



3/18 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [NorfolkVanguard@pins.gsi.gov.uk](mailto:NorfolkVanguard@pins.gsi.gov.uk)

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Your Ref:

To Interested Parties, Statutory Parties  
and Other Persons

Our Ref: EN010079

Date: 9 November 2018

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Dear

**Planning Act 2008 (as amended) – Section 88 and the Infrastructure  
Planning (Examination Procedure) Rules 2010 (as amended) – Rule 6**

**Application by Norfolk Vanguard Limited for an Order Granting Development  
Consent for the Norfolk Vanguard Offshore Wind Farm**

**Appointment of the Examining Authority**

I write to you following my appointment by the Secretary of State as the lead member of a Panel who will be the Examining Authority (the ExA) to carry out an examination of the above application by Norfolk Vanguard Limited. Other members of the panel are Gavin Jones and Grahame Kean. A copy of the appointment letter can be viewed at:

[Appointment of Examining Authority letter](#)

**Invitation to the Preliminary Meeting**

This letter is an invitation to the Preliminary Meeting to discuss the examination procedure and contains a number of supporting annexes. We would like to thank those of you who submitted Relevant Representations. These representations have assisted us when preparing our proposals regarding how to examine this application.

**Date of meeting:** Monday 10 December 2018  
**Seating available from:** 9.30am  
**Meeting begins:** 10.00am  
**Venue:** The Dukes Head Hotel, 5-6 Tuesday Market Place, Kings Lynn, Norfolk, PE30 1JS

**Access and Parking**

The Dukes Head Hotel is situated in the town centre of Kings Lynn and is easily accessible by public transport. Car parking at the hotel is limited and cannot be reserved. The rate is £10 per day. There is a public car park situated opposite the hotel.

## Electronic communication

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an examination, the Planning Inspectorate aims to communicate with people by email wherever possible. If you are able to receive communications by email please confirm this with us.

## Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to us about the way in which the application is to be examined. At this stage, the Panel is only 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 will be after the Preliminary Meeting has closed.

We wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, we strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

The agenda for the meeting is in **Annex A**. This has been set following our initial assessment of the Principal Issues arising from the application. That assessment is set out in **Annex B**. As a result of this assessment we wish to hear at the meeting from the Applicant, Interested Parties, Statutory Parties and Local Authorities where they consider changes may be needed to the draft timetable, as set out in **Annex C**.

Up to date information about the project and the Examination can be obtained from:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/norfolk-vanguard/>

This is the project website address from which we will make copies of all future communications and Examination documents available to the public. You can use this page to track progress of the Examination and access all relevant documents and correspondence from the links it contains. As the examination process makes substantial use of electronic documents, it will be useful to become familiar with this resource.

The Examination Library and all examination documents can be viewed electronically at the locations listed in **Annex D** of this letter.

If you wish to receive an email notification when relevant documents and correspondence are published you can register on the project website to do so.

## Attendance at the Preliminary Meeting

If you wish to attend the Preliminary Meeting please contact Tracey Williams, Case Manager using the details set out at the top of this letter. Please confirm this by **Monday 3 December 2018**.

It will help the management of the meeting and benefit everyone if you also:

- Tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and

- Notify us of any special requirements you may have (eg disabled access, hearing loop etc).

The Preliminary Meeting provides a useful introduction to the examination process. We will use it to make procedural decisions that will affect everyone who will be participating in the Examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. If you intend to play an active part in the Examination or you have questions about procedure it will be useful to attend this meeting.

However, please note that if you are an Interested Party you are not required to attend the Preliminary Meeting in order to participate in the Examination; you will still be able to make written representations and participate in any of the 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 Manager of this in writing.

### **After the Preliminary Meeting**

After the Preliminary Meeting you will be sent a letter setting out the timetable for the Examination. An audio recording and a note of the meeting will also be published on the project page of the National Infrastructure Planning website.

