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All Interested Parties and Statutory
Parties

Your Ref:

Our Ref: EN010077

Date: 16 July 2020

Dear Sir/ Madam

**Planning Act 2008 – Section 88 and The Infrastructure Planning
(Examination Procedure) Rules 2010 – Rule 4, Rule 6, Rule 9, Rule 13**

**Application by East Anglia ONE North Limited for an Order Granting
Development Consent for the East Anglia ONE North Offshore Wind Farm**

**Invitation to the Preliminary Meeting, draft Examination Timetable and
Notification of Hearings**

As you will be aware, restrictions on travel and public gatherings caused by the COVID-19 pandemic mean that the start of the Examination has been delayed. We wrote to you on the 17 March 2020 confirming the postponement of the Preliminary Meeting and first round of Hearings. Since that time the Examining Authority has been reviewing all Examination procedures, considering whether and, if so, how virtual events should proceed for this case. This Rule 6 letter supersedes my previous letter dated 21 February 2020 and provides new information and arrangements for the Preliminary Meeting and our proposals for the Examination.

Thank you for your continued patience and for the contributions you have made so far, including your Relevant Representations and the return of the completed procedural questionnaire requesting information to help us decide how we might examine the application in these circumstances.

The membership of the Examining Authority (ExA) has recently changed¹. The newly appointed ExA has carefully considered all responses. We have now made changes to our Examination proposals taking account of your input and the current and likely effect of ongoing public health controls. We propose to start the Examination using virtual methods but to remain flexible so that, should public health requirements allow, we have the option of holding physical events if we can.

¹ [Rule 4: Notice of Appointment](#)



We have updated the Examination **Frequently Asked Questions** (FAQs)² to explain how virtual events will be held and how you can get involved. Please read this revised material carefully. We will update the FAQs from time to time at the discretion of the ExA.

Invitation to the Preliminary Meeting

This letter is an invitation to the Preliminary Meeting to discuss Examination procedures for the East Anglia ONE North Examination. It contains a number of important annexes, including **Annex A** (the agenda) and **Annex B** which introduces the Preliminary Meeting, explains how it will be conducted and how you can participate.

Dates of meeting:	Wednesday 16 September 2020 and Tuesday 6 October 2020 (if required)
Arrangements conference:	from 9.20am on both days
Meeting begins:	10.00am (Session 1) on both days
Venue:	Virtual event (please refer to Annexes A, B & the FAQs)

Tuesday 6 October 2020 has been reserved for the resumption of the Preliminary Meeting, following an adjournment to allow for the consideration of written submissions by Interested Parties who did not make oral submissions.

The Preliminary Meeting for this Examination will be held in parallel with the Preliminary Meeting for the East Anglia TWO Examination (a single meeting would be held if required). Further guidance on the relationship to the Examination of the East Anglia TWO Application can be found in the FAQ document.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to the ExA about the way in which the application is to be examined. At this stage the ExA is looking at the procedure and not the merits of the application. The merits of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed.

The agenda for the meeting is at **Annex A**. This has been set following our Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex C**.

As a result of this assessment we wish to hear from the Applicant, Interested Parties, Statutory Parties and Local Authorities where they consider changes may be needed to the draft Examination Timetable set out in **Annex D** and other procedural arrangements. You can use the [Preliminary Meeting Involvement Form](#) to request to be heard at the meeting, to identify the matters you would like to discuss or to

² [East Anglia ONE North Frequently Asked Questions](#)



make submissions in writing for consideration if you are unable to attend. You must complete the form by **Procedural Deadline A** (13 August 2020).

We will give written submissions the same weight as any oral contributions made during the Preliminary Meeting. It will not be necessary to repeat any written submission through speaking at the Preliminary Meeting.

Attendance at the Preliminary Meeting

The Examining Authorities wish to run fair, efficient and effective meetings so that all relevant views can be heard. As the Preliminary Meetings are to be held virtually, they will be held in three stages. A full explanation of the approach is provided in question 6 of the FAQs.

The Preliminary Meeting will be live-streamed and recorded. The recording will be published on the National Infrastructure Planning website as soon as practicable after the adjournment and then again after the resumption session on Tuesday 6 October 2020.

Because participation in a virtual Preliminary Meeting relies on the provision of a joining link or telephone number in advance, it is critically important that you think about whether you wish to speak and confirm your involvement by **Procedural Deadline A** (13 August 2020).

We strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group. People who have not made an involvement request will still be able to access a live-stream or the recording and so the meeting will be in public.

Please remember this meeting is only about the process of Examination, and we will not be hearing any representations at this meeting about the merits of the Proposed Developments or the applications.

On receipt of requests to participate from Interested Parties, the ExA will consider them and may contact some parties to confirm their type of involvement in line with the information provided in the FAQ document, in advance of the Preliminary Meeting taking place.

Please note that **you are not required to make oral or written submissions at the Preliminary Meeting in order to participate in the Examination**. If you are an Interested Party, you will still be able to make a Written Representation and comment on the Written Representations made by other Interested Parties. You will also be able to participate in any hearings that are arranged. Should you no longer wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

After the Preliminary Meeting

After the Preliminary Meeting you will be sent a letter setting out the finalised Examination Timetable. A recording and a note for each stage of the meeting will also be published on the project webpage on the National Infrastructure Planning website.



The Examination will be held using a combination of written and hearing procedures that are explained in **Annex B**. The **FAQ document** also answers questions on procedure. It describes the relationship between the East Anglia ONE North and East Anglia TWO Examinations and the methods of conducting virtual events.

All hearings are held in public. Where hearings take place virtually, they will be recorded and made available to view on the National Infrastructure (NI) project website by live-stream and shortly after each event. Where physical hearings can take place, a recording will be published on the NI project website.

All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Business, Energy and Industrial Strategy, who will take the final decision in this case.

Notification of hearings

The Examining Authorities have made the Procedural Decision to hold the following hearings in the first week of the Examination:

- A virtual Open Floor Hearing (OFH1) on Wednesday 7 October (Evening)
- A virtual Open Floor Hearing (OFH2) on Thursday 8 October (Afternoon)
- A virtual Open Floor Hearing (OFH3) on Friday 9 October (Morning)

Important information about these hearings is contained within **Annex E**. We are proposing that the OFHs are to be held in parallel with the OFHs for the East Anglia TWO Examination. Further guidance on the relationship to the Examination of the East Anglia TWO Application can be found in the FAQs.

Information about how to request to speak at these hearings will be made available on the NI project website in the week commencing 17 August 2020.

Other Procedural Decisions made by the Examining Authority

In addition to the hearings notified above, we have made some further Procedural Decisions which are set out at **Annex F**, alongside a table clarifying which of our existing Procedural Decisions remain in force and which have been cancelled. Your attention is drawn to a new Procedural Decision 18 seeking input addressing the implications of recent offshore wind farm decisions by the Secretary of State and the recently accepted application for development consent for Sizewell C nuclear power station.

Managing Examination correspondence

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email and using online questionnaires, as electronic communication is more environmentally friendly and cost effective for the taxpayer.

It is important that all correspondence relating to this Examination is maintained as distinct from correspondence relating to the East Anglia TWO Examination. Both Examinations are legally required to maintain their own distinct Examination Libraries to which the Secretary of State must have regard when making its decision.



Therefore, if you are an Interested party in both Examinations, you will receive correspondence from both. We cannot agree to send you letters for only one Examination, although we will try to ensure that it is clear where communications contain the same information.

If you are writing to address common matters, issues or questions for both Examinations, you must send your correspondence to both Examinations. If you are writing in relation to a matter that relates to just one Examination, you may write to just that Examination but please be aware that in that circumstance the Examining Authority for the other Examination and the Secretary of State responsible for the decision on the other application in due course will not be able to have regard to that correspondence.

If you are an Interested Party in just this Examination, you will only receive correspondence relating to this Examination and should only send correspondence to this Examination.

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', 'EA1N-0', 'EA1N-AFP', 'EA1N-S57' 'EA1N-APP' you are in Group A. If your reference number begins with 'EA1N-SP' you are in Group B. If your reference number begins with 'EA1N-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

We also draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably. You should be aware of the relevant costs guidance 'Awards of costs; examinations of applications for development consent orders' which applies to Nationally Significant Infrastructure Projects. This guidance is available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

Management of information

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

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-one-north-offshore-windfarm/?ipcsection=overview>

All Examination Documents can also be viewed electronically at the locations listed in **Annex G**.



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](#) as amended by **Annex H** of this letter.

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

Yours faithfully

Rynd Smith

Lead Member of the Examining Authority

Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Draft Examination Timetable
- E** Notification of Open Floor Hearings
- F** Other Procedural Decisions made by the Examining Authority
- G** Availability of Examination Documents
- H** Coronavirus Response: Examination Practice Changes and Your Privacy

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) (and the Amendment to it in Annex H to this letter) before sending information to the Planning Inspectorate.



Agenda for the Preliminary Meeting

The Preliminary Meeting (PM) is to be held virtually and will be conducted in the following stages:

- **PM Part 1: Agenda Items 1 to 10.** If there are large numbers of requests to be heard, more than one session will be held, to ensure that those who request to speak with specific issues to raise can do so. Speaking links will be allocated to Interested Parties (IPs) with specific issues to raise. Interested Parties and Other Persons who do not have specific issues to raise can listen to a live-stream or to recordings published on the website as soon as practicable after the meeting. The meeting will be adjourned after as many sessions as necessary to address requests to be heard have been conducted. The project page for the application on the National Infrastructure (NI) Planning website will be updated closer to the date of the meeting with a more detailed Agenda, identifying whether and if so, how many sessions will be used.
- **Adjournment:** this enables all IPs to use the live-stream or recordings published on the National Infrastructure project website ('NI website') to listen to all matters raised in any session of the meeting that they were not able to attend in person. Written submissions responding to these can be made by **Procedural Deadline C**.
- **PM Part 2: Agenda Items 11 to 14 and closure of the meeting.** The Examining Authority will carefully consider all oral submissions made in Part 1 and written submissions made by **Procedural Deadline C**. The PM will then resume (Part 2) to enable procedural decisions to be made. The PM will close at the end of PM Part 2.

