



National Infrastructure
Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer 0303 444 5000
Services: CleveHillSolarPark@planninginspectorate.gov.uk
e-mail:

All Interested Parties, Statutory Parties
and Other Persons

Your Ref:

Our Ref: EN010085

Date: 18 April 2019

Dear Sir/ Madam

Planning Act 2008 – Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6

Application by Cleve Hill Solar Park Limited for an Order Granting Development Consent for the Cleve Hill Solar Park Project

Notice of appointment of the Examining Authority and date, time and place of the Preliminary Meeting

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. I am David Rose and the other member of the Panel is Andrew Mahon. A copy of the appointment notice can be viewed at:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/?ipcsection=docs>

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.

Invitation to the Preliminary Meeting (PM)

This letter is an invitation to the PM to discuss the Examination procedure. It contains a number of important supporting annexes.

Date of meeting: Thursday 30 May 2019

Seating available from: 09:30

Meeting begins: 10:00

Venue:	The Alexander Centre, 17 Preston St, Faversham ME13 8NZ
Access and parking:	There are three large car parks close to the Alexander Centre. It is a 3 minute walk through a pedestrian zone to the Central Town Car Park. The Queens Hall and Faversham Station Car Parks are five minutes' walk away.
Train:	5 minute walk through the town and pedestrian zones to Faversham train station.
Buses:	There are several bus stops near the Alexander Centre, serving local villages and other destinations including Ashford and Maidstone.

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

Purpose of the PM

The PM enables views to be put to us about the way in which the application is to be examined. At this stage the Panel is looking at the procedure and not the merits of the application. The merits of the application will only be considered once the Examination starts, which is after the PM has closed.

The PM provides a useful introduction to the Examination process. We will use it to make Procedural Decisions that will affect everyone participating in the Examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. You will find it useful to attend this meeting if you intend to play an active part in the Examination or if you have questions about procedure. Advice Note 8.3 provides further information, and is available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2014/06/Advice-note-8-3v4.pdf>

Please note that **you are not required to attend the PM in order to participate in the Examination**. If you are an Interested Party, you will still be able to make a Written Representation and comments on the Written Representations made by other Interested Parties. You will also be able to participate in any hearings that are arranged.

Further information is given in Advice Note 8.4, which is available on the National Infrastructure Planning website at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-8-4v3.pdf>

Attendance at the PM

If you wish to attend the PM, please contact the Case Manager, Mr Hefin Jones, using the details set out at the top of this letter. Please confirm this **by no later than Thursday 16 May 2019**.

It will help the management of the meeting and benefit everyone if as part of the above confirmation 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).

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.

If you wish to make any submissions on matters not set out in the agenda, please write to the Case Manager, Mr Hefin Jones, setting out the submissions that you wish to make, **by no later than Thursday 16 May 2019**. We will try to accommodate reasonable requests and alter the agenda on opening the Preliminary Meeting if we consider this will assist the discussion of the procedure for the Examination.

After the PM

After the PM you will be sent a letter setting out the finalised Examination Timetable. An audio recording and a note of the meeting will also be published on the project webpage: <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/>

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 held at the discretion of the Panel and will be arranged if we feel that consideration of oral representations would ensure an issue is adequately examined. Our initial suggestion for Issue Specific Hearings is set out in the draft timetable at **Annex C** with the particular topics indicated.

Our Examination will take account of Relevant Representations, Written Representations, responses to our Written Questions and any oral representations made at the meetings and hearings. In addition, we will take account of the application documents, Local Impact Reports, policy and legal considerations, site inspections and any other matters we consider to be relevant and important. All of these will be taken into account when we make a recommendation to the Secretary of State for Business, Energy and Industrial Strategy, who will make the final decision in this case.

Procedural Decisions made by the Examining Authority

We have made some Procedural Decisions which are set out in full at **Annex E**. These comprise:

- requests for Statements of Common Ground; and
- the acceptance of Additional Submissions into the Examination.

Your status in the Examination

You have received this letter because you fall within one of the groups described in this FAQ document: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2019/02/Status-faq.pdf>

If your reference number begins with 2001, CLEVE-AFP or CLEVE-s57 you are in Group A. If your reference number begins with CLEVE-SP you are in Group B. If your reference number begins with CLEVE-OP you are in Group C.

