



Applications by:

- **East Anglia ONE North Limited for an Order Granting Development Consent for East Anglia ONE North Offshore Wind Farm; and**
- **East Anglia TWO Limited for an Order Granting Development Consent for East Anglia TWO Offshore Wind Farm**

Frequently Asked Questions (FAQs)

Version 2.0 issued on 16 July 2020

This FAQ document aims to assist people involved in the Examinations who have questions about the Examination Timetables, procedures and arrangements.

It combines responses to questions relating to the Examining Authorities (ExAs) Coronavirus response, with responses relating to the delivery of two Examinations in parallel. It replaces the FAQs published on 3 January 2020 and 21 May 2020. It may be updated from time to time at the discretion of the ExAs.

Issues are grouped under the following topic headings, which can be clicked to go directly to that topic.

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THE EXAMINATIONS

1. Why can't the Examinations be postponed until after the Coronavirus pandemic is over?

The Coronavirus (COVID-19) pandemic has had a significant impact on society. During the early stages, the Planning Inspectorate followed Government advice at the time and suspended all casework activities that involved unnecessary travel and public gatherings, including hearings and accompanied site inspections. In recent weeks, lockdown restrictions have been eased. However, it is still uncertain when large meetings and hearings can be held in their traditional way, in large indoor venues. The government will make public health judgments moving forward, considering infection rates and emerging factors such as whether a vaccine or effective drug therapy are available operate within the, and the ExAs must abide by those judgments and legal requirements that apply.

However, the planning system has a role to play in supporting the UK's economic recovery. Planning decisions of all types still need to be made as, if decision-making was to be halted completely, substantial adverse economic and employment consequences would emerge in the design, construction and related sectors of the economy. Where the development of national infrastructure is argued to meet national needs, a cessation of the assessment and decision-making processes could leave important needs unmet for longer than necessary. A [Written Ministerial Statement](#) was made on 13 May 2020 by the Secretary of State for Housing, Communities and Local Government. The statement emphasised the importance of planning's role. It called for the resumption of hearings using online documents and virtual events. Given the importance of this work, there is no option nor any practical reason to postpone these Examinations indefinitely.

The applications under examination also include proposals for the compulsory acquisition and temporary possession of land. As long as the applications remain undecided, such proposals are economically and socially disruptive for the people and businesses that they affect. It is important that, if there are means of resolving this disruption sooner rather than later, delay and the blight that can flow from it should be minimised.

Having undertaken extensive testing of processes for virtual meetings and hearings, the Planning Inspectorate is now delivering a rising volume of its casework using virtual methods. Within its national infrastructure casework, over twenty hearings have now been held, all of which have been conducted successfully to date.

The ExAs have consulted all Interested Parties in these Examinations about the possible use of virtual meetings and hearings. Whilst the preference of a considerable number to delay hearings until purely physical events can be conducted again is noted, on balance, it is clear that the great majority of Interested Parties can participate in virtual events, as long as they can be



joined using conventional land-line telephones as well as using internet connected digital devices.

The ExAs are confident that the revised examination timetable outlined within the Rule 6 letter will continue to allow for fair, open and impartial examination of the issues.

2. Coronavirus restrictions are easing. Why don't you issue Examination timetables providing for physical meetings and hearings?

The number of Coronavirus cases has dropped significantly in most areas. The government is significantly easing the public health restrictions in force. However, the ExAs cannot plan public events based on health controls as we anticipate that they might be in a few months' time. Events must be planned based on the controls in force at the time that they are planned.

Virtual Preliminary Meetings are proposed to be held. This is because, at the time of writing, the restrictions do not permit us to hold these important meetings as large indoor public gatherings. It is not fair to change plans for these events at the last minute, so even if physical public meetings become possible at some time between the date of the Rule 6 Letters and the meetings themselves, the ExAs will stick to the plans set out in the Rule 6 Letters.

The ExAs note the widespread preference of many Interested Parties to attend physical hearings. The draft timetables have been designed to place most hearings later in the Examinations than was previously the case. Decisions about whether events are to be virtual, physical or a combination of the two ('blended' events) will be taken closer to the dates proposed for hearings. If at the relevant time the ExAs can hold physical or 'blended' rather than virtual hearings, then they will do so.

The ExAs must plan for the fact that even as general restrictions ease, there may be substantial numbers of people who are still shielding, isolating or who potentially subject to local area lockdowns but who still expect to be able to participate in planning casework. Whether or not large indoor public gatherings are permitted, it remains likely that all hearings proposed in the draft timetable will need to be held with at least a virtual element, as 'blended' events, even if they are not held as completely virtual events.

3. Where can I find the draft Examination timetables?

The new draft timetables are annexed to the Rule 6 letters of Thursday 16 July 2020:

- [East Anglia ONE North – Rule 6 Letter](#) (16 July 2020)
- [East Anglia TWO – Rule 6 Letter](#) (16 July 2020)

The original draft timetables annexed to the Rule 6 letters of 21 February 2020 provided for physical-only examination processes. As the original draft timetables cannot now be proceeded with, they have been cancelled and replaced.



4. Why are the new draft timetables different from the original draft timetables?

Changes to the original draft timetables have emerged for the following main reasons:

- we have had to respond to the current and changing requirements of public health controls;
- we have taken account of responses to our representations questionnaire seeking views on new examination procedures including virtual meetings and hearings; and
- we have considered responses to our original Rule 6 letter and taken on views, simplified and streamlined arrangements where we can.

Public health controls in force currently prevent the Planning Inspectorate from holding a range of events in the traditional manner. The ExAs postponed the Preliminary Meetings that were originally due to take place in March because of these restrictions. Given the postponement decision, the Examinations did not commence at the time that was originally intended.

Following the postponements, the ExAs have continued to review the current and likely effects of public health controls on the Examinations. In order to ensure that the Examinations could still be delivered within the statutory six-month timescale, the ExAs concluded that it is necessary to consider alternative methods of participation, including the use of virtual events: teleconferencing and/or video conferencing for meetings and hearings. Given the necessary preparation time and the need to provide an opportunity for Interested Parties to comment on the proposed alternative hearing arrangements, the ExAs have now issued revised timetables that meet our statutory six-month time limit for Examinations, whilst recognising that we will have to hold our Preliminary Meetings virtually and are likely to need to use virtual and/ or 'blended' physical events which combine social distancing and hygiene measures with virtual access to conduct hearings and site inspections for the time being.