Written submissions made by **Procedural Deadline C** are substantive contributions to the PM, carrying equal weight to the oral submissions made in Parts 1 or 2.



- Title:** **Preliminary Meeting Part 1**
- Date(s):** **Wednesday 16 September 2020 and Thursday 17 September 2020 (if required)**
- Arrangements Conference:** **from 9.20am on both date(s)**
with further joining points for later sessions if required
- Meeting start time:** **10.00am (Session 1) on both date(s)**
With further sessions throughout the day if required
- Venue:** **Virtual event**
Full instructions on how to join online or by phone to follow.

PM Part 1: Agenda

Item 1	Introduction to the Preliminary Meeting (PM) <ul style="list-style-type: none"> Welcome and introduction of participants
Item 2	The Examining Authority's (ExA's) remarks about the PM process <ul style="list-style-type: none"> The relationship between this PM and that for East Anglia TWO – see FAQs Procedural requests relating to this item that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (13 August 2020)
Item 3	The Examining Authority's (ExA's) remarks about the Examination process <ul style="list-style-type: none"> Providing a flexible Examination programme The need to raise all matters at the earliest relevant point in Examination The relationship between this Examination and the Examination for East Anglia TWO – see FAQs Procedural requests relating to this item that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (13 August 2020)
Item 4	Initial Assessment of Principal Issues – see Annex C
Item 5	Habitats Regulations Assessment <ul style="list-style-type: none"> Relationships with other relevant projects and proposals currently in the National Infrastructure consenting process



	<ul style="list-style-type: none"> • Additional mitigation, alternative solutions and imperative reasons of over-riding public interest (IROPI) (Stages 3 and 4 of the HRA process)¹ • The Report on the Implications for European Sites (RIES)
Item 6	<p>Timetable provisions (see Annex D) for any:</p> <ul style="list-style-type: none"> • Non-material change to the application² • Material change to the application⁴ • Processes for additional land or rights³
Item 7	<p>Deadlines for submission of:</p> <ul style="list-style-type: none"> • Written Representations • Local Impact Reports • Responses to the ExA's Written Questions • Statements of Common Ground • Notifications relating to hearings • Procedural requests relating to this item that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (13 August 2020)
Item 8	<p>Hearings and Accompanied Site Inspections (ASI):</p> <ul style="list-style-type: none"> • Accompanied Site Inspections to application site and surrounding area • Open Floor Hearings • Issue Specific Hearings • Compulsory Acquisition Hearings • Procedural requests relating to this item that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (13 August 2020)
Item 9	<p>Any remaining submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (13 August 2020)</p>
Item 10	<p>Any other matters</p>
Adjournment of the Preliminary Meeting	

¹ See Planning Inspectorate [Advice Note 10](#) at page 4

² See Planning Inspectorate [Advice Note 16](#)

³ See DCLG Guidance: [Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land](#) and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (as amended)



Title:	Preliminary Meeting Part 2 (Resumption)
Date:	Tuesday 6 October 2020
Arrangements conference:	from 9.20am with further joining points for later sessions if required
Meeting start time:	10.00am With further sessions throughout the day if required
Venue:	Virtual event Full instructions on how to join online or by phone to follow.

PM Part 2: Agenda

Item 11	Resumption of the Preliminary Meeting <ul style="list-style-type: none"> Welcome and introduction of participants
Item 12	The Examining Authority's (ExA's) remarks about the Examination process <ul style="list-style-type: none"> Responses to written submissions received by Procedural Deadline A (13 August 2020) (if required) Responses to oral submissions received at the PM Part 1 Responses to written submissions submitted to the Planning Inspectorate in writing by Procedural Deadline C (29 September 2020)
Item 13	Any procedural decisions made by the ExA
Item 14	Any other matters
Closure of the Preliminary Meeting	

Please note:

If you wish to be heard orally at the PM Part 1, you must do so using the [Preliminary Meeting Involvement Form](#) by **Procedural Deadline A** (13 August 2020).

Please be available from the start and throughout the meeting (or any relevant part or session of the meeting that you are asked to attend). The agenda is subject to change at the discretion of the ExA, although in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all IPs. The ExA will conclude the meeting (or any relevant part or session of the meeting) as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of



time the ExA may change the order of the agenda items and may introduce breaks in the proceedings, including within any part or session of the meeting.

If it is necessary to divide the meeting into sessions, not all sessions of the meeting will address all parts of the Agenda. Participants will be joined to a session or sessions that most closely address those parts of the Agenda that reflect their requests for involvement. It is important that when requesting involvement, you identify the Agenda Items on which you wish to speak.

If it is not possible to join you to a session in which an Agenda Item that concerns you is to be raised, you will be asked to listen to the relevant session using the livestream or the recording available from the NI website during the adjournment and to make your comments in writing by **Procedural Deadline C** (29 September 2020).

If you wish to be heard orally in the PM Part 2, you must do so by **Procedural Deadline C** (29 September 2020). Requests to be heard at the PM Part 2 will need to demonstrate that the matter to be spoken on is new (i.e. was not addressed in the PM Part 1 and that this is because the requesting party did not speak in the PM Part 1) or is the subject of an outstanding disagreement (parties have requested different procedural approaches on which the ExA needs to adjudicate as part of any procedural decision).

We plan to conduct the PM in parallel with the PM for the East Anglia TWO application. However, if it is necessary for us to consider matters relating to the examination of just one of the applications, we will do so during a defined part of the proceedings.



Introduction to the Preliminary Meetings

Background

The Preliminary Meetings (PMs) for the East Anglia ONE North and East Anglia TWO Offshore Wind Farms will take place virtually, but the format, content and procedure will be very similar to the traditional, face-to-face PMs that have been held for other National Infrastructure Examinations.

The Examining Authorities (ExAs) are conscious of videoconferencing fatigue and aim to keep the proceedings focussed and as efficient as possible. This Annex provides advance access to information that would usually be included in the ExAs introductory remarks following the opening of the PMs. Please read this carefully. The ExAs will only present a summary of the key points set out here on the day, saving time to ensure fair speaking access for all who request it.

The Examining Authorities

The Members of the ExAs will introduce themselves at the start of the Preliminary Meeting. They are:

Lead Member: Rynd Smith

Rynd holds a bachelors degree in Law from the London School of Economics and a masters degree in Town and Regional Planning from the University of Sheffield. He is a fellow of the Royal Society of Arts, a Member of the Royal Town Planning Institute (MRTPI) and a chartered town planner. Rynd has served as a planner in roles mainly specialising in planning systems and policy reform, environmental management and infrastructure development. Between 2006 and 2012 he spent time as a Director responsible for policy for the Royal Town Planning Institute and then at the Planning Inspectorate. He served as a Senior Panel Member (Inspector) in the State of Victoria (Australia) from 2000 to 2006 and again (as an Examining Inspector) in England and Wales from 2012. He has examined many transport and energy proposals in or affecting the marine environment. Rynd was recently lead member of the Panel for the Thanet Extension Offshore Wind Farm application.

Member: Jonathan Hockley

Jonathan holds a bachelors degree in Urban Studies and Planning and a postgraduate diploma in Town and Regional Planning from the University of Sheffield. He is a Member of the Royal Town Planning Institute (MRTPI) and a chartered town planner. Jonathan has a wide-ranging background in planning, including work in the public and private sectors and interest and experience in aviation planning, the historic built environment and landscapes. He has worked for the Planning Inspectorate since 2013 as a Planning Inspector and has extensive experience in planning appeals work, specialising in heritage work since 2015. Jonathan has worked as an Examining Inspector since 2019, most recently as a member of the Panel which examined the DCO application for Manston Airport in Kent.

**Member: Caroline Jones**

Caroline holds a bachelors degree, postgraduate diploma and masters degree in Town Planning from Newcastle University. She is a Member of the Royal Town Planning Institute (MRTPI) and a chartered Town Planner. Caroline has extensive experience of the planning system specialising in major applications, including EIA development prior to joining the Planning Inspectorate in 2016. As well as being an Examining Inspector, she undertakes appeals casework for the Planning Inspectorate. Caroline was recently a member of the Panel that examined the DCO application for the Norfolk Vanguard Offshore Wind Farm.

Member: Jessica Powis

Jessica has a bachelors degree in Geography from the University of Exeter and a Masters degree in Planning Practice and Research from Cardiff University. She is a Member of the Royal Town Planning Institute (MRTPI) and a chartered town planner. Jessica has a background in major development and infrastructure planning, working in the DCO regime since its inception in 2010. She also undertakes planning appeals casework for the Planning Inspectorate. Jessica was recently a member of the Panel for the Thanet Extension Offshore Wind Farm application.

Member: Guy Rigby

Guy has a degree in Civil Engineering from Imperial College London (ACGI) and a degree in Law from the University of Law. He was called to the Bar in 2014 but does not practise. He is a Chartered Civil Engineer (CEng) and a Fellow of both the Institution of Civil Engineers (FICE) and the Chartered Institution of Highways and Transportation (FCIHT) with a wide-ranging background in major infrastructure projects. He has worked as an Examining Inspector on offshore energy projects since 2014 and has led on compulsory acquisition and related matters in two previous Examinations. Guy was recently a member of the Panel for the Hornsea Project Three Offshore Wind Farm application.