If, having read the FAQ document published at the link above, you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Note: Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by e-mail wherever possible as electronic communication is more environmentally friendly and cost effective for the Inspectorate as a Government agency. If you have received a postcard but are able to receive communications by e-mail, please confirm this with the Case Team using the contact details at the top of this letter, as soon as possible.

Should you no longer wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

Keeping up to date

Up-to-date information about the project and the Examination can be obtained from: <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/?ipcsection=overview>.

This is the address for the project webpage on the National Infrastructure Planning website, from which the Planning Inspectorate will make copies of all Examination Documents available to the public. As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with this resource. You can register on the project webpage to receive email notifications each time new documents are published.

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

Award of costs

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

Management of information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the Panel) and a record of any advice which has been provided by the Planning Inspectorate, is published at: <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/?ipcsection=overview>

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

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

Yours faithfully

David M H Rose

Lead Member of the Panel of Examining Inspectors

Annexes

- A** Agenda for the PM
- B** Initial Assessment of Principal Issues
- C** Draft Examination Timetable
- D** Availability of Examination Documents
- E** Procedural Decisions made by the ExA

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

Agenda for the Preliminary Meeting

Date: Thursday 30 May 2019
Doors open from: 09.30am
Meeting Start Time: 10.00am
Venue: Alexander Centre, 15-17 Preston St, Faversham, ME13 8NZ

09.30am	Registration opens and seating available.
Item 1 (10.00am)	Welcome and introductions.
Item 2	The Examining Authority's remarks about the Examination process.
Item 3	Initial Assessment of Principal Issues – see Annex B .
Item 4	<p>Draft Examination timetable: deadlines for submission of:</p> <ul style="list-style-type: none"> • Written Representations; • Local Impact Reports; • Responses to the Examining Authority's Written Questions; • Statements of Common Ground (SoCG); • Comments on Applicant's submissions / clarifications in response to the Planning Inspectorate's s51 advice dated 14 December 2018; • The Compulsory Acquisition schedule; • Notifications relating to Hearings; • Notifications relating to nomination of locations for site inspections; • Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by Thursday 23 May 2019.
Item 5	<p>Draft Examination timetable: Hearings and Accompanied Site Inspection (ASI):</p> <ul style="list-style-type: none"> • Date of ASI to application site and surrounding area; • Date(s) reserved for Open Floor Hearing(s); • Date(s) of Issue Specific Hearings including draft Development Consent Order and Compulsory Acquisition Hearing(s), if required; • Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by Thursday 23 May 2019.
Item 6	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 Thursday 23 May 2019 .
Item 7	Availability of Relevant Representations and application documents – see Annex D .
Item 8	Any other matters.

Item 9	Close of Preliminary Meeting.
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Please note: Please 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 Principal Issues prepared under s88(1) of the Planning Act 2008 (PA2008). This initial assessment has had regard to consideration by the Examining Authority (ExA) of the application documents and of Relevant Representations received in respect of the application.

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

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance.

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

It should be noted that a number of the Principal Issues set out below have an interrelationship and overlap and these will be reflected in the Examination.

It should also be noted that:

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

the ExA will conduct all aspects of the Examination with these objectives in mind.

Principal Issue	Brief amplification To include but not necessarily limited to:
Biodiversity and nature conservation (including Habitats Regulations Assessment)	<ul style="list-style-type: none"> • Age of key ecological surveys and potential need for pre-construction updates • Impacts on legally protected species and other wildlife • Impacts of noise disturbance on birds • Timing of works • Impacts from habitat loss, including effectiveness of mitigation and enhancement proposals, and the timing, establishment and management of the Arable Reversion Habitat Management Area (AR HMA) for Brent geese, lapwing and golden plover in particular • Proposed mitigation measures, including the Landscape and Biodiversity Management Plan (LBMP) and Habitat Management Areas