Interested Parties have the right to request an Open Floor Hearing and those persons affected by any request for compulsory acquisition or temporary possession of their land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings are at the discretion of the Panel and will be arranged if we feel that oral representations would enable an issue to be more adequately considered. Our Examination will take account of Relevant Representations, Written Representations, responses to our Written Questions and any oral representations made at the hearings. In addition we will take account of the application documents, Local Impact Report(s), policy and legal considerations and site inspections.

My initial suggestion for Issue Specific Hearings is set out in the draft timetable at **Annex C** with the particular topics indicated, although you will see further below that I have made a procedural decision to proceed with an **Open Floor Hearing on the evening of the same day as the Preliminary Meeting on Monday 10 December 2018 at 6.30pm**. A further Open Floor Hearing is also scheduled to be held (if required) on the evening of **Wednesday 30 January 2019**.

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

### **Procedural decisions made by the ExA under ss89(3) and 93(1) of the Planning Act 2008**

We have made some preliminary Procedural Decisions which include:

- Notification of a decision to hold an Open Floor Hearing
- Requests for submissions of Statements of Common Ground (SoCG);
- Updated application documents submitted by the Applicant;

- Additional submissions.

These Procedural Decisions are all set out in full at **Annex E**.

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

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008 (PA2008).

If you have made a Relevant Representation, have a legal interest in the land affected by the application, or are a relevant Local Authority (reference numbers beginning with NORV-AFP), you have a formal status as an Interested Party in the Examination.

Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application.

If you are a prescribed consultee (i.e body specified in the relevant regulations supporting the PA2008) but have not made a Relevant Representation (reference number beginning with NORV-SP you will not automatically be an Interested Party. However, following the Preliminary Meeting, you will have a further opportunity to notify the Planning Inspectorate that you wish to be treated as an Interested Party.

If you are not an Interested Party or a prescribed consultee (ie body specified in the relevant regulations supporting the PA2008), you have received this letter because we wish to invite you to the Preliminary Meeting as an 'Other Person' because it appeared to us that the Examination could be informed by your participation. 'Other Persons' have a reference number beginning with NORV-OP.

If you are not sure whether you are an Interested Party, please contact the Case Manager using the details at the top of this letter. Information regarding the formal status of Interested Parties and how you can get involved in the process is set out in the Planning Inspectorate Advice Note 8 Series on the National Infrastructure Planning website:

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

### **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 cost guidance "Awards of costs; examinations of applications for development consent orders" which applies to National 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 Panel) and any record of advice which has been provided, will be published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/norfolk-vanguard/>

All Examination documents can also be viewed electronically at the locations listed in **Annex D**.

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

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

Yours faithfully

*Karen Ridge*

**Karen Ridge**  
**Lead Member of the Panel of Examining Inspectors**

### **Annexes**

- A** Agenda for the Preliminary Meeting
- B** Initial Assessment of Principal Issues
- C** Draft timetable for examination of the application
- D** Availability of Examination documents
- E** Procedural decisions made by the Examining Authority
- F** Notification of the Open Floor Hearing
- G** Agenda for the Open Floor Hearing

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Agenda for the Preliminary Meeting

<b>Date:</b>	<b>Monday 10 December 2018</b>
<b>Doors open from:</b>	<b>9.30am</b>
<b>Meeting Start Time:</b>	<b>10.00am</b>
<b>Venue:</b>	<b>The Dukes Head Hotel, 5-6 Tuesday Market Place, Kings Lynn, Norfolk PE30 1JS</b>

