaks at an OFH is required to provide a written submission of their oral case at the appropriate Deadline.

The Open Floor Hearings will be Livestreamed and recorded. The recordings will be published on the project page of the NI website as soon as practicable after each hearing closes.

People who have not made a request to speak will still be able to access the Livestream and/or the recording of the Open Floor Hearing.

Information about hearings is included in the Planning Inspectorate's Advice Notes which can be found here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes>

Depending on the number of participants at each hearing, and the progress made during the events, it may be necessary to have breaks in proceedings. Additionally, in the unlikely event that there is an IT failure, we will attempt to resume the event during the week of 17 May 2021 or, if that is not possible, at a date reserved for hearings later in the Examination Timetable.

### **Procedure at Hearings**

The procedure to be followed at hearings is set out in The Infrastructure Planning (Examination Procedure) Rule 2010. Any oral representations must be based on either the Relevant Representation made or Written Representation to be made by the person by whom, or on whose behalf, the oral representations are made.

All NSIP Examination events, whether virtual or physical are recorded. The recordings of the OFHs will be made available on the project page of the NI website as soon as practicable following each OFH. The recordings allow any member of the public who is interested in the application and the Examination to

find out what has been discussed at an OFH. It is therefore important to note that anyone speaking at an OFH will need to introduce themselves, including any organisation or groups that they represent, **each time they speak** to ensure that someone listening to the recording after the event is clear who was speaking.

**As the recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation (GDPR) applies.** Please refer to our [Privacy Notice](#) for further information. Participants must do their best to avoid making public any information which they would otherwise wish to be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the SoS's decision on the Development Consent Order (DCO). If you actively participate in an OFH, it is important that you understand that you will be recorded and that the recording will be made available in the public domain.

If you prefer not to have your image recorded, you can switch off your camera at any point.

## Availability of representations and Examination documents

The application documents and Relevant Representations are available to view on the project page of the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/?ipcsection=overview>

All further documents submitted in the course of the Examination will also be published at the above location.

For ease of navigation, please refer to the [Examination Library](#) (EL) which is accessible via a blue button under the 'Documents' tab on the project page. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference number which will be fixed for the duration of the Examination. A hyperlink to each document on the project page of the National Infrastructure Planning website is also provided. **Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.**

## Deposit locations

Documents can be viewed electronically, free of charge, at the deposit locations below. A physical copy of the application documents is available to view at the Town Council office however please note that the office may be closed due to the current public health restrictions. You may need to bring a form of ID in order to use a computer at these locations.

**Please Note:** Opening hours and the availability of information technology is set out in the table below but may be subject to local changes or additional limitations to address Coronavirus public health requirements. Bearing in mind the availability of the documents on the project page of the National Infrastructure Planning website and the effect of public health restrictions, please consider your need to attend the location with care. **Please check the current circumstances with the relevant location before you attend.**

## Annex E

Location	Address	Opening hours	Printing/photocopying costs
Sizewell C Information Office	48-50 High Street, Leiston, Suffolk, IP16 4EW	<p>Monday 09:30am to 5:00pm</p> <p>Tuesday 09:30am to 5:00pm</p> <p>Wednesday 09:30am to 5:00pm</p> <p>Thursday 09:30am to 5:00pm</p> <p>Friday 09:30am to 5:00pm</p> <p>Saturday Closed</p> <p>Sunday Closed</p> <p>COVID-19: Anyone wishing to visit the office should call ahead to check they are able to access the office (see contact details below)</p>	No charge for printing but requests for large amounts of printing would have to be outsourced and could therefore incur charges.
Leiston-cum-Sizewell Town Council Office	<p>Council Offices, Main Street, Leiston, Suffolk, IP16 4ER</p> <p><b>By appointment only</b> (see contact details below)</p>	<p>Monday 09:30am to 12:30pm and 02:00pm to 04:45pm</p> <p>Tuesday 09:30am to 12:30pm and 02:00pm to 04:45pm</p> <p>Wednesday Closed</p> <p>Thursday 09:30am to 12:30pm</p> <p>Friday 09:30am to 12:30pm</p> <p>Saturday Closed</p> <p>Sunday Closed</p> <p>COVID-19: Office currently closed. Full COVID-19 guidance rules must be followed</p>	<p>Photocopies:</p> <p>Black and White -</p> <ul style="list-style-type: none"> <li>• A4 - 10p</li> <li>• A3 - 20p</li> </ul> <p>Colour -</p> <ul style="list-style-type: none"> <li>• A4 - 25p</li> <li>• A3 - 50p</li> </ul>
<b>Location contact details</b>			
<p><b>Sizewell C Information Office:</b>  <a href="https://www.edfenergy.com/energy/nuclear-new-build-projects/sizewell-c/contact-us">https://www.edfenergy.com/energy/nuclear-new-build-projects/sizewell-c/contact-us</a>            Email: <a href="mailto:info@sizewellc.com">info@sizewellc.com</a>            Telephone: Freephone 0800 197 6107</p>			