	<ul style="list-style-type: none"> • Management, monitoring and any necessary remedial measures for the Habitat Management Areas • Sufficiency of detail and range of coverage of the outline LBMP and its relationship with the Construction Environmental Management Plan (CEMP) and draft DCO (dDCO) • Report to Inform Appropriate Assessment implications for European sites and their qualifying features
Compulsory Acquisition	<ul style="list-style-type: none"> • Nature and extent of land required; rights and powers sought through Compulsory Acquisition; need for land proposed to be subject to Compulsory Acquisition and temporary possession powers; statutory undertakers' land; whether there is a compelling need in the public interest; project funding and guarantees for compensation; human rights and consideration of alternatives; Book of Reference
Cultural heritage	<ul style="list-style-type: none"> • Effects on designated and non-designated heritage assets and their settings
Draft Development Consent Order (DCO)	<ul style="list-style-type: none"> • Consistency between the dDCO and the Explanatory Memorandum • Definition of 'commencement' and implications for the DCO and Requirements • Clarification of other relevant definitions • Proposed procedures involving deadlines for the Secretary of State under draft Article 5 • Draft Deemed Marine Licence, marine licence exemption powers and maintenance powers sought for the existing sea defences • Flexibility between development options for Work No. 2, for the new access track, and for the construction programme • Whether any consent should be time limited • Arrangements for decommissioning and restoration • Protective provisions, especially for National Grid Electricity Transmission (NGET) • Relationship between any powers that would be authorised through the DCO, the Outline Design Principles and 'Candidate Design' that has been assessed • Arrangements for the temporary stopping up of Public Rights of Way • Application and modification of legislative provisions, including the applicability of the relevant provisions of the Neighbourhood Planning Act 2017
Environmental Statement general	<ul style="list-style-type: none"> • Approaches to the identification of likely significant effects and cumulative effects • Approach to mitigation and the Mitigation Schedule • Rochdale Envelope parameters, the Candidate Design and relationship with the powers sought through the dDCO

	<ul style="list-style-type: none"> • Environmental considerations in the evaluation of alternatives • Interrelationship between aspects • Assumptions applied in the Environmental Statement, including whether the Medway Estuary and Swale Strategy (MEASS) proposal for managed realignment at the site should be considered in the description of the future baseline conditions at the site and in the assessment, especially but not limited to ecological and ornithological considerations
Landscape and visual effects	<ul style="list-style-type: none"> • Suitability of study areas and viewpoints used in the Landscape and Visual Impact Assessment • Interpretation of provided photographs and montages • Effects during construction • Scale and context of the development in relation to landscape character • Effects on amenity and views from the Public Rights of Way network • Lighting effects at night • Glint and glare impacts • Effectiveness of mitigation planting • The Residential Visual Amenity Assessment
Noise	<ul style="list-style-type: none"> • Identification of sensitive receptors • Approach to noise assessment • Identification of noise sources during operation • Mitigation measures during construction and operation
Socio-economic	<ul style="list-style-type: none"> • Effects on the living conditions of nearby residents and the amenity of local communities and countryside users, as a whole, during construction and thereafter • Effects on the local economy, particularly businesses and tourism, during construction and thereafter • Agricultural management and effects on agricultural land
Traffic and transport	<ul style="list-style-type: none"> • Effects on communities and other sensitive receptors along the construction HGV delivery route, including noise and air quality • Control of delivery HGVs travelling to the construction site following arrivals at the port of entry • Mitigation measures including the Outline Construction Transport Management Plan (CTMP)
Water, flooding and coastal defence	<ul style="list-style-type: none"> • Strategic proposals for managed retreat (especially the MEASS) • Responsibility for the maintenance of the existing flood defences • Relationship with Environmental Permits • Flood Risk Assessment (FRA) and climate change allowance, including relationship with life span of the Proposed Development and applicability of new UK Climate Projections (UKCP18) • Potential changes in surface and groundwater quality including indirect implications for biodiversity

	<ul style="list-style-type: none">• Location, design and maintenance of surface water crossings (including wildlife-related issues)• Design of flood protection bunds, including access to the substation• Potential impacts on water resources• Effectiveness of run-off mitigation proposals, including the timing, establishment and management of the grassed/seeded areas
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Draft Examination Timetable

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 examination of the application primarily takes the form of the consideration of written submissions. The Panel will also consider any oral representations made at Hearings.

Please note that all deadlines are 23.59 on the date specified.