<b>9.00am</b>	Registration opens
<b>Item 1 (10.00am)</b>	Welcome and introductions
<b>Item 2</b>	The Examining Authority's (ExA's) remarks about the examination process
<b>Item 3</b>	Initial Assessment of Principal Issues – see <b>Annex B</b>
<b>Item 4</b>	Deadlines for submission of: <ul style="list-style-type: none"> <li>• Written Representations</li> <li>• Local Impact Reports</li> <li>• Responses to the ExA's Written Questions</li> <li>• Statements of Common Ground (SoCG)</li> <li>• Statement of Commonality of SoCG</li> <li>• The Compulsory Acquisition schedule</li> <li>• Notifications relating to hearings</li> <li>• Notifications relating to nomination of locations for site inspections</li> <li>• Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by <b>Monday 3 December 2018</b>.</li> </ul>
<b>Item 5</b>	Hearings and Accompanied Site Inspection (ASI): <ul style="list-style-type: none"> <li>• Date of ASI to application site and surrounding area</li> <li>• Date of Issue Specific Hearing on draft Development Consent Order</li> <li>• Dates reserved for Open Floor Hearing(s)</li> <li>• Time period reserved for Issue Specific Hearings</li> <li>• Time period reserved for Compulsory Acquisition Hearing(s)</li> <li>• Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by <b>Monday 3 December 2018</b>.</li> </ul>
<b>Item 6</b>	Any remaining submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by <b>Monday 3 December 2018</b> .
<b>Item 7</b>	<b>Any other matters</b>

<b>Item 8</b>	<b>Close of Preliminary Meeting</b>
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**Please note:** Please register and be available from the start and throughout the meeting. The agenda is subject to change at the discretion of the ExA. The ExA will conclude 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

## Initial Assessment of Principal Issues

This is the initial assessment of the principal issues arising from consideration by the Examining Authority (ExA) of the application documents and relevant representations received. It is not a comprehensive or exclusive list of all relevant matters. In reaching a recommendation the ExA will have regard to all important and relevant matters raised during the Examination.

The policy and consenting requirements associated with the Planning Act 2008 (as amended) are an integral part of the Examination and are not therefore set out as separate principal issues. Similarly, the effectiveness of proposed mitigation measures and the extent to which such measures would be secured through the DCO are considerations that will run throughout the Examination. It should be noted that a number of the principal issues set out below overlap and this will be reflected in the Examination.

The list is not presented in any implied order of importance.

<b>Principal issue</b>	<b>Brief amplification</b>
Nature of the proposed development and its relationship with other projects	Nature of the proposal in terms of the 'Rochdale envelope'; design considerations and assessment of alternatives; construction techniques; relationship and timetabling with other possible projects.
Construction impacts – onshore and offshore	Traffic generation, traffic management and highway safety; air quality; noise, dust and other amenity impacts during construction operations; phasing and relationship with other projects; implications of coastal retreat.
Offshore ecology	Ornithology – baseline data and assessment methodologies, Habitats Regulations Assessment, cumulative and in-combination assessment, mitigation, post-construction monitoring; Marine mammals – monitoring and mitigation techniques, unexploded ordnance clearance, in-combination impacts; Benthic species and habitats including <i>Sabellaria spinulosa</i> reef'
Onshore ecology	Impacts on protected species and habitats; baseline data; Habitats Regulations Assessment; trees and hedgerows; mitigation and enhancement opportunities; timing of works.
Landscape, seascape and visual impacts	Seascape considerations; landscape and visual impacts of the proposed substation and other works; effect on protected landscapes.
Historic environment	Offshore archaeology; onshore archaeology and effect on heritage assets.
Aviation	Ministry of Defence radar and aviation operations.
Marine processes and environment	Marine water and sediment quality; cable protection; nature and deposition of dredged material; sandwave levelling and recoverability.
Navigation and other	Shipping routes; marine safety; other offshore



offshore operations	interests; transboundary issues.
Fish and fisheries	Impacts on fishing and fisheries including cumulatively with other projects; co-existence planning; transboundary issues.
Socio-economic	Employment and training opportunities; community benefits; impact on tourism.
Land use	Effects of the proposal on agricultural land and farming operations, soil quality, recreational opportunities, public rights of way and flood risk.
Content of the Development Consent Order (DCO)	Relevant definitions; application and modification of legislative provisions; requirements; protective provisions; structure and content of Deemed Marine Licenses; arrangements for discharge of requirements and conditions; dispute resolution measures.
Compulsory Acquisition (CA)	Nature and extent of land; rights and powers sought by CA; whether a compelling need in the public interest; need for the land proposed to be subject to CA; temporary possession powers; project funding and guarantees for compensation; human rights and consideration of alternatives; statutory undertakers' land; Crown land; special category (open space) land; Book of Reference.