The Case Team

The ExAs will be supported by the Planning Inspectorate Case Team. Emré Williams and Hefin Jones are the Case Managers for these applications. During the arrangements conferences a member of the case team will welcome and admit participants into the virtual PM, and will be available to answer questions by email before and after the PM. The relevant contact addresses are:

- EastAngliaOneNorth@planninginspectorate.gov.uk
- EastAngliaTwo@planninginspectorate.gov.uk

Purpose of the Preliminary Meetings

The PMs are being held to discuss the arrangements for Examination of applications for Development Consent for the East Anglia ONE North and East Anglia TWO offshore wind farms, which are both Nationally Significant Infrastructure Projects (NSIPs), and which will generally be referred to in the PMs and Examinations as the 'Proposed Developments'. The applications have



been made by East Anglia ONE North Limited and East Anglia TWO Limited, each of which will be referred to as 'the Applicant' or collectively as the 'Applicants'.




You will find information about the applications and, in due course, documents produced for these Examinations on the Planning Inspectorate's National Infrastructure website ('NI website'). This has dedicated landing pages for each project, with links to Examination procedure, the examination timetable, Relevant Representations and Examination documents for each. The relevant NI website landing pages are:

- [East Anglia ONE North Offshore Windfarm](#)
- [East Anglia TWO Offshore Windfarm](#)

You are encouraged to look at the NI website landing pages if you haven't already done so, because they will be used to communicate with you and to provide access to documents throughout the Examinations. There is the option on each project page to register your interest to receive updates and we would encourage you do so, so that you will receive a notification via e-mail every time the banner is updated on the project page, at key stages during the Examinations.

The main purpose of the PMs is to discuss the arrangements for the Examination of the Proposed Development applications. It focuses on the process only, and it will not be looking at the substance of the proposals: questions, discussions and representations about the merits or disadvantages of the Proposed Developments and the applications are for the Examinations themselves. These will begin the day after the close of this PM.

The proposals for each Examination are set out in the Rule 6 letter dated 16 July 2020 for each application, to which this is **Annex B**. These letters are paired. Where the arrangements for the two Examinations are proposed to be the same, the content and arrangements are described in the same way for both. An icon system is used to help you identify where documents are the same for both Proposed Developments or relate to just one Proposed Development application.

- Documents relating to East Anglia ONE North will show a yellow icon. 
- Documents relating to East Anglia TWO will show a blue icon. 
- Documents applicable to both Examinations will show both icons. 

The PMs will be your opportunity to influence the process that the ExAs intend to follow, and you should read the Rule 6 letters and all of their accompanying Annexes thoroughly beforehand. The agendas for the PMs are attached to the Rule 6 letters at **Annex A**. It is important to have the letters and the agendas in front of you and to refer to them during the course of the PMs. If you are not experienced with videoconferencing and using multiple documents on screen, you may wish to print these in advance of the PMs for reference.



Government guidance and policy

Both applications are NSIPs under the Planning Act 2008 (PA2008) regime as a consequence of section (s)15(3): they are offshore generating stations with over 100MW installed capacity. The designated *Overarching National Policy Statement for Energy* (NPS EN-1), the *National Policy Statement for Renewable Energy Infrastructure* (NPS EN-3) and the *National Policy Statement for Energy Networks Infrastructure* (NPS EN-5) apply to both Examinations and to decision-making relating to them.

The ExAs will consider the Proposed Developments within the parameters of relevant NPSs and any other applicable policy or considerations that they deem to be important and relevant. The PA2008 makes it clear that, in making a decision, the relevant Secretary of State (SoS) '*must decide the application in accordance with any relevant NPS*' (s104(3)), subject to certain provisos. Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the Proposed Developments would not outweigh their benefits.

The relevant SoS is (and so the ExAs are) entitled to disregard any representations that relate to the merits of the designated NPS. In practice, this means that the ExAs will not spend time examining representations that challenge policy set out in NPSs, or the validity of NPSs themselves. The focus will be on the merits of the Proposed Developments, tested to the appropriate extent using tests set out in relevant designated NPSs that are in force.

Other important and relevant planning policies that the ExAs may consider includes policies in the relevant local authorities' development plans. However, if these conflict with policy in a NPS, then the NPS will take precedence.

In summary terms, the PMs will establish the procedures and timetable for the Examination of the Proposed Development. They will set a framework for the ExAs' tasks to enable the relevant SoS to consider and decide the applications, by identifying relevant policy and examining the application in the light of it. In doing so, the ExAs will have regard to:

- the positions and representations of all Interested Parties (IPs);
- any Local Impact Reports (LIR) prepared and provided by relevant local authorities;
- other prescribed matters; and
- any other matters that appear to be both relevant and important to the relevant SoS decisions.

Preliminary Meetings Invitees

The Applicants are invited to the PMs and are generally given the opportunity to reply to any representations made, either orally at the time or in writing during the adjournment of the meeting.



Everyone who has made a written Relevant Representation to one or both of the applications has been registered as an IP and has been sent one or both Rule 6 letters. Each IP is entitled to their involvement in the Examinations in respect of which they are registered going forward: the majority of IPs are registered for both.

Each person or organisation with an interest in land or rights that are affected by Compulsory Acquisition in the applications is an Affected Person (AP). In addition to a general entitlement to involvement in the Examination or Examinations going forward, APs have a right to be heard in relation to any objection about the effects of Compulsory Acquisition on their interests in land, and a right to be notified of any Compulsory Acquisition Hearing. Affected Persons become an IP, whether or not they have made a written Relevant Representation.

Certain bodies are 'Prescribed Consultees' or statutory parties. They are bodies that can elect to become IPs without having made a Relevant Representation.

The ExAs have the power to involve 'Other Persons' in the Examinations as though they are IPs, including by inviting them to the PMs. However, this is only done in exceptional circumstances, for example if it was clear that the applications would materially affect a person, they are not automatically or eligible to elect to become an Interested Party and for a good reason they had been unable to take the necessary action to register as an Interested Party.

Conduct of the Preliminary Meetings themselves

Past experience suggests that PMs for projects of this size and complexity could take up to half a day. In the current circumstances, with limitations on the numbers of people who can speak at any one time but with a need to ensure that everyone who wishes to speak can do so, up to two days has been allowed to enable relevant elements of the meetings to be run in multiple sessions during Part 1 of the meetings if required.

An adjournment has been provided between PMs Part 1 and PMs Part 2. This recognises that some people may not know whether they wish to speak until they have heard the issues raised by others and so may have to watch or listen to the first part of the meetings using a live-stream or recordings available on the NI project website. They will then have an opportunity to make written submissions for consideration and, if any new procedural arrangements are being raised that directly affect them, to request to be heard in the PM Part 2. The meetings will not end until the ExAs have considered all oral submissions made at the PMs and written submissions made by **Procedural Deadline C** (29 September 2020) following the adjournment and any final requests to be heard. The ExAs will then resume PM Part 2 on **6 October 2020**, to hear any final oral submissions, make procedural decisions to govern the Examinations moving forward and close the PM.

Participants may have to make allowances and be patient if there are delays associated with the technology used. In recognition of the fatigue associated with on-screen communication, the ExAs will limit the length of sessions and provide breaks between sessions. Your joining instructions will provide more information about these.



A digital recording will be made available on the project page of the NI website as soon as practicable following each part of the PMs. The digital recording allows any member of the public who is interested in the applications and the Examinations to find out what has been discussed at the PMs, whether they are able to attend or observe the meeting or not. The making and publication of these recordings are a critical means by which we meet the legal requirement to hold these events in public. In this regard, anyone speaking at the PMs will need to introduce themselves each time they speak, to ensure that someone listening to the recording after the event is clear who was speaking. Notes of the PMs will be produced following the closure of the PMs (at the conclusion of Part 2).

As the digital recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation (GDPR) applies. 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 ExAs 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 following the relevant SoS decision on the Development Consent Orders (DCOs). If you actively participate in the PMs, it is important that you understand that you will be recorded and the approach to the retention and publication of the digital recordings.

Following the ExAs' introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExAs will then conduct the meetings in accordance with the Agendas. If you prefer not to have your image recorded, you can switch off your camera at any point.

The Examination processes

The examinations of NSIPs follow different processes to those, for example, of a Public Inquiry into a planning appeal following the refusal of planning permission. The main differences are that the examinations of NSIPs are primarily a written process and take on an inquisitorial approach as opposed to an adversarial one.

This means that the ExAs will probe, test and assess the evidence primarily using written questions. While some Hearings are held to provide supplementary evidence, questions to the Applicants or to witnesses will come from the ExAs. Questioning or cross-examination of witnesses by other parties will not generally be allowed.

In terms of opportunities to provide evidence in writing, the draft Examination Timetables make provision for the following written processes:



- i. Local authorities can make LIRs if they wish. Whilst these are voluntary, the PA2008 provides that if they are made, they must be individually considered by the relevant SoS in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to them and their residents.
- ii. Interested Parties can make Written Representations (WRs) and comments on WRs made by other parties.
- iii. Interested Parties can respond to the ExAs' written questions (ExQs) and comment on responses to these written questions provided by others.
- iv. Interested Parties may be asked to contribute to the making of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicants agree, and if it would be useful for this to be clarified. Statements of Common Ground often extend to catalogue matters that are not agreed or are outstanding.

