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

Your Ref:

Our Ref: EN010079

Date: 19 December 2018

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Dear Sir/ Madam

## **The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8**

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

#### **Examination Timetable, Procedure, Errata and Change Request from the Applicant**

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

All documentation associated with this project, including the audio recording taken at that meeting, can be found using this link:

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

A note taken at the Preliminary Meeting will be published as soon as practicable at the same link.

#### **The Examination Timetable**

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

The Examination Timetable replaces the draft timetable that was included in the Rule 6 letter dated 9 November 2018<sup>1</sup>. In finalising the Examination Timetable, we have sought to accommodate requests and suggestions made at the Preliminary Meeting and in representations submitted in advance of that meeting. We have noted submissions that sought changes to the dates of a number of deadlines, arising from concerns about the proximity of dates between this Examination Timetable and the timetables for the Hornsea Three Offshore Wind Farm Examination and the Thanet Offshore Wind Farm Extension. Whilst it has not been possible to address all of the individual requests for changes to dates, changes have been made from Deadline 1 onwards. These, together with equivalent changes made in the Thanet timetable were accepted by Preliminary Meeting attendees as being sufficient to ensure the avoidance of conflicts between the two timetables.

Please note that the Examination Timetable contains a number of deadlines for receipt of information by the Planning Inspectorate. We have considered representations received regarding the timing of submission deadlines and accordingly, have decided to set all deadline timings to **11:59pm** on the date specified. Please ensure submissions arrive by the deadline. If you do not make your submissions by the dates and times specified in the timetable, we may disregard them.

We request that Interested Parties send, where practicable, electronic copies of their submission as email attachments to [norfolkvanguard@pins.gsi.gov.uk](mailto:norfolkvanguard@pins.gsi.gov.uk) before the applicable deadline. Electronic attachments should be clearly labelled with the subject title and not exceed 12MB for each email. Providing links to websites where your submissions can be viewed is not acceptable. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

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

## Other Procedural Decisions

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

- The Examination Timetable;
- The Examining Authority's Questions (ExQ);
- Local Impact Reports (LIRs);
- Site Inspections;
- Statements of Common Ground (SoCG);
- Additional Submissions;
- The Applicant's Change Request and Errata

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

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

## **Request by the Applicant to submit a Change Request to the application and an Errata for Environmental Statement Chapters.**

On the 12 December 2018 the Applicant submitted a request to the Examining Authority (ExA) to submit information into the Examination. This included the following documents:

1. **Change Report:** this document outlines minor changes to some elements of the Project, including amendments to the Order limits
2. **Application Documents Errata:** this document identifies minor errors in the Environmental Statement chapters.

Details of the above can be viewed on the Norfolk Vanguard planning page at the following link:

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

The ExA are now inviting comments on this proposed change and will need to consider whether this represents a material change to the application that was the subject of public consultation and environmental impact assessment. Please can comments be received for Deadline 1 in the Examination Timetable (**Annex A**).

### **Written Representations**

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by Deadline 1 in the Examination Timetable (**Annex A**).

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

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

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<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/document/EN010084-000827>

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

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

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

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

### **ExA's Written Questions**

We have compiled Examination Questions (ExQ) about the application and the representations received so far. Our First Examination Questions (ExQ1) are published on the National Infrastructure Planning website and can be accessed through the following link:

<http://infrastructure.planninginspectorate.gov.uk/document/EN010079-002201>

Answers to our ExQ1 must be provided by Deadline 1 in the Examination Timetable (**Annex A**).

If you require a hard copy of our ExQ1, please contact the Case Team who will send you a copy.

## Hearings

The Rule 6 letter included a preliminary Procedural Decision to hold an Open Floor Hearing (OFH) on the evening of 10 December 2018. No concerns were raised about the proposals to hold that hearing at the Preliminary Meeting. It was held on the date proposed in the Rule 6 letter.

The Examination Timetable at **Annex A** includes periods of time reserved for future hearings to be held. We noted representations received about holding any further hearings, including an OFH nearer to the settlements of Dereham, Swaffham and Necton. We have decided that the set of hearings scheduled to take place on Wednesday 24 April and Thursday 25 April 2019 (**Annex A**) will take place in a venue in the vicinity.