## Norfolk Vanguard Timetable for Examination

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

The ExA's 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
1	Preliminary Meeting	<b>Monday 10 December 2018</b>
2	Open Floor Hearing	<b>Monday 10 December 2018 (evening)</b>
3	Issue by the ExA of: <ul style="list-style-type: none"> <li>• Examination Timetable</li> <li>• The ExA's Written Questions</li> </ul>	<b>As soon as practicable following the Preliminary Meeting</b>
4	<p><b>Deadline 1</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on Relevant Representations (RRs)</li> <li>• Summaries of all RR's exceeding 1500 words</li> <li>• Written Representations (WRs)</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Local Impact Reports from any local authorities</li> <li>• Statements of Common Ground (SoCG) requested by the ExA</li> <li>• Statement of Commonality of SoGCs</li> <li>• Applicant's Guide to the Application</li> <li>• The Compulsory Acquisition (CA) schedule</li> <li>• Responses to the ExA's Written Questions</li> <li>• Comments on updated application documents including specific comments upon drafting of the DCO</li> </ul>	<b>Monday 14 January 2019</b>

	<ul style="list-style-type: none"> <li>• Comments on any additional submissions</li> <li>• Responses to further information requested by the ExA</li> <li>• Notification by Statutory Parties and certain Local Authorities who wish to be considered as an Interested Party</li> <li>• Notification of wish to speak at a Compulsory Acquisition Hearing (CAH)</li> <li>• Notification of wish to speak at Open Floor Hearing (OFH)</li> <li>• Notification of wish to make oral representations at the Issue Specific Hearing on the draft Development Consent Order (DCO)</li> <li>• Notification of wish to make oral representations at the Issue Specific Hearing on Environmental matters</li> <li>• Notification of wish to attend an Accompanied Site Inspection (ASI), suggested locations and justifications</li> <li>• Notification of wish to have future correspondence electronically</li> </ul>	
5	<p><b>Deadline 2</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs and responses to comments on RRs</li> <li>• Comments on Local Impact Reports</li> <li>• Comments on responses to the ExA's Written Questions</li> <li>• Revised draft DCO from Applicant</li> <li>• Responses to further information requested by the ExA</li> </ul>	<p><b>Wednesday 23 January 2019</b></p>
6	<p><b>Issue Specific Hearing 1 (ISH1)</b></p> <p>ISH1 into onshore environmental matters: to include all environmental and amenity matters</p>	<p><b>Tuesday 29 January 2019</b></p>

7	<p><b>Issue Specific Hearing 2 (ISH2)</b></p> <p>ISH2 into offshore environmental matters: to include offshore ecology and processes</p>	<p><b>Wednesday 30 January 2019</b></p>
8	<p><b>Open Floor Hearing</b></p> <p>Date reserved to hold an OFH (if required)</p>	<p><b>Wednesday 30 January 2019 (evening)</b></p>
9	<p><b>Issue Specific Hearing 3 (ISH3)</b></p> <p>ISH2 into the draft DCO</p>	<p><b>Thursday 31 January 2019</b></p>
10	<p><b>Deadline 3</b></p> <ul style="list-style-type: none"> <li>• Post hearing submissions including written submissions of oral cases</li> <li>• Responses to further information requested by the ExA</li> </ul>	<p><b>Thursday 7 February 2019</b></p>
11	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> <li>• The ExA's Further Written Questions (if required)</li> </ul>	<p><b>Wednesday 20 February 2019</b></p>
12	<p><b>Deadline 4</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's Further Written Questions (if required)</li> <li>• Applicant's revised draft DCO</li> <li>• Updated SoCGs</li> <li>• Updated Statement of Commonality of SoCGs</li> <li>• Applicant's updated Guide to the Application</li> <li>• Responses to further information requested by the ExA</li> </ul>	<p><b>Wednesday 6 March 2019</b></p>
13	<p><b>Deadline 5</b></p> <ul style="list-style-type: none"> <li>• Comments on responses to ExA's Further Written Questions (if required)</li> <li>• Responses to further information requested by the ExA</li> </ul>	<p><b>Wednesday 13 March 2019</b></p>
14	<p><b>Accompanied Site Inspection (ASI)</b></p> <p>Date reserved to hold an ASI</p>	<p><b>Tuesday 19 March 2019</b></p>