The draft Examination Timetables include a series of numbered Deadlines for receipt of written submissions. For clarity, the statutory deadline for acceptance of written submissions will be at **23.59** on the date specified in the final Examination Timetables. Timely submissions received by the relevant Deadline and that address its purpose will be accepted. Documents received after the relevant Deadline are only accepted at the discretion of the ExAs and may not be accepted to ensure fairness to all parties. Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties can amount to unreasonable behaviour.

These written processes will be the principal means used by the ExAs to gather information, evidence and views about the applications. However, the Examinations will only be effective if all parties resolve to give timely, full, frank and clear answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of WRs and SoCGs.

There is no merit in withholding or delaying information, or in failing to co-operate, and, should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party.

The ExAs have discretion to make amendments to the Examination Timetables for the wider benefit of the Examinations. If possible, events will be arranged for times when all relevant parties are available, but the ExAs are under a duty to complete the Examinations by the end of the six-month period beginning with the day after the close of the PM. This requirement is set by legislation, and while the ExAs will try to rearrange event dates to accommodate all relevant parties, in practice there will be limited scope to alter dates set out in the draft Examination Timetables.

The statutory time limit for the Examinations means that everyone must strive for a 'right first time' approach to matters set out in writing. Where there are matters that still need to be discussed and agreed between the Applicants and



IPs, it will be very helpful to the ExAs if these could be progressed as early as possible.

Hearings

The draft Examination Timetables includes provision for Hearings, at which the ExAs enable the discussion of multi-party issues and take oral evidence from the various parties.

Any registered IP may request an **Open Floor Hearing** (OFH) to make oral representations about the application if they believe this to be preferable to restricting their representation to the written form, though both carry equal weight. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail, explanation and evidential corroboration to help inform the ExAs. There should be no new or unexpected material in oral presentations. A written summary note with any supporting evidence or references will be requested of each speaker following the event.

As with all Examination events, OFHs are subject to the powers of control of the ExAs, as set out in the PA2008 and supporting legislation. Participants must register in advance by the Deadline shown in the Examination Timetables and in accordance with the instructions; an agenda will be circulated; it is common practice for the ExAs to set a time limit for each speaker; and those with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, so as to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role.

The Applicant's draft DCOs provide for the Compulsory Acquisition of land and rights and the Temporary Possession of land. Affected Persons (i.e. those whose land or rights over land are affected) have a right to request and be heard at a **Compulsory Acquisition Hearing** (CAH). If one or more APs request to be heard, then a CAH must be held. Provisional dates for these are included in the draft Examination Timetables along with a Deadline by which requests to be heard must be submitted.

The ExAs have the discretion to hold **Issue Specific Hearings** (ISHs) if they would aid in the Examinations and there is a specific reason this would be more helpful than reliance on written evidence only.

Before the Coronavirus pandemic, the ExAs would have commenced the Examinations with a round of exploratory hearings on key topics. Recognising the local communities' strong preference to be heard at physical events and in the hope that these will become easier to hold later in the Examinations, the ExAs have decided to use written processes to develop their initial understanding and focus the debate on the planning issues. The lack of an early ISH on particular topics should not be taken to suggest that that topic has become less important. Rather, it is an indication that the ExAs will be asking for the issues to be developed and refined through written submissions and responses to its



written questions before any hearings and that each party will still have a fair opportunity to put its case.

The Examination Timetables include a number of reservations for ISHs and IPs may make suggestions for topics in their written or oral representations to the PM.

It may be necessary for the ExAs to hold multiple ISHs on the draft DCOs. This is normal practice, and they are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCOs provided with the Proposed Development applications by the Applicant, without prejudicing their overall position on the application.

Holding such hearings does not imply that the ExAs have reached any judgements on the merits of the applications. Whatever their ultimate recommendations are, the ExAs must make sure that the draft DCOs are fit for purpose if the relevant SoS decides to grant consent, as any consents will be subject to requirements and conditions set out in the DCOs.

At hearings, it will not normally be necessary for parties to make long and detailed submissions that require (for example) PowerPoint presentations. Any supporting detail/information can be provided in writing following the event by the relevant Deadline.

Site inspections

As part of the Examination process, members of the ExAs may undertake site inspections. These can be either unaccompanied or accompanied, though all would be subject to any Government restrictions relating to COVID-19 in force at the time.

The purpose of these is for the ExAs to see features of the proposals within the context of the evidence put forward. Notes of Unaccompanied Site Inspections (USIs) are published on the project web pages of the Planning Inspectorate's NI website.

Accompanied Site Inspections (ASI) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The purpose of ASIs is familiarisation only and no discussion of the merits of the Proposed Developments will be entertained during an ASI. Discussion between parties and the ExAs only takes place in hearings, because only hearings occur in a physical or virtual public place that everyone can attend, where there is equipment in place to make a digital recording that can be published.

Some comments raised in our procedural questionnaire suggested that certain parties wished to make oral submissions on planning merits during site inspections, it should be noted that our approach to ASIs represents long-established practice. The discussion of planning merits on site has never been permitted in national infrastructure casework. Practice in this regard remains unaffected by COVID-19.



The draft Examination Timetables include Deadlines for the submission of prospective locations for inspections by IPs. These will be used to inform further USIs as well as possible ASIs. It should be noted that public health restrictions may limit the scope for ASIs and, if these have not lifted by the end of the Examinations, the ExAs take the preliminary view that holding USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material if this might enable views into inaccessible areas would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time consuming to conduct.



Initial Assessment of Principal Issues

This is the Initial Assessment of the Principal Issues prepared under s88(1) of the Planning Act 2008 (PA2008). This initial assessment has had regard to consideration by the Examining Authority (ExA) of the application documents and of Relevant Representations received in respect of the application.

The ExA has considered the [Initial Assessment of Principal Issues \(Annex C\)](#) made and published in February 2020 and has concluded that the issues identified then remain the main issues under consideration for this Examination.

It is not a comprehensive or exclusive list of all relevant matters. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Business, Energy and Industrial Strategy (BEIS) after the Examination has concluded.

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance. Several of the Principal Issues set out below have an interrelationship and overlap and these will be reflected in the Examination.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not set out as separate Principal Issues.

It should also be noted that:

- whilst the effects of the proposal on the achievement of good design and sustainable development including the mitigation of, and adaptation to, climate change are not listed as specific Principal Issues; and
- whilst the effects of the proposal in relation to human rights and equalities duties are not listed as specific Principal Issues;

these will be subject to continuous test in respect of all issues to which they apply, throughout the Examination.

1. Aviation

- Civil and Ministry of Defence (MoD) radar and aviation operations.
- Maintenance of safe air navigation during construction and operation.

2. Biodiversity, Ecology and Natural Environment

- Potential effects on the ecological value of species and habitats in the marine and terrestrial environment, including protected species.
- Implications for the integrity of designated sites, including:
 - internationally designated sites, in particular European sites and European marine sites;
 - nationally designated sites, such as Sites of Special Scientific Interest (SSSIs), Areas of Outstanding Natural Beauty (AONBs) and Marine Conservation Zones;
 - regionally and locally designated sites, such as County Wildlife Sites;



- ancient woodlands and protected trees; and
- habitats of nature conservation importance.
- Potential cumulative and in-combination impacts.
- Adequacy and security of mitigation measures, including timing and seasonal effects.
- Adequacy and security of monitoring commitments.
- Potential ecological effects outside of the UK and its territorial waters.

3. Compulsory Acquisition (CA), Temporary Possession (TP) and other Land or Rights Considerations

- The CA and TP case, including:
 - Project funding; and
 - Guarantees.
- Objections to it.
- Human rights considerations.

4. Construction

- Temporary work sites and storage.
- Exclusion zones including highway management arrangements.
- Cable laying and foundation installation.
- Construction phasing and timetable (including linkage to local highway management).
- Waste (onshore) and management of contaminated land.

5. Draft Development Consent Order (dDCO)

- Relevant definitions.
- The structure of the dDCO.
- The appropriateness of proposed requirements.
- Application and modification of legislative provisions.
- Relationships with other projects and consents.
- Deemed Marine Licence matters.
- Dispute resolution measures.

6. Electricity Connections, Infrastructure and other users

- The onshore connection point.
- Relationship with and implications for other major projects including East Anglia TWO, Sizewell C, Sizewell A decommissioning, Sizewell B operation and decommissioning and other transmission and interconnector projects.
- Implications for the electricity and gas transmission and distribution systems.
- Oil and gas activities.
- Marine aggregate activities.
- Unexploded ordnance.

7. Environmental Statement General

- Approaches to the identification of significance and risk.
- Site and route selection and alternatives.



8. Flood Risk, Water Quality and Resources

- Flood risk including site drainage and surface water flooding.
- The physical, biological or chemical character of surface water or groundwater.
- The Water Framework Directive.

9. Historic Environment

- Effects on the onshore terrestrial historic environment including geo-archaeology, buried archaeology and setting of designated assets
- Effects on the intertidal terrestrial historic environment
- Effects on the inshore marine historic environment.
- Effects on the offshore marine historic environment.
- Future archaeological investigation, monitoring and supervision.

10. Land Use

- Effects of the proposal on agricultural land and farming operations.
- Soil quality.
- Residential amenity.
- Recreational opportunities.

11. Landscape and Visual Impact

- Adequacy of assessment methodology and approach.
- Extent of study area.
- Impact on landscape character.
- Effectiveness of mitigation, specifically substation design and planting (to include growth rates and security within the DCO).
- Cumulative effects of substation infrastructure.

12. Marine and Coastal Physical Processes

- Scouring and scour protection, sand wave effects, other deposition and reef formation.
- Effects on the coast (wave climate, deposition, erosion and flooding).
- Climate change effects.
- Marine water and sediment quality including management of waste, debris and potential contaminants in marine sediments.
- Impact of landfall location on cliff stability.