We will notify all Interested Parties and Other Persons of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include an additional deadline for Interested Parties and Other Persons to inform the Planning Inspectorate if they wish to attend the notified hearing(s).

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

## Accompanied Site Inspections

We have noted and agreed to submissions made at the Preliminary Meeting which suggested the timetabling of an additional date for Accompanied Site Inspections (ASIs) to provide for two days of ASIs given the length of the project route and the number of vantage points to be seen. We have now reserved dates in the examination timetable for the ASI to take place on Monday 25 and Tuesday 26 March 2019. We have also reserved the Thursday 25 April 2019 for ASI if required. Please see **Annex A**.

## Availability of Examination documents

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

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

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

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

## Your status in the Examination and future notifications

This letter has been sent to you because you (or the body you represent) are 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-000', 'NORV-AFP', 'NORV-S57' or '2001'), 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 Statutory Party (ie 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, you may notify the Planning Inspectorate that you wish to be treated as an Interested Party at any point during the Examination.

Statutory Parties who have not made a Relevant Representation and do not notify us of their wish to become an Interested Party **will not** receive any further correspondence in relation to the examination of this application.

If you are not an Interested Party or a Statutory Party (ie a body specified in the relevant regulations supporting the PA2008), you have received this letter because you were invited to the Preliminary Meeting as an Other Person<sup>6</sup> further to your request and/ or 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 an Other Person you are not an Interested Party. We have agreed that Other Persons may participate in the Examination and will receive notifications from the Planning Inspectorate on the same basis as if they were an Interested Party.

If you are unsure of your status within the Examination, please do not hesitate to contact the Case Team 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's Advice Note 8 series, available here: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>.

**Important:** If we require further information or written comments (a Rule 17 request<sup>7</sup>) to be submitted by a deadline that is set in the Examination Timetable at **Annex A**, this request will be sent to only those persons to whom we consider it applies. However, it will be published on the National Infrastructure Planning website to enable all Interested Parties to respond if they feel it is relevant to their interests. If we consider it necessary, a further deadline will be added to the timetable to give all Interested Parties the opportunity to comment on any responses received.

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<sup>6</sup> See footnote 2 on page 2 of this letter

<sup>7</sup> Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010

## **Award of costs**

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

To assist understanding of what 'unreasonable behaviour' means in the context of an Examination under the PA2008, you may find it helpful to read the government guidance 'Awards of costs: examinations of applications for development consent orders' (July 2013)<sup>8</sup>. It is in everyone's interest that information is brought forward as early as possible in the examination process so you are encouraged to do so.

## **Management of information**

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

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

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. To find out how we handle your personal information, please view our Privacy Notice.

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

Yours faithfully

*Karen Ridge*

## **Lead Member of the Examining Authority**

### **Annexes**

- A** Examination Timetable
- B** Procedural Decisions made by the Examining Authority
- C** Requests to appear and procedure to be followed at hearings
- D** Availability of Examination documents
- E** Notification of Issue Specific Hearings

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

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<sup>8</sup> <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

## 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>Wednesday 19 December 2018</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, the Change Report and the Errata Report</li> </ul>	<b>Wednesday 16 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 30 January 2019</b></p>
6	<p><b>Issue Specific Hearing 1 (ISH1) Norwich</b></p> <p>ISH1 into onshore environmental matters: to include all environmental and amenity matters</p>	<p><b>Tuesday 5 February 2019</b></p>

7	<p><b>Issue Specific Hearing 2 (ISH2) Norwich</b></p> <p>ISH2 into offshore environmental matters: to include offshore ecology and processes</p>	<p><b>Wednesday 6 February 2019</b></p>
8	<p><b>Open Floor Hearing Norwich</b></p> <p>Date reserved to hold an OFH (if required)</p>	<p><b>Wednesday 6 February 2019 (evening)</b></p>
9	<p><b>Issue Specific Hearing 3 (ISH3) Norwich</b></p> <p>ISH3 into the draft DCO</p>	<p><b>Thursday 7 February 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 14 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 27 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 13 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 20 March 2019</b></p>
14	<p><b>Accompanied Site Inspection (ASI)</b></p> <p>Date reserved to hold an ASI</p>	<p><b>Monday 25 March 2019</b></p>