15	<p><b>Issue Specific Hearing (ISH4)</b></p> <p>Date reserved to hold an ISH into environmental matters (if required)</p>	<p><b>Wednesday 20 March 2019</b></p>
16	<p><b>Issue Specific Hearing (ISH5)</b></p> <p>Date reserved to hold an ISH into the draft DCO (if required)</p>	<p><b>Thursday 21 March 2019 (morning)</b></p>
17	<p><b>Compulsory Acquisition Hearing (CAH)</b></p> <p>Date reserved to hold a CAH (if required)</p>	<p><b>Thursday 21 March 2019 (afternoon)</b></p>
18	<p><b>Compulsory Acquisition Hearing (CAH)</b></p> <p>Date reserved to hold a CAH (if required)</p>	<p><b>Friday 22 March 2019 (reserved if required)</b></p>
19	<p><b>Deadline 6</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to further information requested by the ExA</li> <li>• Post hearing submissions including written submissions of oral case</li> </ul>	<p><b>Friday 29 March 2019</b></p>
20	<p>Reserved for hearings or Accompanied Site Inspection (if required)</p>	<p><b>Wednesday 24 April 2019</b></p>
21	<p>Reserved for hearings or Accompanied Site Inspection (if required)</p>	<p><b>Thursday 25 April 2019</b></p>
22	<p><b>Deadline 7</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Updated SoCGs</li> <li>• Updated Statement of Commonality of SoCGs</li> <li>• Applicant's updated Guide to the Application</li> <li>• Responses to further information requested by the ExA</li> <li>• Post hearing submissions (if required)</li> </ul>	<p><b>Thursday 2 May 2019</b></p>
23	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• The Report on the Implications of European Sites</li> </ul>	<p><b>Thursday 9 May 2019</b></p>

	<p>(RIES)</p> <ul style="list-style-type: none"> <li>The ExA's draft DCO schedule of changes (if required)</li> </ul>	
24	<p>Time reserved for issue by the ExA of:</p> <ul style="list-style-type: none"> <li>Any further information requests under Rule 17 (if required)</li> </ul>	<b>Tuesday 21 May 2019</b>
25	<p><b>Deadline 8</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>Comments on the RIES</li> <li>Comments on the ExA's draft DCO schedule of changes (if required)</li> <li>Final updated version of the Book of Reference</li> <li>Applicant's final guide to application document</li> <li>Final CA Schedule</li> <li>Final SoCGs</li> <li>Final Statement of Commonality of SoCGs</li> <li>Responses to further information requested by the ExA</li> <li>Applicant's final updated Guide to the Application</li> <li>Final DCO to be submitted by the Applicant in the SI template with the SI template validation report</li> </ul>	<b>Thursday 30 May 2019</b>
26	<p><b>Deadline 9</b></p> <p>Deadline for the receipt of:</p> <ul style="list-style-type: none"> <li>Responses to comments on the RIES</li> <li>Responses to comments on ExA's draft DCO schedule of changes</li> </ul>	<b>Thursday 6 June 2019</b>
27	<p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<b>Monday 10 June 2019</b>

## **Publication Dates**

All information received will be published on the project website as soon as practicable after the deadline for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the project page. Each document will be afforded a unique reference. These references will be used by the ExA during the Examination.