13. Marine Effects

- Maintenance of safe marine navigation during construction and operation.
- Changes to bathymetry including deposition and other changes to vessel channels and safe operating distances.
- Other offshore interests and transboundary issues.
- Impacts on fishing and fisheries.



14. Nuisance and other Public Health Effects

- Construction, maintenance and decommissioning noise effects on marine and terrestrial environments.
- Operational noise and vibration effects on marine and terrestrial environments
- Air quality during construction and impact on the Air Quality Management Area (AQMA).
- Light pollution.
- Electric and Magnetic Fields (EMFs).
- Compliance with regulatory policy and guidelines.
- Impact on human health.

15. Other Projects and Proposals

- Interface with East Anglia TWO.
- Nuclear power operation, development and planning.
- The effects of the application on other constructed and proposed major projects nearby including offshore wind farms.
- Cumulative and in-combination effects with other major projects and proposals.
- The effects of other major projects on the application

16. Project Description and Site Selection

- Nature of the proposal in terms of the 'Rochdale' envelope.
- Design considerations.
- Assessment of alternatives.
- Need for the development.

17. Seascape, Landscape and Visual Amenity

- Adequacy of assessment methodology and approach.
- Extent of study area.
- Approach to Rochdale Envelope in respect of offshore platforms, including substations, together with dDCO drafting.
- Cumulative effects with other nearby Offshore Wind Farms (OWFs).
- Effect on Suffolk Coast and Heaths AONB.

18. Socio Economic Effects

- Effect on tourism in respect of the potential landscape and visual effect of the proposal, both on and offshore including during construction and operation.
- Effect of the project on the availability of tourism accommodation, particularly during the construction period.
- Effect on jobs and skills, during construction and operation.
- The potential for any 'edu-tourism' effect.
- Localised spatial effects of tourism arising from the onshore substation development.



- Distinctions and divergence between the conclusions reached in studies submitted as supporting evidence by the Applicant and the DMO (Suffolk Destination Management Organisation).

19. Transportation and Traffic

- Traffic generation, traffic management and highway safety.
- Effects on the Public Rights of Way (PROW) network including temporary and permanent diversion and/or stopping up.
- Implications for the Sizewell evacuation route.



Draft 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 (PM).

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.

Item	Matters	Due Dates
<i>i</i>	<p>Procedural Deadline A</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the R6 Letter; • Written submissions on Examination procedure; and • Requests to be heard orally at the Preliminary Meeting Part 1 	<p>Thursday 13 August 2020</p>
<i>ii</i>	<p>Procedural Deadline B</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Requests to be heard orally at Open Floor Hearing (OFH) 1, OFH2 or OFH3 	<p>Wednesday 9 September 2020</p>
<i>iii</i>	<p>Preliminary Meeting Part 1</p> <p>To be held as a parallel meeting with East Anglia TWO (or as a single meeting if required)</p>	<p>Wednesday 16 September 2020</p>
<i>iv</i>	<p>Day reserved for Preliminary Meeting Part 1 (if required)</p>	<p>Thursday 17 September 2020</p>
<i>v</i>	<p>Procedural Deadline C</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on Examination procedure responding to matters raised orally in the Preliminary Meeting Part 1; and • Requests to be heard orally at the Preliminary Meeting Part 2. 	<p>Tuesday 29 September 2020</p>
<i>vi</i>	<p>Preliminary Meeting Part 2</p> <p>To be held as a parallel meeting with East Anglia TWO (or as a single meeting if required)</p>	<p>Tuesday 6 October 2020</p>



Item	Matters	Due Dates
1	Open Floor Hearing 1 (OFH1) To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)	Wednesday 7 October 2020 (evening)
2	Time reserved for Open Floor Hearing 1 A (OFH1 A) (if required)⁴ To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)	Thursday 8 October 2020 (morning)
3	Open Floor Hearing 2 (OFH2) To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)	Thursday 8 October 2020 (afternoon)
4	Time reserved for Open Floor Hearing 2 A (OFH2 A) (if required)⁴ To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)	Thursday 8 October 2020 (evening)
5	Open Floor Hearing 3 (OFH3) To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)	Friday 9 October 2020 (morning)
6	Time reserved for Open Floor Hearing 3 A (OFH3 A) (if required)⁴ To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)	Friday 9 October 2020 (afternoon)
7	Issue by the ExA of: <ul style="list-style-type: none"> • Examination Timetable • The ExA's Written Questions (ExQ1) 	Monday 12 October 2020
8	Deadline 1 Deadline for receipt by ExA of: <ul style="list-style-type: none"> • Post hearing submissions including written submissions of oral case 	Monday 2 November 2020

⁴ This time is reserved only for use if unforeseen technical or other problems with the scheduled hearings mean they are unable to proceed as planned.



Item	Matters	Due Dates
	<ul style="list-style-type: none"> • Notification from any Affected Person of wish to speak at a Compulsory Acquisition Hearing (CAH) • Notification of wish to speak at any of the further Issue Specific Hearings (ISHs) • Notification of wish to speak at any further Open Floor Hearing (OFH) • Nominations of suggested locations and justifications for site inspections for consideration by the ExA • Notification of wish to attend an Accompanied Site Inspection (ASI) • Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA • Notification of wish to have future correspondence received electronically • Notification by the Applicant of intent to make any non-material or material changes. • Comments on Relevant Representations (RRs) (if not already submitted) • Summaries of all RRs exceeding 1500 words • Written Representations (WRs) • Summaries of all WRs exceeding 1500 words • Local Impact Reports (LIR) from any local authorities • Responses to the ExAs Written Questions (ExQ1) • Comments on any updated application documents • Applicant's Tracking Lists prepared under Procedural Decisions 12, 13, and 14 (Annex F) • Statements of Common Ground (SoCG) and Commonality requested by the ExA under Procedural Decision 15 (Annex F) • Draft Itinerary to be provided by the Applicant for any ASI 	



Item	Matters	Due Dates
	<ul style="list-style-type: none"> • Responses to any further information requested by the ExA for this deadline 	
9	<p>Deadline 2</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Comments on responses to RRs • Comments on LIRs • Comments on any SoCG • Comments on responses to the ExAs Written Questions (ExQ1) • Comments on any additional information/submissions received by Deadline 1 • Responses to any further information requested by the ExA for this deadline 	Tuesday 17 November 2020
10	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • Further Written Questions (ExQ2) (if required) 	Thursday 26 November 2020
11	<p>Hearing Events</p> <p>Dates reserved to hold any:</p> <ul style="list-style-type: none"> • Issue specific Hearing(s) (ISHs) (if required) • Compulsory Acquisition Hearing(s) (CAHs) (if required) 	w/c 30 November 2020
12	<p>Deadline 3</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Post hearing submissions including written submissions of oral case (if required) • Responses to ExA's Further Written Questions (ExQ2) (if required) • The Applicants revised draft DCO (dDCO) • Any revised/updated SoCG (if any) • Comments on any additional information/submissions received by Deadline 2 	Tuesday 15 December 2020



Item	Matters	Due Dates
	<ul style="list-style-type: none"> Responses to any further information requested by the ExA for this deadline 	
13	<p>Deadline 4</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> Comments on the Applicant's revised dDCO Comments on responses to ExQ2 (if required) Comments on any revised/updated SoCG (if any) Comments on any additional information/submissions received by Deadline 3 Responses to any further information requested by the ExA for this deadline 	Thursday 7 January 2021
14	<p>Hearing Events</p> <p>Dates reserved to hold any:</p> <ul style="list-style-type: none"> ISHs (if required) CAHs (if required) OFHs (if required) 	w/c 11 January 2021 and/or w/c 18 January 2021
15	<p>Accompanied Site Inspection(s) Time reserved for ASI(s) (if COVID-19 public health restrictions allow)</p>	
16	<p>Deadline 5</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> Post hearing submissions including written submissions of oral case (if required) and submissions if there are any outstanding matters requiring to be heard The Applicant's revised dDCO Any revised/updated SoCG (if any) Comments on any additional information/submissions received by Deadline 4 Responses to any further information requested by the ExA for this deadline 	Wednesday 27 January 2021
17	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> Further Written Questions (ExQ3) (if required) 	Tuesday 9 February 2021



Item	Matters	Due Dates
	<ul style="list-style-type: none"> The ExA's preferred dDCO or commentary on the dDCO (if required) 	
18	<p>Deadline 6</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> Responses to ExA's Further Written Questions (ExQ3) (if required) Comments on the ExA's preferred dDCO or commentary on the dDCO (if required) Comments on any additional information/submissions received by Deadline 5 Responses to any further information requested by the ExAs for this deadline 	<p>Tuesday 23 February 2021</p>
19	<p>Time reserved for OFH (if required)</p> <p>To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)</p>	<p>Wednesday 24 February 2021 (half day)</p>
20	<p>Time reserved for OFH (if required)</p> <p>To be held as a parallel hearing with East Anglia TWO (or as a single hearing if required)</p>	<p>Thursday 25 February 2021 (half day)</p>
21	<p>Deadline 7</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> Comments on responses to ExQ3 (if required) Post hearing submissions including written submissions of oral case Final Applicant's Tracking Lists prepared under Procedural Decisions 12, 13, and 14 (Annex F) Final Statements of Common Ground (SoCG) and Commonality requested by the ExA under Procedural Decision 15 (Annex F) also listing matters not agreed (in circumstances where a SoCG could not be finalised. Final dDCO to be submitted by the Applicant in the SI template with the SI template validation report (under Procedural Decision 19 (Annex F)) 	<p>Thursday 4 March 2021</p>



Item	Matters	Due Dates
	<ul style="list-style-type: none"> • Final updated version of the Book of Reference (under Procedural Decision 19 (Annex F)) • Final CA schedule (identifying any unresolved objections) • Comments on any additional information/submissions received by Deadline 6 • Responses to any further information requested by the ExAs for this deadline 	
22	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) • Further Written Questions (ExQ4) (if required) 	Thursday 4 March 2021
23	<p>Hearing Events</p> <p>Dates reserved to hold any:</p> <ul style="list-style-type: none"> • Exceptional Issue Specific Hearing (EISH) (if required)⁵. 	w/c 8 March 2020
24	<p>Deadline 8</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Post hearing submissions including written submissions of oral case (if required) • Responses to ExA's Further Written Questions (ExQ4) (if required) • Comments on the RIES • Comments on any additional information/submissions received by Deadline 7 • Responses to any further information requested by the ExAs for this deadline 	Thursday 25 March 2021

⁵ In circumstances where no physical or blended hearings have been held in the Examination, this date is reserved for any final oral submissions from any parties with new topics identified in writing at Deadline 5 that have, for good reason, not had an opportunity to be heard at earlier virtual Hearings. While it would have a similar format to an OFH, active participation would be at the invitation of the ExA and restricted to matters that the ExA considers to be important and relevant, the subject of an ongoing disagreement which so far have not had adequate consideration and discussion. Matters that in the ExAs view do not address these criteria will not be orally heard. If no such matters are identified by the ExA this hearing will not proceed.