There is a current ban on large indoor public gatherings which may or may not be loosened during the Examination period. We have developed timetables which assume that it will not, but that also provide us with the opportunity to reintroduce physical events in real venues, if or when we are able to do so in a legally compliant manner. On that basis, we have taken the following steps:

- We are focussing on the use of written procedures during the early stages of the Examinations.
- There will be additional opportunities for written submissions, we will issue additional and more extensive rounds of written questions.
- Matters originally intended to be examined in hearings early in the Examinations have, where possible, been transferred into new written processes. Hearings have been retained for matters where they are



essential (where there are complex multi-factor matters requiring testing against policy or that remain in dispute, or where Interested Parties have a right to be heard). It is important to note that these decisions do not affect the significance of any issues or the rigour of the Examination process. See question 7 below for more detail on early Issue Specific Hearings.

- We have used pre-examination procedural decisions (PDs 7.1 and 11) to ask for additional preparation work and the submission of written material that would not have otherwise been available until the start of the Examinations. We have not started the Examinations – but we have used all reasonable means to be as ready as possible to start them.
- We very much hope that by the time most of the hearings in our new timetables are due to be held, the conditions and any restrictions in force at the time will enable physical participation by as many people as possible. However, this cannot be guaranteed. The timetables provide flexibility so that these events can be physical, virtual or ‘blended’, as required.

5. Do the ExAs need to hold any hearings at all?

Examination of Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act of 2008 (PA2008) is primarily a written process. Whilst public health controls remain in force, the ExAs will protect Interested Parties from adverse health effects by maximising their use of written processes. However, there are certain circumstances where hearings must and will be held:

- Where Interested Parties request to be heard at an Open Floor Hearing (OFH), they have a right to be heard;
- Affected Persons (people whose land or rights are affected by a compulsory acquisition or temporary possession proposal) who object have a right to be heard on their objections; and
- There are certain matters that are complex and multi-factor in nature, requiring testing against policy or that remain in dispute where hearings are more efficient and quicker than multiple rounds of written questions ever could be.

The ExAs note the widespread preference amongst Interested Parties for physical as opposed to virtual meeting or hearings. We will hold physical or ‘blended’ hearings if we are allowed to do so, but we will have to hold virtual Preliminary Meetings and it is likely that we will have to hold some virtual hearings in order to make progress in the Examinations.

6. Why are the Preliminary Meetings now in two parts, with an adjournment ‘gap’ in between?

For reasons set out in response to question 2 above, the ExAs have made a commitment to hold virtual Preliminary Meetings to get the Examinations started.

There are technical limits on the number of people who can attend a virtual meeting or hearing with the ability to speak and be spoken to in real time. There is no practical limit on the number of people who can observe a meeting or hearing using an on-line streaming or catch-up service. For these reasons,



the ExAs are providing a 'gap' in the Preliminary Meetings during which anyone who is entitled to attend and speak but who was not able to speak during the initial part of the meetings may make a written submission before the resumption of the meetings. Any written submissions made by the relevant procedural deadline will be considered by the ExAs and will have equivalent weight to any oral submissions.

Any person who is entitled to attend and speak but who did not speak during the initial part of the meetings but who, having used the live-stream or catch-up service now wishes to request new changes to examination procedure, may also request to speak at the resumed meetings. This approach aims to provide everyone with the same ability to become involved and speak as they would have had at physical Preliminary Meetings.

These meetings will be amongst the first Preliminary Meetings held since the onset of Coronavirus. The ExAs have been deliberately precautionary and have designed procedures that support virtual involvement but have also allowed time so that if not all virtual procedures work as well as intended for all parties, alternative written procedures can be used. We will be interested in your feedback and the Planning Inspectorate will aim to develop and improve procedures based on your experience.

7. Why do the Issue Specific Hearings (ISHs) in the new draft timetables no longer include the list of topics that were shown in the original draft timetables?

The original draft timetables followed previous established practice by providing groups of hearings equally spaced throughout the Examination. Given that there are restrictions on our ability to hold physical events and that virtual meetings or hearings typically take longer to accommodate fewer speakers, we have had to review and revise our approach to the examination of some issues. We are conscious that there may be a greater chance of hearings towards the end of the Examinations being able to be held physically, or as 'blended' hearings combining aspects of both physical and virtual events.

For these reasons, the new draft timetables start by requesting the submission of more written material to the Examinations than before. We will obtain as much information as we possibly can in writing, early in the Examinations. In addition, our request for the provision of comments on Relevant Representations during the pre-Examinations period has ensured that everyone has greater clarity on the position of a range of parties on particular issues from the outset. The ExAs hope that this approach has already helped and will continue to narrow/focus the issues at an earlier stage than normal, removing the need for more generalised hearing sessions with large numbers of speakers, early in the Examinations.

Moving on, the approach to the timetable has been to retain as much flexibility as possible, in order to allow us to respond to changing public health circumstances, whilst hopefully avoiding the need to revise the timetable part-way through the Examinations.



Where Issue Specific Hearings (ISHs) are held, we plan to focus on complex, multi-party and contentious matters that are difficult to manage in writing alone. We will issue clear and detailed agendas in good time beforehand, appreciating that this is even more important when using virtual or 'blended' as distinct from physical hearings.

Where a specific ISH is no longer proposed to be held (such as the early ISHs on site selection and Habitat Regulations Assessment), Interested Parties should be reassured that this will in no way diminish the effectiveness of the Examination; it should be remembered that the Planning Act 2008 process is primarily a written one. ISHs are only held at the discretion of the Examining Authorities, in order to clarify matters where necessary. If early progress has been made in writing, then fewer, shorter and more deeply focussed ISHs will be required. The same issues will be examined, with the same rigour, but using different methods and different timings.

8. Have the Examining Authority's Initial Assessments of Principal Issues (IAPIs) changed since the original Rule 6 letter?

Whilst there has been disruption to the commencement of the Examinations due to the public health situation, the applications themselves have not changed. Further, whilst some parties have sought to make submissions, there have been no formal submission deadlines for the receipt of substantive arguments on planning merits and consequently there has been no detailed consideration of the evolving position of parties on particular matters.

As such, the initial assessments of principal issues for both Examinations remain as previously published in the Rule 6 letter of 21 February 2020. Their content will be discussed in the Preliminary Meetings.