## **Hearing Agendas**

Please note that we will aim to publish a detailed draft agenda for each hearing on the project website at least five working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

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

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

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

### Availability of Examination documents

All application documents including Relevant Representations and application documents are available on Norfolk Vanguard project page of the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/norfolk-vanguard/>

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

Each document is provided with a unique reference which will be fixed for the duration of the Examination. Please use the unique reference numbers applied in the EL when referring to any Examination documents in representations that you make.

Documents can be viewed electronically at the following locations. Please note that you may need to bring a form of ID to use the computer at these locations.

### Electronic Deposit Locations

Library/ Address	Opening Hours
Aylsham Library 7 Hungate Street Aylsham Norwich NR11 6AA Tel: 01263 732320  <a href="mailto:libraries@norfolk.gov.uk">libraries@norfolk.gov.uk</a>	Monday: 08:00-19:00 Tuesday: 08:00-19:00 Wednesday: 08:00-19:00 Thursday: 08:00-19:00 Friday: 08:00-19:00 Saturday: 08:00-16:00 Sunday: 10:00-16:00
Dereham Library 59 High Street Dereham NR19 1DZ Tel: 01362 693184  <a href="mailto:libraries@norfolk.gov.uk">libraries@norfolk.gov.uk</a>	Monday: 08:00-19:00 Tuesday: 08:00-19:00 Wednesday: 08:00-19:00 Thursday: 08:00-19:00 Friday: 08:00-19:00 Saturday: 08:00-16:00 Sunday: 10:00-16:00 (Open Libraries Access Only)
Norfolk & Norwich Millennium Library The Forum Millennium Plain Norwich NR2 1AW Tel: 01603 774774	<u>Main Library</u>  Monday-Friday: 08:00-10:00 (Open Library Access First Floor Only) Monday-Friday: 10:00-19:00 Saturday: 09:00-17:00



## Annex D

<a href="mailto:libraries@norfolk.gov.uk">libraries@norfolk.gov.uk</a>		
North Walsham Library New Road North Walsham NR28 9DE Tel: 01692 402482	Monday: 08:00-19:00 Tuesday: 08:00-19:00 Wednesday: 08:00-19:00 Thursday: 08:00-19:00 Friday: 08:00-19:00 Saturday: 08:00-16:00 Sunday: 10:00-16:00 (Open Libraries Access Only)	
<b>Photocopy (self-service) Costs</b>	<b>Black and White</b>	<b>Colour</b>
<b>Size A4</b>	20p per side	50p per side
<b>Size A3</b>	30p per side	£1 per side
<b>Link to all Council library locations:</b>		
<a href="https://www.norfolk.gov.uk/libraries-local-history-and-archives/libraries/your-local-library/locations-and-opening-times">https://www.norfolk.gov.uk/libraries-local-history-and-archives/libraries/your-local-library/locations-and-opening-times</a>		

If you have difficulty accessing any documentation please contact the Planning Inspectorate's case team using the details provided at the top of this letter.

## **Procedural Decisions made by the Examining Authority (ExA)**

The ExA has made the following procedural decisions under Section 89(3) of the PA2008:

### **1. Deadline for Notification by Statutory Parties, or certain Local Authorities of their wish to be considered as an Interested Party**

We have made a procedural decision that, in order to facilitate a timely start to the examination, Statutory Parties and certain Local Authorities must have decided whether they wish to be considered as an IP and notified the Planning Inspectorate of their decision by **Monday 14 January 2019 (Deadline 1)**.

### **2. Statements of Common Ground (SoCG)**

In relation to some of the Principal Issues identified in **Annex B**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft timetable for the Examination therefore provides a deadline for submission of SoCGs.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant interested party or parties, and submitted by the Applicant.