Item	Matters	Due Dates
25	<p>Deadline 9</p> <ul style="list-style-type: none"> • Comments on responses to ExQ4 (if required) • Comments on any additional information/submissions received by Deadline 8 • Responses to any further information requested by the ExAs for this deadline 	Thursday 1 April 2021
26	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.	Tuesday 6 April 2021

Submission times for deadlines

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.

Publication dates

All information received will be published on the project page of the NI 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/east-anglia-one-north-offshore-windfarm/?ipcsection=docs>

Hearing agendas

Please note that for ISHs and CAHs the ExA will aim to publish a detailed draft agenda on the project website 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.

Open Floor Hearing agendas will be published that establish a running order to facilitate the hearing process on the day and to structure the time available for participants to speak. They will not specify the subject matters on which participants may speak.

Report on the Implications for European Sites (RIES)

Where an Applicant has provided a Habitats Regulations Assessment (HRA) Report with an 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 relevant SoS, 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 relevant SoS may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/ or Regulation 28 of The Offshore Marine Regulations.



Notification of Hearings under Section 93 of the Planning Act 2008

Notification of the dates, times and places of Open Floor Hearings (OFHs) to be held in the early stages of the Examination is provided in accordance with section 93 of the Planning Act 2008.

Open Floor Hearings provide an opportunity for any Interested Party (IP) to make oral representations about the application.

Date	Hearing	Start time	Joining details
Wednesday 7 October 2020	Open Floor Hearing 1 (OFH1)	6.00pm (arrangements conference from 5.20pm)	Virtual events Join by digital device or telephone using details to be provided in forthcoming Agendas
Thursday 8 October 2020	Open Floor Hearing 2 (OFH2)	2.00pm (arrangements conference from 1.20pm)	
Friday 9 October 2020	Open Floor Hearing 3 (OFH3)	10.00am (arrangements conference from 9.20am)	

Reserved Hearing dates

The ExA intends to cover all necessary matters as set out above. However, notification is also made of further Hearings in the event that the ExA considers they are required, for example if a Hearing is disrupted by technical issues.

Date	Hearing	Start time	Joining details
Thursday 8 October 2020	Open Floor Hearing 1 A (OFH1 A) (if required)	10.00am (Arrangements conference from 9.20am)	Virtual events Join by digital device or telephone using details to be
Thursday 8 October 2020	Open Floor Hearing 2 A	6.00pm	



Date	Hearing	Start time	Joining details
	(OFH2 A) (if required)	(Arrangements conference from 5.20pm)	provided in forthcoming Agendas
Friday 9 October 2020	Open Floor Hearing 3 A (OFH3 A) (if required)	2.00pm (Arrangements conference from 1.20pm)	

Reserved Hearings that are not required may be cancelled in the banner on the National Infrastructure Planning website and no other notice is required.

We are proposing that the OFHs are to be held in parallel with the OFHs for the East Anglia ONE North Examination. Further guidance on the relationship to the Examination of the East Anglia ONE North Application can be found in the FAQs.

<http://infrastructure.planninginspectorate.gov.uk/document/EN010077-001797>

Information about how to request to speak at these hearings will be made available on the project NI website in the week commencing 17 August 2020. Requests to speak must be submitted by **Procedural Deadline B** (Wednesday 9 September 2020).



Other Procedural Decisions made by the Examining Authority (ExA)

Procedural Decisions Tracker

To date, the ExA has made the following Procedural Decisions under Section 89(3) of the PA2008. The decisions with a red status no longer have effect and have been superseded by the contents of this letter.

PD #	Subject	Date issued	Status	Notes
1	Request for hard copy documents	23/12/2019	Green	
2	Document submission procedure relating to both East Anglia applications	23/12/2019	Green	
3	Means of identifying documents relating to one/both East Anglia applications	23/12/2019	Green	
4	Tracking Lists relating to SoCG, Commercial Side Agreements & Planning Obligations	21/02/2020	Red	Superseded by the contents of this Annex
5	Tracking Lists relating to changes to documents & Plans	21/02/2020	Red	
6	Tracking Lists relating to changes to Mitigation Measures	21/02/2020	Red	
7	Requests for Statements of Common Ground	21/02/2020	Green	
7.1	Requests for early submission of selected Statements of Common Ground	21/05/2020	Green	Decision made to request the early submission of some SoCG in order to aid preparation for the proposed resumption of the Examination
8	Decision to hold early Issue Specific Hearings	21/02/2020	Red	Superseded by the contents of this Annex
9	Request to nominate locations to be viewed at Site Inspections	21/02/2020	Red	
10	Decision to postpone the Preliminary Meeting and early Hearings	17/03/2020	Green	



11	Request for Comments on Relevant Representations	21/05/2020		
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Copies of these Procedural Decisions can be found [here](#).



PROCEDURAL DECISION 12

Applicant's Tracking List: Statements of Common Ground, Commercial Side Agreements or Planning Obligations Related to the Proposed Development

The ExA requests that, at Deadline 1, the Applicant provides it with a Tracking List, indexing all of the following documents that it has produced or intends to produce:

- A. Statements of Common Ground**, identifying the subject matter(s) and the involved Interested Parties or Other Persons;
- B. Commercial side agreements**⁶ proposed between the Applicant and Interested Parties or Other persons, identifying the subject matter(s), the involved Interested Parties or Other persons and whether the conclusion of such an agreement is considered likely to remove the need for one or more Statements of Common Ground or lead to the withdrawal of one or more Relevant and/or Written Representations; and
- C.** To the extent that any are or might be proposed, **any planning obligations under the Town & Country Planning Act 1990 (as amended) or other legislative provisions relevant to planning**, identifying the legislative head of power for the obligation, its subject matter(s), whether the obligation would be unilateral, bilateral or multi-lateral, if bilateral or multi-lateral the involved Interested Parties or other persons and whether the conclusion of such an agreement is considered likely to remove the need for any provisions in the draft DCO, to remove the need for one or more Statements of Common Ground or lead to the withdrawal of one or more Relevant and/ or Written Representations.

At the identified timetable **Deadline 7** (4 March 2020) the Applicant is requested to update the Tracking List and to identify what changes (if any) have occurred since the previous update.

If the Applicant wishes the ExA to accord weight to commercial side agreements, evidence that these have been concluded, together with a list of the matters provided for and subscribed to by all signatories to each agreement must be provided at **Deadline 7**.

If the Applicant wishes the ExA to accord weight to planning obligations, signed copies must be provided at Deadline 8 together with a summary statement identifying how each obligation addresses the tests in NPPF paragraph 56.

⁶ A 'commercial side agreement' means any contract, covenant or other legally enforceable mechanism under which performance or outcomes relevant to the construction, operation or decommissioning of the development proposed under the draft Development Consent Order would be delivered or guaranteed.



PROCEDURAL DECISION 13

Applicant's Tracking List: Changes to Application Documents and Plans

The ExA requests that, at **Deadline 1**, the Applicant provides it with a Tracking List, indexing any changes to Application Documents and/or Plans that have been made since the start of the Examination and explaining why the change is necessary. The Tracking List should be replaced with an updated list at **Deadline 7**, and this should also identify what changes (if any) have occurred since Deadline 1.

PROCEDURAL DECISION 14

Applicant's Tracking List of Changes to Mitigation Measures

The ExA requests that, at **Deadline 1**, the Applicant provides it with a Tracking List, indexing all mitigation measures and commitments and where these are secured. The list should identify whether and why any changes to mitigation measures and commitments have been proposed since the start of the Examination. The Tracking List should be replaced with an updated list at **Deadline 7**, and this should also identify what changes (if any) have occurred since Deadline 1.

PROCEDURAL DECISION 15

Statements of Common Ground and Commonality

In Procedural Decision 7 (21 February 2020), the ExA requested the preparation of Statements of Common Ground (SoCG) between the Applicant and certain Interested Parties and Other persons. That decision can be found [here](#).

In Procedural Decision 7.1 (21 May 2020), the ExA requested early sight of first draft SoCG by 11 June 2020. We thank all parties for their work in this regard. These submissions are now available to view on the project webpage.

The draft Examination timetable at Annex C of this letter sets revised deadlines for the submission of SoCG as we proceed through Examination and we emphasise the importance of these documents.