Item	Matters	Due Dates
1.	Preliminary Meeting	Thursday 30 May 2019
2.	Issue by the ExA of: <ul style="list-style-type: none"> • Examination Timetable Publication of: <ul style="list-style-type: none"> • The ExA's Written Questions 	As soon as practicable following the Preliminary Meeting
3.	Deadline 1 Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Notification of wish to speak at a Compulsory Acquisition Hearing; • Notification of wish to speak at an Open Floor Hearing; • Notification of wish to attend the Accompanied Site Inspection (ASI); • Submission of suggested locations / sites for the Panel to include as part of the ASI including the issues to be observed there, information on whether the site can be accessed on public land and reasoning for each nominated site; 	Wednesday 12 June 2019

	<ul style="list-style-type: none"> Applicant's draft itinerary for the ASI to be held on Wednesday 24 July 2019; Local Impact Reports (LIR) from Local Authorities. 	
4.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> Notification of time and meeting place for the ASI on Wednesday 24 July 2019. 	Monday 17 June 2019
5.	<p>Deadline 2</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> Responses to the ExA's Written Questions; Written Representations (WRs); Summaries of all WRs exceeding 1500 words; Initial Statements of Common Ground requested by the ExA (see Annex E); Comments on Relevant Representations (RRs); Comments on the Applicant's response to the Planning Inspectorate's s51 advice [AS-001 to AS-010]; An updated Guide to the Application; The Compulsory Acquisition Schedule; An updated version of the draft Development Consent Order (dDCO) in clean, tracked and word versions; Any further information requested by the ExA under Rule 17 of the Examination Rules¹. 	Wednesday 26 June 2019
6.	Open Floor Hearing 1	Tuesday 16 July 2019 (Morning)
7.	Compulsory Acquisition Hearing 1	Tuesday 16 July 2019

¹ The Infrastructure Planning (Examination Procedure) Rules 2010

		(Afternoon)
8.	Issue Specific Hearing 1 (ISH1) on Biodiversity/Nature Conservation Matters	Wednesday 17 July 2019
9.	Issue Specific Hearing 2 (ISH2) on the draft Development Consent Order	Thursday 18 July 2019
10.	Open Floor Hearing 2	Monday 22 July 2019 (Evening)
11.	Issue Specific Hearing 3 (ISH3) on Landscape and Visual Amenity Matters	Tuesday 23 July 2019
12.	Accompanied Site Inspection (ASI)	Wednesday 24 July 2019
13.	<p>Deadline 3</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written summaries of oral submissions put at any hearings held between 16 and 24 July 2019; • Comments on LIR(s); • An updated Guide to the Application; • An updated version of the dDCO in clean, tracked and word versions; • An updated Compulsory Acquisition Schedule; • Comments on responses to the ExA's Written Questions; • Comments on responses submitted for Deadline 2; • Progressed Statements of Common Ground; • Any further information requested by the ExA under Rule 17 of the Examination Rules. 	Thursday 1 August 2019

14.	<p>Publication of:</p> <ul style="list-style-type: none"> The ExA's Further Written Questions (FWQ) (if required) <p>Issue by the ExA of:</p> <ul style="list-style-type: none"> Notification of any further hearings to be held during the week commencing 9 September 2019. 	Friday 9 August 2019
15.	<p>Deadline 4</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> Responses to the ExA's FWQ (if published); An updated Guide to the Application; An updated version of the dDCO in clean, tracked and word versions; An updated Compulsory Acquisition Schedule; Comments on responses submitted for Deadline 3; Progressed Statements of Common Ground; Any further information requested by the ExA under Rule 17 of the Examination Rules. 	Friday 30 August 2019
16.	<p>Hearings</p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> Any further Issue Specific Hearing(s) (if required); Any further Open Floor Hearing(s) (if required); A second dDCO Hearing (if required); A second CA Hearing (if required). 	Week Commencing 9 September 2019
17.	<p>Deadline 5</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> Written summaries of oral submissions put at any hearings held during the week commencing 9 September 2019; 	Friday 20 September 2019