The following SoCGs are requested to be prepared by:

#### **A. The Applicant with Norfolk County Council, Breckland Council, Broadland District Council, North Norfolk District Council (respectively) to include where relevant:**

- Assessment of impacts within respective local authority areas, including but not limited to: traffic and highways, public rights of way, landscape and visual impact, amenity, onshore ecology, land use, archaeology and heritage, socio-economic, flooding and drainage.
- The draft Development Consent Order (DCO) and other submitted documents including, but not limited to, the Outline Code of Construction Practice, Outline Traffic Management Plan, Outline Landscape and Ecological Management Strategy
- Mitigation measures; including an assessment of their likely effectiveness, ongoing monitoring procedures and how mitigation will be secured within the DCO.

- B. The Applicant with Natural England, Marine Management Organisation, Environment Agency, Royal Society for the Protection of Birds, The Wildlife Trusts, Whale and Dolphin Conservation (respectively)** to include where relevant:
- Methodology for Environmental Impact Assessment and Habitats Regulations Assessment, including assessment of cumulative effects;
  - Assessment of baseline data and data collection methodologies;
  - Analysis of data, the approach to modelling and the presentation of results, including the use of expert judgements and assumptions;
  - Likely effects on special interest features of sites designated or notified for any nature conservation purpose and on any protected species;
  - Identification of any European Site or species where it is not agreed that any AEOI can be excluded, together with analysis of the reasons for disagreement;
  - Effects on marine and coastal physical processes;
  - Mitigation measures; including an assessment of their likely effectiveness, ongoing monitoring procedures and how mitigation will be secured within the DCO;
  - DCO and Deemed Marine Licenses (DML) drafting.
- C. The Applicant with the Maritime and Coastguard Agency, Marine Management Organisation, Royal Yachting Association, Trinity House (respectively)** to include where relevant:
- Navigational safety, mitigation and monitoring
  - DCO and DML drafting
- D. The Applicant with the National Federation of Fishermen's Organisations, Eastern Inshore Fisheries and Conservation Authority (respectively)** to include:
- Impacts on commercial fishing activities
  - Co-existence planning
- E. The Applicant with Historic England and the Marine Management Organisation (respectively)** to include where relevant:
- Effects on onshore archaeology and the settings of heritage assets, including securing suitable assessment and mitigation
  - Effects on offshore archaeology

- F. **The Applicant with National Grid, Cadent Gas limited, Network Rail Infrastructure Limited, Anglian Water Services Limited (respectively)** to include:
- Impacts on the operations of statutory undertakers
  - Protective provisions
- G. **The Applicant with Highways England** to include:
- Impacts on the strategic road network, including the relationship with any planned network improvement projects
- H. **The Applicant with the Environment Agency** to include:
- Impacts on drainage, flooding, pollution, contaminated land, and ground conditions
- I. **The Applicant with the Ministry of Defence** to include:
- Impacts on radar and operations, including an explanation and assessment of: any claimed degradation of operational integrity and consequent implications for defence capabilities; any technical mitigation proposals; and any alternative design layouts proposed
- J. **The Applicant with the NFU** to include:
- Impacts on farming and land use
- K. **The Applicant with East Anglia THREE Limited and Orsted Hornsea Project Three (UK) Ltd (respectively)** to include:
- Methodology for notification and liaison with each other regarding potential construction operations, monitoring information and proposed mitigation measures.

### 3. Post-submission application documents

Following the acceptance of the application, the Applicant submitted correspondence to the Planning Inspectorate on 3 October 2018. This included supplementary information in response to advice given by the Planning Inspectorate under s51 PA2008 in relation to the Habitats Regulation Assessment (HRA), Works and Land Plans, Plans showing Public Rights of Way (PRoW) Plans showing Public Rights of Way (PRoW) to be Temporarily Stopped Up, and further information about the Photographic plates.

The revised documentation has been published on the Norfolk Vanguard project page of the National Infrastructure Planning website.