EXAMINING THE APPLICATIONS: THE RELATIONSHIP BETWEEN EAST ANGLIA ONE NORTH & EAST ANGLIA TWO

9. How will the ExAs handle two parallel Examinations for the two separate DCO applications?

The Examining Authority appointed to examine the East Anglia ONE North Offshore Wind Farm application consists of the same people as the Examining Authority appointed to examine the East Anglia TWO Offshore Wind Farm application. Whilst they consist of the same people, they are two separately appointed Examining Authorities, examining two separate applications. Ultimately, both applications will be fully and independently considered on their planning merits and a separate recommendation report will be produced for each application.

The ExAs recognise that there are some matters which will be common to their consideration of both applications, particularly in relation to onshore aspects of the projects. We have designed a process that allows us to examine common aspects of the two applications in parallel, where it is efficient and sensible to do so. For example:



- the deadlines for written submissions on both cases are identical, thereby simplifying the number of submission dates for parties; and
- the starting point is that hearings for the two Examinations will be held in parallel, allowing us to hear evidence on both cases at once and reducing the need for parties to repeat the points they wish to make.

10. What if there are matters that are relevant to only one of the applications?

We recognise that there are some examination matters, particularly but not exclusively in the marine environment, which relate only to one or other of the applications. Where matters unique to one application are being examined, the timetable allows us to receive submissions in writing and at hearings that are relevant to that application alone.

11. How will the ExAs know whether submissions relate to just one application or both?

Written Submissions

The ExAs have previously made Procedural Decisions which deal with the fact that two separate DCO applications are being examined by the same Examining Inspectors at the same time. The decision to do this was for efficiency and to ensure a consistent approach to the Examinations and consistent consideration of the issues.

Procedural Decisions 2 and 3 set out the approach:

- [East Anglia ONE North – Procedural Decisions](#) (23 December 2019)
- [East Anglia TWO – Procedural Decisions](#) (23 December 2019)

In summary:

- Procedural Decision 2 emphasises the importance of ensuring that any material that is relevant to both applications is submitted to both Examinations. Parties must not assume that the Examining Authority for one application will copy submissions made only to that Examination over to the other Examination, as they cannot do so;
- Procedural Decision 3 outlines a colour coding approach for written submissions to ensure that all parties can understand whether a submission relates to one application or to both.

Preliminary Meetings

Preliminary Meetings (PMs) are held to make arrangements for the Examination of applications. We propose to hold the PMs for both applications on the same date, at the same time and place. In practice, this will mean that a single event will discharge the duties of two separate PMs. However, if it is necessary to discuss matters relating to only one of the applications, we will be able to pause proceedings on one application to allow a separate discussion about just the other application to take place within the framework of the overall event.



The PMs are the events at which participants can request that a particular written procedure, hearing or site inspection within the Examination timetable be conducted in parallel for both applications or separately for one and the ExAs will be open to hearing views on this.

Neither PM will close until the ExAs are satisfied that all relevant procedural requests raised there (or submitted prior to them in writing) in respect of both applications or each individually have been properly considered.

Examination hearings

We plan to undertake Issue Specific Hearings (ISHs), Compulsory Acquisition Hearings (CAHs) and Open Floor Hearings (OFHs). Where appropriate, we propose to hold hearings for the two applications on the same date, at the same time and place. This should avoid the need for participants to repeat their points if they are the same for both applications. In practice, this will mean that a single event is held, discharging the duties of two separate hearings.

However, where it is necessary to discuss matters relating to only one of the applications, we will hold hearing sessions unique to that application to allow a separate discussion to take place. We have listened to feedback from Interested Parties and indicate that for matters where it is necessary to orally examine each application separately, we proposed to hold hearing sessions consecutively rather than concurrently. This means that there will never be circumstances where there are two hearings happening at the same time.

Site Inspections

Accompanied Site Inspections (ASIs) take place in the company of Interested Parties whereas Unaccompanied Site Inspections (USIs) are undertaken by the relevant Examining Authority alone. Where we can do so, we plan to undertake site inspections for the two applications on the same date, at the same time and place. So normal in practice, a single event would take place, discharging the functions of two site inspections.

However, where it is necessary to inspect locations unique to just one of the applications, we have the discretion to do. Notice of any ASIs will be given in advance and further information about our approach to ASIs is provided below from Question 42. We will continue to publish a note of any USIs undertaken.

PARTICIPATING IN MEETINGS & HEARINGS

12. How will local people have their say if there are no physical meetings or hearings held locally?

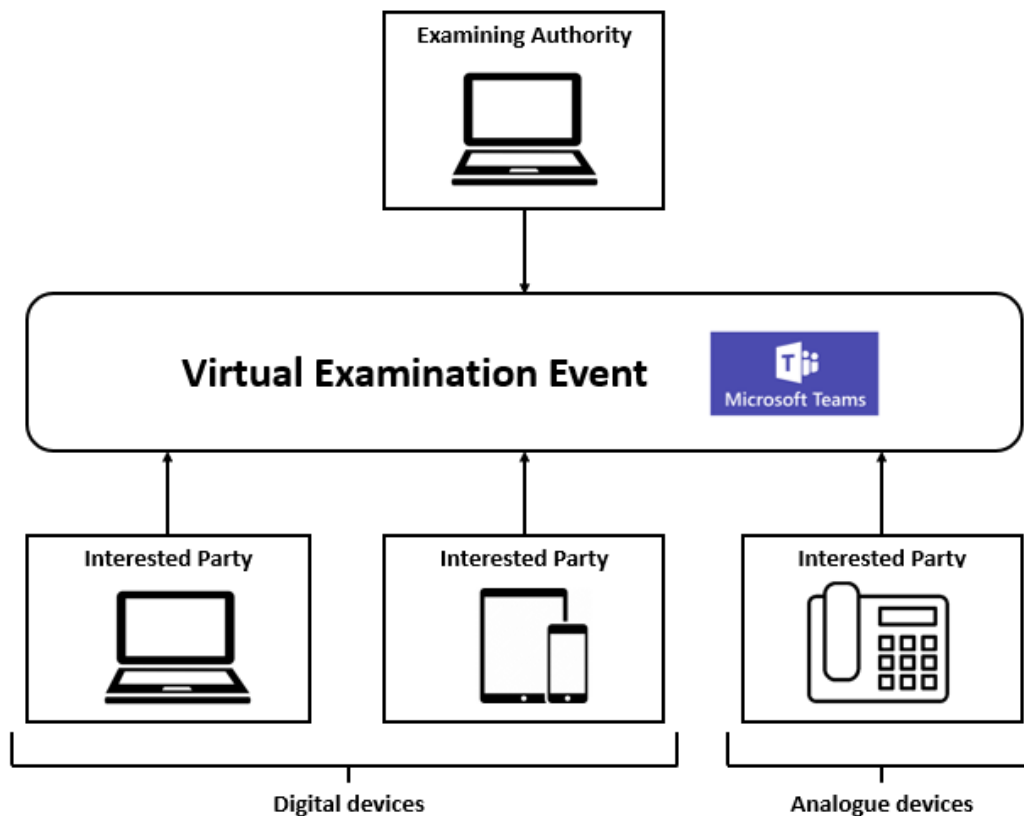
The ExAs aim to hold physical events if it is possible to do so whilst responding to public health requirements currently in force at the time. If physical events are held, steps will also be taken to ensure that virtual access options are retained for any people who may still be required to shield, isolate or lockdown at that time. Such events are known as 'blended' events.