In addition to the SoCG requested to date, the ExA would like to add the following requests to be actioned as further progress is made:

- UK Chamber of Shipping is to be added to the request at **SoCG G** (on the topic of Ports, Shipping and Sea Navigation);
- The Sizewell C development consent application has now been submitted and the applicant for that Order is to be added to the request at **SoCG N** (related Energy Undertakers);
- SASES represents a substantial body of local community opinion and is to be added to the requests at **SoCG D** (Access, Highways and Transportation), **SoCG E** (Other Consequential Onshore Effects), **SoCG J** (Historic Environment), **SoCG K** (Recreational Use of the Foreshore), **SoCG M**



- (Landscape & Visual), **SoCG O** (Flood Risk) and **SoCG P** (Construction and Operational Noise & Air Quality); and
- At each point that updated SoCG are submitted to meet a deadline in the Examination Timetable, the Applicant is also requested to submit relevant **Statements of Commonality** (the common themes or areas of commonality that have arisen through a particular issue or theme).

PROCEDURAL DECISION 16

Early Hearings

Having considered matters raised in Relevant Representations, responses to our Rule 9 letter (21 May 2020) and responses to our Questionnaire, the ExA takes the view that it is necessary to hold three early Open Floor Hearings (OFHs). We have provided notice of the following hearings at Annex E of this letter:

- **OFH1** (7 October 2020);
- **OFH2** (8 October 2020); and
- **OFH3** (9 October 2020).

Time has additionally been reserved on those days to accommodate circumstances where one or more of these hearings is subject to disruption.

Reasons

The ExA notes from Relevant Representations that there is a substantial level of local community interest in the application and in its relationship with other projects and proposals including the East Anglia TWO application. It proposes a programme of Open Floor Hearings (OFHs) throughout the Examination to ensure that all Interested Parties who wish to be heard can be heard. Given likely high demand, the ExA considers that it should plan for demand to be met, and this requires it to provide hearing opportunities from the outset of the Examination. Due to the current public health restrictions in place, the October OFHs will be held virtually. However, should the restrictions be eased sufficiently to allow us to hold physical OFHs in the local area, we will endeavour to do so at the other opportunities set out in the draft Examination Timetable.

OFHs provide an opportunity for any Interested Party to be heard, setting out their in-principle observations on the application in a short, timed session. All such submissions carry in principle equal standing in the Examination no matter when they are made (or indeed whether they are made orally or in writing) and their weight relates to the degree to which they raise important and relevant considerations. All will be considered by the ExA. There is no benefit to be had by being heard at any particular point in the Examination process. If you wish to be heard, but cannot be heard at this hearing, other OFHs have been provided later in the Examination.



PROCEDURAL DECISION 17

Site Inspections⁷

The ExA has commenced its site inspections by holding Unaccompanied Site Inspection 1 (USI1) on 20 and 21 January 2020. A note of these first Inspections has been published on the National Infrastructure Planning website⁸. Further written notes will be published as further unaccompanied inspections are undertaken.

If you consider that the Panel should inspect a particular location, please nominate the location in writing by timetable **Deadline 1**. You should describe your proposal, identify its location on a map and indicate how an inspection will enable the Panel to observe important and relevant considerations and so why it is necessary, preferably with reference to any application documents (with their Examination Library reference number) that bear on the nominated location.

Before making any nominations, please review the USI1 Note, as the Panel will not need to inspect locations that have already been inspected, unless there is some specific feature at the site that needs to be drawn to its attention which it has not already observed. The Panel will not necessarily inspect all nominated sites. It will prioritise its activities and inspect those sites where observations of the physical condition of the site are likely to identify important and relevant considerations.

The Panel is not able to visit private or access-restricted land without the consent of the landowner/operator and proper safety measures being taken where necessary. For this reason, unaccompanied site inspections (USIs) are normally carried out to locations that can be viewed from the public domain or that are open to the public. When nominating locations for inspection, please identify where relevant features can be observed from public domain or publicly accessible land, wherever this is possible.

If you are requesting an inspection where the Panel inspects sites in the company of representatives of the Applicant and Interested Parties (an Accompanied Site Inspection (ASI)), you will need to demonstrate in your nomination that:

- the inspection is of a location where there are particular physical features that are important and relevant, but which the Panel might not be able to observe without the assistance of persons with relevant local, technical or scientific knowledge or expertise; and/ or
- the inspection is of a location which cannot be viewed from the public domain and particularly if it forms part of premises subject to access restrictions in the interests (for example) of health and safety.

⁷ Additional information on the adaptation of site inspections to meet public health requirements can be found in the [FAQs](#).

⁸ [USI1 Note](#) for East Anglia ONE North, and [USI1 Note](#) for East Anglia TWO, both relating to inspections conducted on 20 and 21 January 2020. Whilst the notes have been published to both project websites, their content is identical.



In either or both such cases, your nomination should also provide the name, address and contact details of the person responsible for decisions about access to the site; the Panel will not be able to visit such a site unaccompanied. The Panel would undertake such inspections within the dates reserved for ASIs in the timetable. An ASI itinerary or itineraries will be published in due course.

PROCEDURAL DECISION 18

Update Following Recent Decisions⁹

a. Recent Decisions of Relevance to Habitats Regulations Assessment

On 1 July 2020, the Secretary of State issued a decision to grant development consent for the Norfolk Vanguard Offshore Wind Farm and made a statement that he is minded to approve the Hornsea Three Offshore Wind Farm, subject to further information being submitted on a number of specific issues. This followed his decision on 1 June 2020 to refuse development consent for the Thanet Extension Offshore Wind Farm.

The ExA notes that there is some overlap between some of the European sites and features in dispute in those recently decided cases and in the East Anglia ONE North project. In order for us to commence the Examination on the basis of the latest position on cumulative and in-combination effects, we request responses to the following matters **by Procedural Deadline A** (13 August 2020):

1. Does the Applicant consider that there is a need to revisit its submitted Information to Support Appropriate Assessment reports in light of the Secretary of State's decisions in respect of the Thanet Extension, Norfolk Vanguard and Hornsea Three projects?
 - a. If not, why not?
 - b. If so, please could the Applicant submit an updated assessment (for example, as an addendum to the submitted HRA Report), by Procedural Deadline A? If this is not possible, please explain why not and provide at that deadline the proposed timing of provision of this information.
 - c. What is the view of Natural England in relation to this question?
 - d. Are the Applicant and Natural England able to provide an agreed position on this point? Or failing that, a summary of the main areas of disagreement?

2. The ExA notes that at paragraphs 7.3-7.4 of its 'minded to grant' letter for the Hornsea Three project, the Secretary of State states that *'it is...important that potential adverse impacts on the integrity of designated sites are identified during the pre-application period and full consideration is given to*

⁹ The Applicant is reminded that should any changes to the Application be proposed to address the matters identified in this Procedural Decision, it will be necessary for documentation sufficient to address the consultative processes outlined in Planning Inspectorate [Advice Note 16](#) to be made available by **Deadline 1**. This is a matter that can be discussed at the Preliminary Meeting.



the need for derogation of the Habitat Regulations during the examination'. It goes on to encourage the provision of evidence of possible compensatory measures for consideration at the examination on a "without prejudice" basis, where disagreement remains between the Applicant and statutory nature conservation bodies on the existence of significant adverse impacts. This position is echoed in the decision letter for the Norfolk Vanguard project (see paragraphs 5.2-5.3).

Given this context, does the Applicant consider that there is a need for the project before us to secure further mitigation not already provided for within the application or to engage with the derogation tests set out under stages 3 and 4 of the Habitats Directives and Regulations?

- a. If not, why not?
 - b. If so, please:
 - i. Specify which species and site(s) this may be necessary for, and
 - ii. explain how you propose to deal with this through the Examination process, by reference to the draft Examination Timetable.
 - c. What is the view of Natural England in relation to this question?
 - d. Are the Applicant and Natural England able to provide an agreed position on this point? Or failing that, a summary of the main areas of disagreement?
3. The Examination of the Norfolk Boreas Offshore Wind Farm application has also progressed in recent months. Does the Applicant consider that any of the evidence submitted to or additional mitigation measures proposed for that project trigger a change to the in-combination assessment for the East Anglia ONE North project?
- a. Does Natural England wish to express a view on this question?
 - b. Are the Applicant and Natural England able to provide an agreed position on this point?
4. The ExA notes that the Applicant's response to Relevant Representations [AS-036] deferred responding directly to Natural England's suggestions of project-level mitigation measures (such as raising turbine draught heights and moving the array area boundary away from SPA boundaries) until after receipt of decisions on the Norfolk Vanguard and Hornsea Three projects. Given that a decision for the former and a 'minded to grant' letter on the latter are now available, please could the Applicant now respond to these suggested project level mitigation proposed by Natural England in [RR-059]?
5. With a view to starting the Examination in the most up to date position, do the Applicant or Natural England wish to draw any other new information to our attention which may be important and relevant in relation to our consideration of the HRA aspects of this project at this stage?



b. Decision to Accept the Sizewell C Project for Examination

The ExA notes that the Secretary of State decided on 24 June 2020 to accept an application for the Sizewell C Project for Examination. Due to the close geographical proximity of the Sizewell C Project to the onshore elements of the East Anglia ONE North project, the ExA request a response to the following question, **by Procedural Deadline A** (13 August 2020):

1. Does the Applicant deem it necessary to update any of the information in its submitted application documents (for example, in relation to cumulative transport, noise or air quality effects, or proposed highway improvements or other mitigation measures) in light of the submitted application documents for the Sizewell C project?
 - a. If not, why not?
 - b. If so, please could the Applicant submit an updated assessment (for example, as an addendum to the submitted Environmental Statement).