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/norfolk-vanguard/?ipcsection=docs>

Following Acceptance of the application, the Applicant also submitted the following correspondence to the Planning Inspectorate;

- On 18 September 2018 submitted Appendix 2 of Appendix 17.4 of the Environmental Statement - Document Reference 6.2.17.4 which was missing from the original submission.
- On 22 October 2018 submitted a document entitled "A Strategic Approach to selecting a Grid Connection point for Norfolk Vanguard and Norfolk Boreas".

This above information has been formally accepted by the ExA into the Examination and published on the Norfolk Vanguard project page of the National Infrastructure Planning website. Interested Parties are asked to submit any comments they may have on any of the above documents as part of their representations by **Monday 14 January (Deadline 1)**.

#### Additional Submissions

Following the close of relevant representations, late representations and further additional submissions were received from;

- Great Yarmouth Borough Council (received on 17 September 2018)
- The Ministry of Defence (received on 4 October 2018)
- Equinor UK Ltd (received on 17 September 2018)
- George Freeman MP (received on 13 September 2018)
- Environment Agency (received on 18 September 2018. Provided additional information to amend/replace their original Relevant Representation (RR) dated 7 September 2018.

These have been formally accepted by the ExA into the Examination as

'Additional Submissions' and have been published on the Norfolk Vanguard project page of the National Infrastructure Planning website. Interested Parties are asked to submit any comments they may have on any of the above submissions as part of their representations by **Monday 14 January 2018, (Deadline 1)**.

### **Open Floor Hearing**

The ExA have made a Procedural decision to hold an **Open Floor Hearing at 6:30pm on Monday 10 December 2018**. This has been scheduled to be held on the same day as the Preliminary Meeting. The formal notification of this hearing can be found in **Annex F**. The agenda can be found in **Annex G**.

### **Notification of Open Floor Hearing**

I write to advise you that an Open Floor Hearing will be held on **Monday 10 December 2018 at 6:30pm at The Dukes Head Hotel, 5-6 Tuesday Market Place, Kings Lynn, Norfolk PE30 1JS**

**Doors open at 6:00pm and the hearing will commence at 6:30pm.**

It would help with the management of the hearing if you can to notify the case team at the postal or email address in the main letter by **Monday 3 December 2018** if:

- You will be attending
- You wish to speak at the meeting
- Notify us of any special needs you may have (e.g. disabled access, hearing loop)

Please ensure that you include your interested party reference number in your correspondence.

An agenda for the Open Floor Hearing can be found in **Annex G**.

## **Open Floor Hearing Agenda**

### **Participation, Conduct and Management of Hearings**

At an Open Floor Hearing, each Interested Party is entitled (subject to the ExA's powers of control over the conduct of the hearing) to make oral representations about the application. If on the day there are other individuals present who wish to make submissions that have not already been made it will be open to the ExA to use its discretion to hear any relevant submissions from those present should time permit.

It would also assist the ExA if copies of any written summaries of the cases put orally are submitted to the Planning Inspectorate by **Deadline 1, Monday 14 January 2019**

Please note that the following agenda is indicative and may be amended by the ExA at the start of the hearing session.

### **AGENDA**

1. Welcome, introductions, arrangements for the hearing
2. Purpose of the hearing
3. Confirmation of those who have notified the ExA of a wish to be heard at the Open Floor Hearing
4. Oral submissions from Interested Parties

Each Interested Party who has indicated a wish to speak will be invited to do so. Following each submission the ExA may wish to ask the speaker questions. The Applicant is likely to be requested to briefly respond to any matters raised by each of the Interested Parties or in summary at the close of each open floor hearing.

Oral submissions should be based on representations previously made in writing by the particular participant. However, representations made at the hearing should not simply repeat matters previously covered in a written submission, but rather provide further detail, explanation and evidential corroboration to help inform the ExA.

5. Close of the Open Floor Hearing