15	<b>Accompanied Site Inspection (ASI)</b> Date reserved to hold an ASI	<b>Tuesday 26 March 2019</b>
16	<b>Issue Specific Hearing (ISH4)</b> Date reserved to hold an ISH into environmental matters (if required)	<b>Wednesday 27 March 2019</b>
17	<b>Issue Specific Hearing (ISH5)</b> Date reserved to hold an ISH into the draft DCO (if required)	<b>Thursday 28 March 2019 (morning)</b>
18	<b>Compulsory Acquisition Hearing (CAH)</b> Date reserved to hold a CAH (if required)	<b>Thursday 28 March 2019 (afternoon)</b>
19	<b>Compulsory Acquisition Hearing (CAH)</b> Date reserved to hold a CAH (if required)	<b>Friday 29 March 2019 (reserved if required)</b>
20	<b>Deadline 6</b> Deadline for receipt of: <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>	<b>Friday 5 April 2019</b>
21	<b>Issue Specific Hearing (ISH6) Venue tbc Dereham or Swaffham</b> Date reserved to hold an ISH into Environmental Matters	<b>Wednesday 24 April 2019</b>
22	<b>Open Floor Hearing (venue tbc Dereham or Swaffham)</b> Date reserved to hold an OFH (if required)	<b>Wednesday 24 April 2019 (evening)</b>
23	<b>Issue Specific Hearing (ISH7) and/or ASI if required</b> Date reserved to hold an ISH into Environmental Matters	<b>Thursday 25 April 2019</b>
24	<b>Deadline 7</b> Deadline for receipt of: <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> </ul>	<b>Thursday 2 May 2019</b>

	<ul style="list-style-type: none"> <li>• Responses to further information requested by the ExA</li> <li>• Post hearing submissions (if required)</li> </ul>	
25	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• The Report on the Implications of European Sites (RIES)</li> <li>• The ExA's draft DCO schedule of changes (if required)</li> </ul>	<b>Thursday 9 May 2019</b>
26	<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>
27	<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>
28	<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>

29	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.	<b>Monday 10 June 2019</b>
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### **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.

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

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

### 1. Examination Timetable

Further to written and oral submissions considered at the Preliminary Meeting, the draft Examination Timetable provided as Annex C to the Rule 6 Letter of 9 November 2018 has been amended to ensure that dates and processes undertaken in this Examination are sufficiently distant from dates and processes undertaken in the Examination Timetable for the Hornsea Three Offshore Wind Farm and the Thanet Offshore Windfarm Extension to enable persons participating in both Examinations to do so without undue pressure on resources. The approved Examination Timetable in Annex A to the Rule 8 Letter replaces the draft Examination Timetable provided as Annex C to the Rule 6 Letter of 9 November 2018.

### 2. Examining Authority's Written Questions

Some of our Examination Questions (ExQ1) are directed to specific Statutory Parties which have not, at the time of writing, confirmed that they wish to become Interested Parties for the purposes of the examination of the application.

All relevant Statutory Parties will receive this correspondence and we request each to check our ExQ1 carefully in order that they may identify and respond to any questions posed to them. No party should feel inhibited or restricted in responding to any question we ask, even if it is directed elsewhere.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015<sup>1</sup>.

### 3. Local Impact Reports (LIRs)

A LIR is a report in writing giving details of the likely impact of a Proposed Development on a local authority's area (or any part of that area). For more information about the importance and content of LIRs see our Advice Note One: Local Impact Reports<sup>2</sup>.

Local authorities<sup>3</sup> are invited to submit LIRs by **Deadline 1 (Annex A)**.