PROCEDURAL DECISION 19

Submission of draft Development Consent Orders (dDCOs) and Book of Reference (BoR) by the Applicant

1. Where the Applicant submits an amended dDCO at any deadline or arising from any request by the ExA at a Hearing, the submission is to be made in the following form:
 - a. A new version number identifying that the submitted dDCO is an amended version;
 - b. A document showing the amended dDCO without any mark-up (the 'clean version');
 - c. A document showing the amended dDCO with tracked changes marking up all amendments since the last version number; and
 - d. A consolidated table of changes listing all changes to the dDCO since the application version, when (including the version number) and for what purpose each change was introduced.
2. Amended dDCOs submitted by the Applicant at Deadline 5 and Deadline 7 must be accompanied by:
 - a. versions submitted in Microsoft Word. The version submitted at Deadline 7 must have been validated against the Statutory Instrument template;
 - b. amended copies of any plans or other documents to which reference is made (if these are amended); and
 - c. an amended Explanatory Memorandum.



3. Where the Applicant submits an amended BoR at any deadline or arising from any request by the ExA at a Hearing, the submission is to be made in the following form:
 - a. A new version number identifying that the submitted BoR is an amended version;
 - b. A document showing the amended BoR without any mark-up (the 'clean version');
 - c. A document showing the amended BoR with tracked changes marking up all amendments since the last version number; and
 - d. A consolidated table of changes listing all changes to the BoR since the application version, when (including the version number) and for what purpose each change was introduced.



Availability of Examinations Documents

The National Infrastructure Planning website

The application documents and Relevant Representations for East Anglia ONE North and East Anglia TWO are available on the following project webpages on the National Infrastructure Planning website:

East Anglia ONE North

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-one-north-offshore-windfarm/>

East Anglia TWO

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-two-offshore-windfarm/>

All further documents submitted in the course of the Examinations will also be published at the above locations.

For ease of navigation, please refer to the Examination Library (EL) for the relevant application which is accessible via a blue button under the 'Documents' tab on both webpages. The ELs will be updated regularly throughout the Examinations.

The ELs each record and provide hyperlinks 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 which will be fixed for the duration of the Examinations. A hyperlink to each document on the project webpage 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.

Electronic Deposit Locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations overleaf. Please note that you will need to bring a form of identification and register as a library member in order to use a computer at these locations. Opening hours and the availability of information technology is set out in the tables overleaf 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 National Infrastructure Planning website and the effect of public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend.



Electronic deposit locations

Local authority	Library/ address	Opening hours
Suffolk County Council	Beccles Library Blyburgate, Beccles NR34 9TB Tel: 01502 442820 Email: help@suffolklibraries.co.uk	Monday: 9.30am – 5.00pm Tuesday: 9.30am – 5.00pm Wednesday: 9.30am – 5.00pm Thursday: 9.30am – 5.00pm Friday: 9.30am – 7.30pm Saturday: 9.30am – 5.00pm Sunday: 10.00am – 4.00pm Free Computer Access to library members only.
Suffolk County Council	Felixstowe Library Crescent Road, Felixstowe IP11 7BY Tel: 01394 330850 Email: help@suffolklibraries.co.uk	Monday: 10.00am – 4.00pm Tuesday: 9.00am – 5.30pm Wednesday: 9.00am – 7.30pm Thursday: 9.00am – 5.30pm Friday: 9.00am – 5.30pm Saturday: 9.00am – 5.00pm Sunday: 10.00am – 4.00pm Free Computer Access to library members only.



Local authority	Library/ address	Opening hours
Suffolk County Council	Woodbridge Library New Street, Woodbridge IP12 1DT Tel: 01394 330855 Email: help@suffolklibraries.co.uk	Monday: 10.00am – 4.00pm Tuesday: 9.30am – 7.30pm Wednesday: 9.00am – 5.30pm Thursday: 9.00am – 5.30pm Friday: 9.30am – 7.30pm Saturday: 9.00am – 5.00pm Sunday: 10.00am – 4.00pm Free Computer Access to library members only.
Printing costs	Black and white	Colour
A4	Single-sided: 10p Double-sided:	Single-sided: 40p Double-sided:
A3	Single-sided: 20p Double-sided:	Single-sided: 80p Double-sided:
Link to all council library locations		
Beccles Library – https://www.suffolklibraries.co.uk/libraries/beccles-library/ Felixstowe Library - https://www.suffolklibraries.co.uk/libraries/felixstowe-library/ Woodbridge Library - https://www.suffolklibraries.co.uk/libraries/woodbridge-library/		



Coronavirus Response: Examination Practice Changes and Your Privacy

This Annex explains the approach taken to privacy in Examination practice where virtual or blended events are used. It sets out changes to the National Infrastructure Planning Website privacy notice necessary to respond to the Coronavirus (COVID-19) pandemic. Please read it carefully.

Changes due to COVID-19

Due to the Coronavirus (COVID-19) measures introduced by the Government (see <https://www.gov.uk/coronavirus>), social distancing and related requirements are still in place. It is important to recognise that we are in dynamic circumstances and that the controls in force both nationally and locally are likely to vary during a 6-month Examination. The Examination method and timetable have been designed with the following principles in mind:

- To respond flexibly to changing public health controls, minimising the need for later changes to the Examination timetable and additional correspondence.
- To fit selected Examination methods and procedures to the controls in force at the time when notice for any particular events is given.
- To provide processes that are accessible to people who are shielding or isolating.
- To retain the potential to provide physical hearings and site inspections with appropriate social distancing measures in place, where it is possible to do so.
- To ensure that you can protect your privacy and understand the privacy policy that we are applying, whatever Examination methods are used.

We will not be conducting the Preliminary Meetings and initial Open Floor Hearings face to face. Instead, we will be conducting these processes virtually (over the internet, or by telephone link). You will be able to take part at home or from a safe place. Later hearings may be held using a blend of face to face (physical) and virtual processes and additional information will be provided to enable you to participate in those events and protect your privacy closer to the time of the events concerned.

How to Protect your Privacy in Virtual Meetings and Hearings

The [Frequently Asked Questions](#) (FAQs) for these Examinations have been updated to provide you with information about the following topics relevant to virtual meetings and hearings practice:

- what will happen in a virtual meeting or hearing, how to prepare for one and the help available from the Planning Inspectorate (*'Participating in Meetings and Hearings'*);
- how to participate in virtual meetings and hearings using a computer, laptop, tablet, smartphone (*'Joining a Virtual Meeting or Hearing on the Internet'*);



- how to participate in virtual meetings and hearings using a mobile phone or land-line telephone (*'Joining a Virtual Meeting or Hearing by Telephone'*);
- what to do if a virtual event does not work as you'd expected (*'What if things go Wrong'*); and
- Protecting your privacy (*'How do I Protect my Privacy in Virtual Events'*).

The FAQs are kept under constant review. If it is proposed to hold blended hearings, information about how to participate in these events will be added to the FAQs and the Examination banners on the National Infrastructure Planning website will flag this change.

Please note that when joining a meeting or hearing on certain digital devices or by phone, other parties may be able to see the email address or phone number that you use to join the event. There are some well-established methods that you can use to avoid the un-intended disclosure of your personal information and the FAQs provide advice on these (*'How do I Protect my Privacy in Virtual Events'*). Please read this advice before you join the hearing and take the steps that you feel necessary to protect your privacy.

Privacy Notice Amendment: Handling your Personal Information

Your privacy is important to us. The privacy notice amendment in this Annex explains the personal data that we will be processing specifically for virtual meeting and hearing events. The current [National Infrastructure Privacy Notice](#) should be read in conjunction with this amendment before sending information to the Planning Inspectorate. The amendment sets out how we have changed our data collection and the processing of that data in order to run virtual meetings and hearings.

What will be collected?

- E-mail address
- Phone number (if a participant joins by mobile)
- IP address
- Display Name
- Self-Image – If video is shared
- A livestream and a video or audio recording of the event

How is it collected?

- E-mail address requested in event invite.
- Phone numbers - If the participant joins by phone, then your phone number would be visible to all participants (this can be masked by the individual by turning off Caller ID, generally known as dialling 141) in which case a random number is displayed.
- IP address – Connections to Microsoft Teams will capture the IP address of the participant.
- Display Name – This is collected from the participants joining details



- Self-Image – This is collected when the participant activates their camera
- A video or audio livestream and recording of the event – This is collected when the participant activates their microphone and/ or camera

What metadata will be taken from joining?

- IP Address, joining account information (Email address), Browser Type (If browser is used instead of Teams App)

Where will it be stored?

- E-mail addresses, Phone numbers, Display Name and Self-Image will be stored in the virtual meeting room, within Exchange Online, MS Stream (Video Recording) and as appropriate will be transferred to an internal case management system.
- A video or audio recording of the event forms a document in the case record for all National Infrastructure casework and will be held within Exchange Online, MS Stream (Video Recording) and as appropriate will be transferred to an internal case management system and will also be published (for streaming access or download) on the project page of the National Infrastructure Planning website:
<https://infrastructure.planninginspectorate.gov.uk/>.
- A livestream may be captured by an external provider for the purposes of providing a livestream link, but this process will not involve the transfer of any IP address or metadata, or data other than that which is already visible in the public domain to attendees of the virtual event and/or on the National Infrastructure Planning website to the provider.
- IP Address and Metadata will be stored in the Audit Log.

Cookies

- The Planning Inspectorate does not use any of our own technology or storage for the creation and presentation, or collection of cookies or web-beacon analytics.
- Cookies are collected by Microsoft, which is covered in their Privacy Statement [here](#).