<p><b>Leiston-cum-Sizewell Town Council Office:</b> <a href="https://www.leistontowncouncil.gov.uk/contact-us/">https://www.leistontowncouncil.gov.uk/contact-us/</a>  Email: <a href="mailto:townclerk@leistontowncouncil.gov.uk">townclerk@leistontowncouncil.gov.uk</a> Telephone: 01728 830388</p>	
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If you require a hard copy of the application documents please contact the Applicant by email [info@sizewellc.com](mailto:info@sizewellc.com) or by telephone on Freephone 0800 197 6102

## Electronic Portal

### 'Make a Submission' tab on the project page of the National Infrastructure Planning website

The Planning Inspectorate will be using an electronic portal, which parties will be able to use during the Examination to make submissions at the relevant Deadlines. The project page will display a new tab for all Interested Parties to use titled "Make a submission", which can be accessed ahead of each Deadline contained in the Examination Timetable.

The electronic portal operates on a system where submissions are separated in accordance to the Deadline submission 'item' requested i.e for Deadline 1 the submission items available from the drop down list will be:

- Comments on Relevant Representations (RRs)
- Summaries of all RRs exceeding 1500 words
- Comments on Applicant's draft itinerary for ASI and suggested locations for site inspections
- Notification of wish to attend ASI
- Local Impact Reports (LIR) from Local Authorities
- Draft section 106 Agreement(s) (s.106), s.106 Explanatory Memorandum and draft Confirmation and Compliance Document
- Notification by Statutory Parties of their wish to be considered as an IP by the ExA
- Notification of wish to speak at any Open Floor Hearing (OFH) (**NOTE:** notification of wish to speak at the OFHs w/c 17 May 2021 MUST be made on the appropriate form)
- Notification of wish to make oral representations at an Issue Specific Hearing (ISH)
- Notification from any Affected Person of wish to speak at a Compulsory Acquisition Hearing (CAH)
- Notification of wish to have future correspondence received electronically
- Responses to any further information requested by the ExA for this Deadline
- Other...

Please ensure documents are submitted appropriately, respective to the associated Deadline, and that the relevant submission 'item' for the document is selected. Where this is not possible please select the submission item "Other..." from the list in the drop down options.

Currently it is only possible to select one submission 'item' at a time, therefore if parties are responding to more than one submission item, for example,

- Notification of wish to attend ASI and
- Notification of wish to make oral representations at an Issue Specific Hearing,

they will need to click on the 'Make a Submission' tab for each submission item. A confirmation message will be issued each time a submission is made.

Interested Parties will be able to submit a document (Upload file), or make a text representation, or both. It is possible to Upload multiple files for each individual submission item.

Where a document is submitted as an electronic attachment (Upload file) this should be clearly labelled with the Subject title and not exceed 50MB. Providing links to websites where your submissions can be viewed is **not** acceptable. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

Interested Parties will be able to send, if necessary, their submission by email to [sizewellc@planninginspectorate.gov.uk](mailto:sizewellc@planninginspectorate.gov.uk), on or before the applicable Deadline, however we would encourage all Interested Parties to use the "Make a submission" form in the first instance.

The Planning Inspectorate will be monitoring the use of the new submission form and welcomes feedback on your experience of using the electronic portal. If you would like to provide your feedback please send an email to the Case Team [sizewellc@plannininspectorate.gov.uk](mailto:sizewellc@plannininspectorate.gov.uk) with the Subject Line: **Electronic Portal Feedback**.

If you experience any issues when using the Electronic Portal, please contact a member of the Case Team to assist. Your feedback will help the Inspectorate identify and prioritise future service enhancements for our customers.