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<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/legislation/>

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

<sup>3</sup> Defined in s56A of the Planning Act 2008

#### 4. Site Inspections

The ExA is undertaking a programme of site inspections. Where the ExA is able to inspect a site from the public domain on an unaccompanied basis (Unaccompanied Site Inspections or USIs), we will publish and will continue to publish USI Notes on the National Infrastructure Planning website.

Where a USI is inappropriate due (for example) to the need to inspect private land, to inspect land where special provision must be made for the health and safety of attendees, to inspect locations on water or at sea or to inspect locations where attendees may need to highlight matters to be inspected, an Accompanied Site Inspection (ASI) may be held.

Time has been reserved in the Examination Timetable to undertake ASIs on Monday 25 March and Tuesday 26 March 2019 and, if required time reserved on Thursday 25 April 2019.

If weather or light conditions are poor, all or part of an ASI itinerary may be deferred from an earlier date to a later reserved date by the ExA. We may defer and reschedule an ASI by written notice on the National Infrastructure website up to one hour before the ASI is due to take place and/or by oral notice to attendees at the start location for the ASI.

The Applicant, Interested Parties and Other Persons are requested to submit requests for site inspections at specific locations; reasons for those requests; indications of the time required to access the land; a list of any special safety or other equipment required to access the land; and consent for the ExA and attendees to enter the land by **Deadline 1 (Annex A)**. The ExA will not normally agree to hold an ASI at a location that it has already inspected during a USI, unless there is a clear reason why an ASI is required.

The Persons attending an ASI will include: representatives of the Applicant; at least one representative of North Norfolk District Council, Breckland District Council, Broadland District Council and Norfolk County Council as appropriate to the location; where the inspection is of the operational land or water of a statutory undertaker or authority, representatives of that undertaker or authority; where the inspection is on water or at sea, the appropriately qualified operators of a vessel from which to undertake the inspection; representatives of any landowner, tenant or person with an interest in the land; together with other Interested Parties, Other Persons (or their representatives) who request to attend. Where a vehicle, vessel or safety equipment is required to facilitate access to the land or waters, the Applicant is requested to provide it.

It may be necessary to limit the numbers of persons who accompany us for logistical and safety reasons, but it should be possible for arrangements to be made for Interested Parties (or their representatives) to join the inspection at specified locations. Please

contact the Case Team if you wish to meet the inspection at a specific location, or at a new location, as proposed in your comments.

The itinerary for the ASIs will be published on the project page of the National Infrastructure Planning website at least a week before the ASI takes place.

ASI attendees should be aware that **ASIs are not an opportunity to make any oral representations to the ExA about the Proposed Development**. However, we may invite participants to indicate specific features of interest.

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

The ExA requests the preparation of Statements of Common Ground (SoCG) between the Applicant and certain Interested Parties and Other Persons.

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

## **6. Request by Applicant to submit a Change Request and Errata to the Environmental Statement**

On the 12 December 2018 the Applicant submitted a request to the Examining Authority (ExA) to submit information into the Examination. This included the following documents:

1. **Change Report:** this document outlines minor changes to some elements of the Project, including amendments to the Order limits
2. **Application Documents Errata:** this document identifies minor errors in the Environmental Statement chapters.

A Procedural Decision has been made to accept these documents into the Examination and we are now inviting comments on this proposed change and will need to consider whether this represents a material change to the application that was the subject of public consultation and environmental impact assessment. Please can comments be received for **Deadline 1** in the Examination Timetable (**Annex A**).

## **7. Additional Submissions**

Following the close of relevant representations and since the issue of the Rule 6 letter, and Invitation to the Preliminary Meeting a number of submissions have been made. 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 **Deadline 1, Annex A**.

## **Requests to Appear and Procedure to be followed at Hearings**

### **Requests to Appear at Hearings**

Interested Parties are required to notify the Examining Authority (ExA) in writing of their wish to take part in an Open Floor Hearing (OFH) or Compulsory Acquisition Hearing (CAH). We remind Interested Parties to notify us in this regard on or before Wednesday 16 January 2019 (Deadline 1, **Annex A**).

If no written requests to take part in an OFH or CAH are received by the above deadline, we are not required to hold such a hearing; although we may choose to do so nonetheless.