However, because we must plan for them now, the Preliminary Meetings will have to be held virtually. Early Open Floor Hearings (OFHs) are also being held virtually. Where Interested Parties wish to get involved or be heard orally at the start of the Examinations, virtual meetings or hearings will enable that to happen. Interested Parties preferring to be heard at physical Open Floor Hearings (OFHs) may wait until later in the Examinations – although it should be noted that we cannot guarantee that physical hearings will be available. We will do our best within the scope of the controls in force at the time.

No one will be disadvantaged by commenting in writing instead of attending a virtual or a physical hearing. Virtual Open Floor Hearings (OFHs) will provide ample opportunities to be heard using internet connected devices and by telephone.

13. How will virtual meetings and hearings work?



Virtual meetings (including the Preliminary Meetings) and hearings are held using a combination of digital technology (computers, laptops, tablets and smartphones connected to the internet) and analogue technology (mobile phones not connected to the internet and land-line telephones).

Instead of people being physically together in one place, teleconferencing and video conferencing allow people to observe or join in a discussion from a safe, socially distanced location such as their home or office.



Telephone conferencing allows audio (sound only) discussion between participants who are at different locations. It typically involves the use of a telephone, mobile phone, smartphone, or a computer, laptop or tablet connected to the internet.

Video conferencing allows video (sound plus picture) discussion between participants who are at different locations. It typically involves the use of a smartphone, or a computer, laptop or tablet connected to the internet.

The Planning Inspectorate has decided to use Microsoft Teams to deliver virtual meetings and hearings. This software is widely available already and you may have used it before. Even if you haven't, you may have experienced something similar: meetings using Skype or Zoom, or video calls over Facebook, WhatsApp, FaceTime or similar applications. Guidance on using Microsoft Teams is referred to below.

14. Why is requesting to be heard in advance of virtual or 'blended' meetings or hearings so important?

Requesting to be heard in advance of an Examination event is not new. Examination timetables have for many years set deadlines by which people wishing to speak should make themselves known to the Case Team, in order to ensure that the necessary arrangements can be made, large enough rooms hired, and the right quantity of chairs provided. What is new is that these deadlines are now much more important because there is no longer any scope to invite people to speak on an unplanned basis.

Where physical meetings or hearings were held in a large venue with spare seating capacity and no social distancing requirement, it was traditionally possible for Inspectors to be quite flexible about who got involved. People could even turn up 'on the day'. If Interested Parties did not request to be heard in advance but have a right to be heard and important and relevant contributions to make, ExAs have enabled them to join in discussions, even if they have had to wait their turn, standing at the back of the room. Even where other people who have no right to be heard have asked to get involved from their position in the public seating area of a hearing room, Inspectors have typically allowed them to do so, as long as there is time and space available, their contribution is important and relevant and involving them is not unfair (for example, it does not detract from the ability of Interested Parties with a right to be heard to speak in the time available) or unsafe (for example, exceeding the fire capacity of the venue).

Where virtual or 'blended' events are held, there are several reasons why the ExAs can no longer take such an un-planned approach to involvement.

- A speaker attending virtually needs a hyperlink or a phone number and a conference code to be sent to them beforehand to enable them to join in and speak. They need to have read brief but important technical instructions beforehand, so that they know what to do and can manage their equipment to avoid causing breakdowns or annoyance to others. An email needs to have been sent by the Case Manager and received before



the event. In some circumstances a physical letter or phone call may be required.

- Inspectors can no longer see everyone who is asking to speak just by looking around the room. To be fair to everyone involved and ensure that people do not talk across each other, the ExAs need to know in advance who wants to speak and to make sure that speakers are invited to speak at the right time.
- There are practical and technical limitations on the number of speaking participants. In a 'blended' event, social distancing requirements will impose a maximum number of attendees. Contact tracing requirements may need to be met meaning we need to know who is attending. There is no virtual equivalent of 'standing room only'. If hyperlinks or telephone connections are given to too many people at all at once, it becomes more and then unacceptably likely that the information technology and systems underlying the event will fail, for some or all participants. For these reasons, the ExAs work with Case Managers to plan events carefully, limiting the number of speakers in an individual event, knowing who is there and ensuring that those requesting to be heard can have their say.
- Where a lot of people want to speak virtually, the ExAs may manage this by breaking an event up into multiple parts or sessions, each with smaller numbers of participants. This is known as 'daisy-chaining'. But for daisy-chained events to work, the ExA and Case Managers need to know in advance who wants to speak, enabling individual speaking opportunities to be allocated fairly.

The ExAs for the Planning Inspectorate's pilot virtual events tested processes where people requested to be heard in advance in order to be able to speak. This approach ensured that the right number of speaking opportunities were provided and links or telephone numbers and joining instructions were provided to the right people, sufficiently in advance to enable them to join, knowing how to participate and without disrupting others. Moving forward to 'blended' events, advance information is also required. For all of these reasons we have taken the decision that we can no longer support speaking involvement by people who do not request to be heard in advance.

15. How can I request to be heard?

The Examination Timetables provide opportunities for Interested Parties to notify the ExAs of their wish to be heard. You will be able to:

- Complete an online involvement form on your smartphone or computer;
- Send an email to the Case mailbox; or if these methods are not possible
- Telephone or write to the Case Team.

However, you must do so by the relevant deadline.



16. What happens if I can't or I forget to request to be heard by the relevant deadline?

For some events (eg Open Floor Hearings) you may find that there is another event for the same purpose later in the timetable. Please make sure that you request to be heard on time for the later event.

However, some events (eg most Issue Specific and some Compulsory Acquisition Hearings) will be unique. They will be held once only and if you don't request to be heard by the relevant deadline, then you will have missed the opportunity for direct oral participation. If this happens, the following opportunities will still be open to you:

- As long as the event is still in progress, you will be able to view or listen to a live stream from a link on the National Infrastructure Planning website for the application;
- If the event has ended, you will be able to view or listen to a recording on our catch-up service; and
- All events have a deadline approximately one week after their closure, where people who have used the live-stream or catch-up service can submit their comments in writing.

Finally, at the end of both timetables, an 'Exceptional Issue Specific Hearing' (EISH) has been provided. This will only be held if required and speaking is only by invitation from the ExAs. However, if for good reasons you were unable to speak on an important and relevant matter earlier in the Examinations and that matter remains unexamined or in dispute you may request to be heard at the EISH.

17. What equipment and software will I need?

If you have a computer, laptop, tablet or smartphone (a digital device) that is connected to the internet, you should be able to access and speak at a virtual meeting or hearing over the internet using a video link. If you do not wish to appear on video, you can switch off your camera and use voice only.

Depending on the performance of your digital device or the internet in your locality, it may be that you join by video and audio, or by audio alone. If you have a slow or intermittent connection, switching off your video camera and using just your audio connection can improve the quality and reliability of your involvement.

If you do not have an internet connection, or you do not feel confident or able to use a digital device, then you will be able to access and speak at the virtual meeting or hearings using an analogue device with a voice connection: any type of telephone with a keypad.

Please see the sections below on 'Joining by the internet' and 'Joining by telephone'. These include detailed advice on using Microsoft Teams.



18. What is an 'Arrangements Conference'

In all but the smallest meetings or hearings, the Planning Inspectorate will provide an Arrangements Conference where parties join, introduce themselves, verify their identity and identify the agenda items on which they would like to speak, before the meeting or hearing starts. Arrangements Conferences are run by case management staff. They can help you with questions about procedure and arrangements, but they are not there to hear your submissions. Only the ExAs can hear your submissions in the actual meeting or hearing.

You may be asked to verify your identity during an Arrangements Conference. You can do this by providing:

- Your name;
- The last line (including the post code) of any postal address that the Planning Inspectorate holds for you; and
- The unique reference that you were provided with on the first page of the Rule 6 Letter. Please have the letter to hand in case you are asked for this information.

19. How can I prepare for meeting and hearings? Is there any help for people to become familiar with virtual meeting and hearing methods and systems?

There will be some familiarisation events held ahead of the scheduled meetings and hearings at which parties will have the opportunity to gain experience of the methods and systems used for virtual meeting or hearings. These will be run by case management staff and experienced people will be on hand to provide technical support.

In addition, as several National Infrastructure cases have held virtual hearings already, you may wish to view agendas and watch the recordings in order to become more familiar with the hearing format. These can be found on our website - <https://infrastructure.planninginspectorate.gov.uk/>.

Search in the Projects search bar for the following cases that have already had virtual hearings, or follow the links below:

- Norfolk Boreas (an offshore wind farm) ([Open Floor Hearing 2](#));
- A38 Derby Junctions ([Issue Specific Hearing 8](#));
- M25 Junction 10 A3 Wisley Interchange Improvement ([Compulsory Acquisition Hearing 1](#)); and
- A1 Birtley to Coalhouse Improvement Scheme ([Issue Specific Hearing 2](#)).

20. What if I don't have internet access?

It is possible to participate in virtual meetings and hearings using the voice connection on any telephone (including a land-line telephone), in the same manner as a traditional telephone conference. If you decide to join by phone, before doing so, we encourage you to think about how to follow the



proceedings, in particular to ensure that you have relevant documents or extracts of them available which you may wish to refer to, or which other participants might flag. When referencing documents, it will assist all parties if the Examination Library Document ID is used. There is more information about joining by phone below.

21. What if I don't know whether I want to speak, or there are not enough speaking links or lines available?

It is quite normal for some Interested Parties to attend a meeting or hearing not being clear about whether or not they wish to speak. In a physical event, people can request to speak during the event in response to something said by another Interested Party. In a virtual event, if you don't ask to speak in advance then you won't be provided with a link or telephone number that you can use to become involved straight away. But don't worry – you can still make a submission in writing.

In some large events, with high demand to speak, there may not be enough speaking links or telephone lines available to connect everybody at once. Where this is the case, the Examining Authority will take the following steps:

- The event will be divided into sessions. The aim will be to ensure that as many people as possible are given a speaking link or telephone line into the event during the session where their concern arises most directly. Once they have spoken, they can then leave. This will free up capacity for other speakers and issues in the following sessions.
- Parties will need to advise the ExA in advance about the issues on which they want to speak in order to be allocated a link or a telephone line.
- Parties who do not know whether they wish to speak, and parties who have already spoken in earlier sessions will then be asked to listen to or watch the remaining sessions using a livestream or a catch-up service. They will then be able to respond to anything else that is said in writing, after the event.

Where possible, we aim to live-stream all events on the internet. Where we do this, we will provide a link to the live-stream on the National Infrastructure web pages for the Applications. Click on the link and, depending on the technology used, you will be able to view or listen to the event in progress, live. If live-stream technology is not available or fails, we will make this clear on the website as soon as we can.

Whether or not live-stream technology is available and working, every meeting or hearing will also be recorded. All recordings will be posted on the National Infrastructure web pages for the Applications after the events have concluded, providing a 'catch-up' service, equivalent to the BBC iPlayer, ITV Hub and similar TV catch-up services. Click on the link and you will be able to view or listen to the event.

If you are using the live-stream or catch-up service and find that there is something that (had you been in a physical hearing room) you would have wished to say, you can still make a submission in writing by a deadline



identified in the timetable, normally in the week following the event. You can make your submission to the project mailbox by email, or the ExAs may provide a submission form on which you can respond by clicking a link from the National Infrastructure web pages for the Applications.

Please include your Interested Party reference number from the Rule 6 Letter in any submissions. The ExAs will always consider written submissions from Interested Parties in these circumstances.

If you are not an Interested Party, just as you would have to ask the ExAs for permission to speak in a physical meeting or hearing, equally any written submission will be considered at the Examining Authorities' discretion.

JOINING A VIRTUAL MEETING OR HEARING ON THE INTERNET

22. Will I be able to participate from a computer, tablet or smartphone connected to the internet and will I need any special software?

You will use Microsoft Teams – the Planning Inspectorate's virtual meeting and hearing software. The following link provides information about how to use Microsoft Teams on a computer, laptop, tablet or smartphone connected to the internet: <https://support.office.com/en-gb/teams>.