We may also choose to hold Issue Specific Hearings (ISH) about topics that we think need to be explored orally.

The time, date and place of any confirmed hearing will be notified in writing to all Interested Parties, providing at least 21 days' notice.

If an Interested Party wishes to attend an OFH or ISH they should indicate which topics in their Relevant Representation or Written Representation they wish to address at the hearing. Similarly, any Affected Person wishing to attend a CAH should identify clearly the plots of land about which they wish to speak.

Notifications from Interested Parties in respect of the above should be sent separately from any other written submission, and appropriately titled to allow us to quickly identify which event the notification relates to.

### **Procedure at Hearings**

The procedure to be followed at hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010<sup>1</sup>. Any oral representations must be based on either the Relevant Representation or Written Representation made by the person by whom, or on whose behalf, the oral representations are made.

The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties<sup>2</sup>. Our examination will be principally undertaken through the exchange of written submissions, and we will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important we consider an issue or topic to be.

### **Hearing Agendas**

We will aim to publish a detailed draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

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<sup>1</sup> Rule 14

<sup>2</sup> Rule 14(5)

### Availability of Examination documents

All application documents and representations submitted to the Examination 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	<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

NR2 1AW Tel: 01603 774774 <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.

## Notification of Hearings under Section 91 of the Planning Act 2008

In accordance with Rule 13(1) and (6) of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (the EPR), we are required to give 21 days' notice period for hearings. We request that the Applicant publicly notifies and advertises the hearing arrangements no later than 21 days' before the hearings.

Date	Hearing	Time	Venue
<b>Tuesday 5 February 2019</b>	<b>Issue Specific Hearing on onshore environmental matters: to include all environmental and amenity matters</b>	<b>Doors open 9:30am</b>  <b>Starts 10:00am</b>	<b>Blackfriars Hall, The Halls, St Andrew's Plain, Norwich, NR3 1AU</b>
<b>Wednesday 6 February 2019</b>	<b>Issue Specific Hearing on offshore environmental matters: to include offshore ecology and processes</b>	<b>Doors open 9:30am</b>  <b>Starts 10:00am</b>	<b>Blackfriars Hall, The Halls, St Andrew's Plain, Norwich, NR3 1AU</b>
<b>Wednesday 6 February 2019 (evening)</b>	<b>Open Floor Hearing</b>	<b>Doors open 6:00pm</b>  <b>Starts 6:30pm</b>	<b>Blackfriars Hall, The Halls, St Andrew's Plain, Norwich, NR3 1AU</b>
<b>Thursday 7 February 2019</b>	<b>Issue Specific Hearing into the draft DCO</b>	<b>Doors open 9:30am</b>  <b>Starts 10:00am</b>	<b>Blackfriars Hall, The Halls, St Andrew's Plain, Norwich, NR3 1AU</b>

### Access and Parking information

#### **Car Park – 5 minute walk to The Halls.**

St. Andrews Car Park, 2 Duke St, Norwich NR3 3AJ

Cost ranges from £1.80 - £6.00

**Park and Ride, all final stops are around a 3 minute walk to The Halls** - All buses have disabled access with fares around £3.70 for a day ticket.

**Thickthorn Park & Ride, Norwich Road, Hethersett, NR9 3AU (A11/A47)** – Bus number 502 – Exit at Upper King Street (stop CK)

**Harford Park & Ride, Ipswich Road, Norwich, NR4 6US (A140/A47)** – Bus number 502 – Exit at Upper King Street (stop CK)

**Sprowston Park & Ride, Wroxham Road, Norwich, NR7 8RN (A1151)** – Bus Number 502 – Exit at Tombland (stop CP)

**Postwick Park & Ride, Yarmouth Road, Norwich, NR13 5NP (A47/A1042)** – Bus Number 5 City Centre – Exit at Castle Meadow (stop CU)

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 **Deadline 1, Wednesday 16 January 2019** 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.

Agendas for the Hearings will be published on our website approximately one week prior to the hearing to which they relate taking place.