You do not need to download any software to use Microsoft Teams on most computers or laptops, although there are applications (Apps) that can be downloaded free of charge that are available for most types of device. Microsoft Teams will work without an App on an internet browser such as Microsoft Edge or Google Chrome.

On Apple devices it will not work on the Safari browser, but the Google Chrome browser (free of charge) can be installed to enable it to work.

On a smartphone or tablet there are Microsoft Teams Apps for most devices, and you will normally need to install these (free of charge). Search for 'Microsoft Teams' in your device AppStore, PlayStore or equivalent.

Download advice is available here: <https://www.microsoft.com/en-gb/microsoft365/microsoft-teams/download-app>.

23. How do I join from a computer, tablet or smartphone?

You will be sent a Joining Invitation by email between 1 and 24 hours before the event. Please join from a computer, tablet or smartphone as follows:

- Forward the invitation email from the Planning Inspectorate containing the joining instructions to an email account on the computer, tablet or smartphone that you are due to join on.
- A different email invitation with a different web address link will be provided for each virtual meeting or hearing. Some larger hearings may be divided into more than one session, with different invitations sent for each session.
- Click on the web address link provided in the invitation email.



- Either join using a Microsoft Teams App (if you have it installed), or 'join on the web instead', which will use your internet browser.
- Check that your computer, tablet or smartphone camera (where available), microphone and speakers are turned on. Some computers, tablets or smartphones require them to be physically plugged in or connected wirelessly. Some require settings or permissions to be changed and the browser, computer, tablet or smartphone may also need to be restarted before you can connect.
- The Microsoft Teams App or your browser should prompt you to enter your name (this will be visible to all participants), then connect you to a virtual 'Lobby';
- Do not worry if a little time elapses between clicking the link and joining the meeting: this is normal, particularly when using a browser.
- Once you are in the Lobby, a member of the Case Team will admit you into the Arrangements Conference, meeting or hearing.

Participants are admitted individually to ensure that everyone receives the attention and support that they need. Please be patient as they may be admitting large numbers of people.

24. Will my personal information be shared with any other participants?

Microsoft Teams will normally display the name and may sometimes also display the email address of participants to other participants using digital devices.

If you do not wish the email address that we are currently using to correspond with you to be seen by other parties, you can set up a free email account online using an on-line service to join with. Alternatively, your existing internet or email service provider may enable you to set up an 'alias' email address such as 'hearing.participant123@freemail.com'.

These measures will protect your privacy. If you plan to do this, please let us have any alternative email address as soon as you can so that we can send the invitation email and Joining Instructions to the correct email address.

Please check with your internet or email service provider or an intended alternative email service provider before the virtual meeting, hearing or familiarisation test event and ensure that you have taken any steps that you wish to take to prevent the disclosure of your actual email address to other users.

25. How will I know which documents the ExAs refer to, as I won't be able to see them?

Where necessary, a small number of documents may be shared on screen during the Hearings. These include the Agenda and documents identified in and linked from the Agenda. However, the sharing on screen of too many or too large documents can give rise to technical difficulties, so you are advised to have the key documents available in either hard copy or already downloaded to your device. Alternatively, all documents, apart from the National Policy Statement for National Networks, are available in the



Examination Library. The ExAs will say when a document is being referred to during a Hearing, providing its Examination Library reference number. The Examination Libraries are at:

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

Accessing the virtual meeting or hearing from a computer or tablet using the web address link provided in the invitation email should allow you to see any documents that are shared during it. The relatively small screen on a smart phone may make that impractical.

Everybody with access to a web browser, including those who access a meeting or hearing by smartphone, should be able to access the documents by clicking on the link in the Agenda or in the Examination Library.

26. How will I know who is speaking at any given time?

If you connect using computer, tablet or smartphone you will be able to see other participants and they will be able to see you. The ExAs will make it clear in their opening statement that all parties have to introduce themselves orally every time they intend to speak. If the person speaking has their camera turned off, their 'icon' in the system will usually glow to show that they are speaking. Alternatively, their name will become bold in the participants list, accessed via a button on the Microsoft Teams toolbar at the bottom of the screen.

27. Will I be able to mute my microphone?

You can switch the microphone on and off when you are in a meeting or hearing by clicking the microphone icon within the Microsoft Teams toolbar.

Please ensure that you mute when you are not speaking to avoid unnecessary background noise and disruption. The Case Team may mute you when you are not talking. It is important to note that the Case Team cannot unmute you, only you can unmute yourself. Please do this and say your name when asked to speak by the Examining Authorities.

28. What if I do not wish to appear on video?

If you do not wish to appear on video, you can switch off your camera by clicking on the video icon within the Microsoft Teams toolbar and use voice only. This may improve the speed and quality of your connection. Please ensure that your camera is switched off when you are not speaking.

JOINING A VIRTUAL MEETING OR HEARING BY TELEPHONE

29. Can I join by using any telephone?

Yes, you can join using the voice connection from any telephone including a mobile phone, a smartphone not connected to the internet or standard landline telephone with a keypad. Yes, you can join using the voice connection



from any telephone including a mobile phone, a smartphone not connected to the internet or a standard landline telephone with a keypad. You will need to use the * (star) and the # (hash) keys.

30. How do I join by telephone?

Joining Instructions will be included in an email invitation sent between 1 and 24 hours before each event. Please join from a telephone as follows:

- Dial the telephone number included in the joining instructions;
- enter the conference ID number from the joining instructions (nine figures) on your keypad, followed by the # (hash) key;
- you will then be prompted to record your name, which will be announced when you join the meeting;
- You will then enter a virtual 'Lobby' where music will be played. Please be patient and a member of the Case Team will admit you into the Arrangements Conference, meeting or hearing as soon as they can.

Participants are admitted individually to ensure that everyone receives the attention and support that they need.

31. Will my number be visible to other participants and how can I ensure privacy?

A default setting in Microsoft Teams means that your number will be visible to parties who chose to participate in the virtual meeting or hearing or familiarisation test event by video.

If you do not want to display your telephone number, please add a privacy prefix before you dial the telephone number included in the joining instructions. On most UK telephone networks you can dial 141 before the telephone number and this will ensure that you remain anonymous and your telephone number is not shared with any other users.

Some networks require you to use a different method. Certain telephone handsets also allow you to withhold your telephone number using a setting that is specific to your handset.

Please check with your telephone service provider and read the instructions for your telephone handset before the meeting, hearing or familiarisation test event and ensure that you have taken any steps that you wish to take to prevent the disclosure of your telephone number to other users.

32. How will I know who is speaking at any given time?

If you join by telephone then you will be able to speak and be spoken to, but you will not be able to see other participants and they will not be able to see you. However, the ExAs will make it clear in their opening statement that all parties have to introduce themselves orally, every time they speak.

33. Will I be able to mute and unmute my telephone during the event?

You can mute and unmute by pressing * then 6 on your telephone keypad.



Please ensure that you mute when you are not speaking to avoid unnecessary background noise and disruption. The Case Team may mute you when you are not talking. Please note that the Case Team cannot unmute you, only you can unmute yourself. Please do this and say your name when asked to speak by the ExAs.

Your telephone may have its own mute option; however, please note that you may also need to dial *6 if you've been muted on Microsoft Teams by the Case Team. For this reason, we advise you to use the *6 function in preference to your own handset's mute controls.

34. How will I know which documents the ExAs are referring to during the event as I won't be able to see them?

Where necessary, a small number of documents may be shared during hearings. These include the Agenda and documents identified in and linked from the Agenda. However, the sharing on screen of too many documents or large documents can give rise to technical difficulties, so you are advised to have the key documents available in hard copy. Alternatively, all documents, apart from the relevant Acts of Parliament, Statutory Rules and Regulations (Statutory Instruments) and National Policy Statements in force, are available in the Examination Library. The ExAs will say when a document is being referred to during a Hearing and provide its Examination Library reference number. The Examination Libraries can be seen at:

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

Everybody who accesses a hearing by telephone should be able to access relevant documents by clicking on the internet link in the Agenda or in the Examination Library on the project website.

If you do not have an internet connection, you may wish to obtain printed copies or extracts. Do alert the case team and/or Examining Authorities, so they are aware if you are not able to see the documents.

35. How much does it cost to participate by telephone?

Depending on your network service provider and contract, you may have enough time in your pre-paid allowance, or telephone charges may apply. General guidance on applicable call charges can be found on the website of your telephone service provider and on the UK government website: <https://www.gov.uk/call-charges>.

WHAT IF THINGS GO WRONG AT A VIRTUAL MEETING OR HEARING?

36. What if I lose my connection?

If you experience problems with your connection, then please try again using the same Joining Instructions. On a digital device, it may help to restart and to check whether your internet connection (including your router or modem)



is working. On a phone, hang up and re-dial. If these steps do not work, contact the Case Team by email or telephone using the contact details provided in the invitation email. They will attempt to help you to join or re-join the meeting or hearing. It may be that, if you initially joined by video but that failed, you can still re-join by audio only (switch off your camera) or even by telephone, to limit the effect of any technical issues that you may have been experiencing.

37. What if I can't re-join?

If you cannot join or re-join the meeting or hearing at all, the ExAs will consider the best way for you to still be able to participate in the Examinations. This may include requesting you to view or listen to a recording of the meeting or hearing and to make a submission in writing by the relevant deadline for submissions identified in the Examination Timetable. There may be an appropriate hearing later in the Examination that you could request to join, including the Exceptional Issue Specific Hearing (EISH) at the end. A technology failure excluding you from an earlier hearing is likely to provide sufficient reason for the ExAs to invite you to the EISH, if there is no other opportunity to be heard remaining in the timetables.

38. What if the event is disrupted?

If a meeting or a hearing is disrupted by technical or other issues, the ExAs may adjourn it, or part of it, to another time, date or format. Time has been provided in the Examination Timetables for this to occur – and this explains the decision to reserve large blocks of time in the timetables shown as for meetings or hearings '(if required)'. If the meetings or hearings are not disrupted, reserved events are unlikely to proceed and can be cancelled in the banner of the National Infrastructure Planning website project page for the applications. The ExAs may also decide that it is possible for further written submissions to be made on any agenda items that were not able to be considered at a meeting or hearing and will normally do so if anyone has lost what otherwise would have been a right or expectation to be heard orally. There may also be an appropriate hearing later in the Examination that you could join. Disruption to or loss of earlier hearing at which you were due to be heard is likely to provide sufficient reason for the ExAs to invite you to the EISH, if there is no other opportunity to be heard remaining in the timetables.

HOW DO I PROTECT MY PRIVACY IN VIRTUAL EVENTS?

39. How do I ensure that my personal and private information is not published?

All National Infrastructure hearings are recorded, and recordings are published on the examination project pages of the National Infrastructure Planning website. By established practice, a digital audio recording has been published. You are advised not to place private and confidential material onto the oral record. If you feel that need to do so to support your case, seek procedural advice from the Inspector before you do so.



The technology used for virtual meetings and hearings support digital video recording by default. In order to discharge the Planning Inspectorate's legal obligation to hold events in public, meetings and hearings with large numbers of Interested Parties can be live-streamed. If you are participating using a digital device but you do not wish to be included in a published or live-streamed video recording, you have the option to switch off your device camera during the hearing and the live-stream or recording will be of your voice alone.

The Secretary of State for Communities and Local Government (as was) has provided guidance on the examination of National Infrastructure applications for development consent¹. This guidance provides as follows:

'Hearings should be open to journalists and the wider public, as well as interested parties. Provided that it does not disrupt proceedings, all individuals present at hearings should be allowed to report, record and film proceedings including using electronic and social media. Examining inspectors will advise persons present at the start of hearings that the proceedings may be recorded and/or filmed, and that any persons using social media during or after the end of the proceedings should do so reasonably.'

This guidance remains unchanged and so all participants in a virtual event must be aware that the event may be recorded by any attendee and that any such activity will only be regulated if it becomes unreasonable or disruptive to the event.

40. How to I ensure that my privacy is protected when I'm using a digital device to join?

The virtual event system Microsoft Teams will normally display the name and may sometimes also display the email address of event participants to other hearing participants who are using digital devices.

After you click your joining link but before you join the event, Microsoft Teams will enable you to type in the name that you wish to be displayed. You can choose what name to type in and can add an organisation name too if you need to. It needs to be sufficient to enable the ExAs to identify you.

If you do not wish the email address that the Planning Inspectorate is currently using to correspond with you to be seen by other parties, you can set up a free email account on-line to join with.

Alternatively, your existing internet or email service provider may enable you to set up an alias email address such as 'hearing.participant123@freemail.com'. These measures will protect your privacy. You would need to provide any alternative email address from the one we are currently using for you by **Procedural Deadline A** at the latest. This is so that we can send out the invitation with the link for joining any familiarisation event and for an actual meeting or hearing, ahead of the event.



Please check with your internet or email service provider or an intended alternative email service provider before a familiarisation event, meeting or hearing and ensure that you have taken any steps that you wish to take to prevent the disclosure of your actual email address to other users.

41. How to I ensure that my privacy is protected when I'm using the telephone to join?

Microsoft Teams will normally record and play the name and display the telephone numbers of hearing participants to all other hearing participants who are using digital devices.

You can choose what name to record. It needs to enable the ExAs to identify you in the hearing.

If you do not want to display your telephone number, you can add a privacy prefix before you dial the telephone number for the hearing. On most UK telephone networks you can dial 141 before the telephone number and this will ensure that you remain anonymous and your telephone number is not shared with any other users. Some networks require you to use a different method. Certain telephone handsets also allow you withhold your telephone number using a setting that is specific to your handset.

Please check with your telephone service provider and read the instructions for your telephone handset before the familiarisation event and the hearing and ensure that you have taken any steps that you wish to take to prevent the disclosure of your telephone number to other users.

THE APPROACH TO SITE INSPECTIONS

42. What will be the approach to Site Inspections?

The ExAs commenced site inspections by holding Unaccompanied Site Inspection 1 (USI1) on 20 and 21 January 2020. A note of these inspections has been published on the National Infrastructure Planning website.

Our new member Jonathan Hockley will shortly inspect the same locations for himself. Further written notes will be published as these and further unaccompanied inspections are undertaken.

Interested parties have been asked to nominate particular locations for site inspections in writing by timetable **Deadline 1**. Before making any nominations, please read the USI1 Note, as the ExAs do 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 our attention which we have not already observed.

Because of social distancing requirements, it will be the ExAs preference to inspect sites on an unaccompanied basis. We won't inspect all nominated sites. We prioritise and inspect sites where observations are likely to identify important and relevant considerations. We will aim to visit as many locations as we can as USIs. These will be held on a socially distanced basis, from land



in the public domain or that is open to the public. We'll use written notes to provide an account of our activities. USIs can be carried out the ExAs see fit. They are not included in the timetables.

We can't visit private or access-restricted land (such as operating infrastructure) without the consent of the landowner/operator and proper safety measures being taken where necessary. For this reason, there may be some land where Accompanied Site Inspections (ASIs) are still required and we have reserved time in the timetable to hold these if required. Before agreeing to an ASI, we will need to be clear that one is necessary and that it can be carried out on an appropriately socially distanced basis, meeting whatever public health controls are in place at the time. If needed, we may investigate virtual and remote techniques to augment or replace part or all of an ASI: for example by commissioning photographic or video submissions, and possibly using technology such as drones to see places that would otherwise be difficult or unsafe to access on a socially distanced basis.

We note from responses to our procedural questionnaire an understanding from some interested parties that ASIs might normally have included the ability to make oral submissions. From this perspective, a decision to replace them with virtual processes would mean that an opportunity to be heard would be lost. This is not the case. The normal procedure for National Infrastructure ASIs before Coronavirus drew a very strict distinction between hearings and site inspections and this distinction is still in place. Hearings are the only places where oral submissions and argument can be put in front of the ExA.

Site inspections are not and never have been hearings: oral submissions and arguments were never allowed to be made at them. Verbal communication between the ExAs and interested parties at a site inspection is strictly limited to matters of fact: the Inspectors assuring themselves that they are in the right place, looking in the right direction and seeing the right features of the site. People wishing to make oral submissions about the effects of the proposals on particular sites are advised to request to be heard at an appropriate hearing.

43. What if public health restrictions remain in place throughout the Examinations or even become more severe?

The ExAs have already undertaken Unaccompanied Site Inspections (USI1) to underpin our understanding of the local area and to view specific locations referred to within Relevant Representations.

Site inspections (whether accompanied or unaccompanied) are a common part of the examination process for applications for NSIPs. However, although it is considered good practice for ExAs to be able to visit relevant locations to support their consideration of an application, there is no legislative requirement for site inspections to be held.

If restrictions preventing effective site inspections remain in place or become more restrictive during the Examination period, the ExAs will invite Interested



Parties to provide written submissions on the locations that might be beneficial to be viewed as part of future USIs. Alternatively, if long-distance and overnight travel is not possible, a virtual site inspection might be set up, where photographs of relevant locations could be submitted and described by parties, or technology such as drones could be used.

Should the public health situation and accompanying restrictions on travel ease significantly, the ExAs have retained time within the draft timetable for an Accompanied Site Inspection; further arrangements can be made at a later time, drawing on the submissions referred to above.

Interested Parties will appreciate that this is inevitably a fluid situation subject to change, dependent on the progress of the COVID-19 pandemic and on controls in place in local areas as well as nationally.

COMPOSITION OF THE EXAMINING AUTHORITIES

44. Why has there been a change to the composition of the Examining Authority?

Mike Harris resigned his position on the Panel with effect from 26 June 2020 consequent on a change of employment. As such, it has been necessary to appoint another Inspector to replace him. Jonathan Hockley has been appointed to the ExAs for both Examinations. His qualifications, skills and experience (see **Annex B** to the Rule 6 Letters of 16 July 2020) are equivalent to those held by Mike Harris and no other change to the operation of the ExAs will be required.

Formal details of the appointment are available here:

- East Anglia ONE North [Appointment Letter](#); and
- East Anglia TWO [Appointment Letter](#).

FURTHER INFORMATION AND KEEPING UP TO DATE

45. Where can I view copies of the application documents?

The Rule 6 Letters sets out where the Applicants have deposited copies of the applications and arrangements for viewing these and the arrangements are recorded in **Annex G** of the Rule 6 Letters. The ability to visit these locations and the availability of technology to view digital documents may be dependent on the public health restrictions in force.

The application documents can also be viewed online on the Planning Inspectorate's National Infrastructure website for these applications:

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

As public health restrictions change, it is likely that people who do not have access to computers or the internet will be able to visit and seek support from people (such as relatives or neighbours) who do.



If you do not have access to computers or the internet and have no means of addressing that, please contact the Case Team by telephone at 0303 444 5000 and ask whether there is any additional help that can be made available.

46. How should I keep up to date with the latest news about the Examination?

Please visit the National Infrastructure Planning website project page regularly for updates:

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

This FAQ document will be kept under continuous review and updated as new questions arise.

The project websites also have a facility for you to sign up to receive updates by email.

47. What if I need more help?

Please contact the Case Team by telephone at 0303 444 5000 or by email at

East Anglia ONE North - EastAngliaOneNorth@planninginspectorate.gov.uk

East Anglia TWO - EastAngliaTwo@planninginspectorate.gov.uk