	<ul style="list-style-type: none"> • Comments on responses to the ExA's FWQ (if published); • An updated Guide to the Application; • An updated version of the dDCO in clean, tracked and word versions; • An updated Compulsory Acquisition Schedule; • Comments on responses submitted for Deadline 4; • Progressed Statements of Common Ground; • Any further information requested by the ExA under Rule 17 of the Examination Rules. 	
18.	<p>Deadline 6</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • An updated Guide to the Application; • An updated version of the dDCO in clean, tracked and word versions; • An updated Compulsory Acquisition Schedule; • Comments on responses submitted for Deadline 5; • Progressed Statements of Common Ground; • Any further information requested by the ExA under Rule 17 of the Examination Rules. 	Friday 4 October 2019
19.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • The Report on the Implications for European Sites (RIES) (if required); • The ExA's dDCO (if required); • Any requests for information under Rule 17 of the Examination Rules (if required). 	Wednesday 23 October 2019
20.	<p>Deadline 7</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on the RIES (if required); 	Wednesday 13 November 2019

	<ul style="list-style-type: none"> • Comments on the ExA's dDCO (if required); • Any further information requested by the ExA under Rule 17 of the Examination Rules (if required); • An updated Guide to the Application; • An updated version of the dDCO in clean, tracked and word versions; • An updated Compulsory Acquisition Schedule; • Comments on responses submitted for Deadline 6; • Finalised Statements of Common Ground and S106 Agreements. 	
21.	The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months	Friday 29 November 2019

Publication dates

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

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/?ipcsection=docs>

Hearing agendas

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

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

Report on the Implications for European Sites (RIES)

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

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

Availability of Examination Documents

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/>.

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

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

The EL records and provides a hyperlink to:

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

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

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

Local authority	Venue	Opening hours and printing costs
Kent County Council	Boughton-under-Blean Library School Lane Faversham ME13 9AW	Tuesday: 10:00 – 12:00, 13:00 – 16:00 Friday: 14:00 – 16:00 Saturday: 09:00 – 12:00 The computers are free to use, and prints are charged 15p per side for black and white or 50p colour A4 page. 20p for A3. Library membership required.

Annex D

<p>Kent County Council</p>	<p>Faversham Library Newton Road Kent ME13 8DY</p>	<p>Monday: 09:00 – 18:00 Tuesday: 09:00 – 18:00 Wednesday: 09:00 – 18:00 Thursday: 09:00 – 18:00 Friday: 09:00 – 18:00 Saturday: 09:00 – 17:00</p> <p>The computers are free to use and free Wi-Fi facility. Black and white prints are charged 15p per A4 page. Colour prints are charged 50p per side A4. Library membership required.</p> <p>Photocopier facility, this only copies in black and white and costs 15p per side for an A4 copy and 20p per side for an A3 copy.</p>
<p>Kent County Council</p>	<p>Kent County Council Sheppey Gateway 38-42 High Street Sheerness Kent ME12 1NL</p>	<p>Monday: 09:00 – 18:00 Tuesday: 09:00 – 18:00 Wednesday: 09:00 – 18:00 Thursday: 09:00 – 18:00 Friday: 09:00 – 18:00 Saturday: 09:00 – 17:00</p> <p>The computers are free to use, and prints are charged 15p per side for black and white or 50p colour A4 page. Library membership required.</p>

Annex D

<p>Kent County Council</p>	<p>Teynham Library 131 London Road Teynham Kent ME9 9QL</p>	<p>Monday: 14:00 – 17:00 Tuesday: 09.30 – 12:00 Wednesday: 14:00 – 17:00 Thursday: 09:30 – 12:00 Friday: Closed Saturday: 09:00 – 11:00</p> <p>The computers are free to use, and prints are charged 15p per A4 page, 30p double sided. Library membership required.</p>
<p>Swale Borough Council</p>	<p>Swale Borough Council Alexander Centre 15-17 Preston Street Faversham Kent ME13 8NZ</p>	<p>Monday: 09:00 – 17:00 Tuesday: 09:00 – 17:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 17:00 Friday: 09:00 – 17:00</p> <p>The computers are free to use. No printing or copying facility available.</p>
<p>Swale Borough Council</p>	<p>Swale Borough Council Swale House East St Sittingbourne Kent ME10 3HT</p>	<p>Monday: 08:45 – 17:00 Tuesday: 08:45 – 17:00 Wednesday: 08:45 – 17:00 Thursday: 08:45 – 17:00 Friday: 08:45 – 16:30</p> <p>The computers are free to use. No printing or copying facilities available.</p>
<p>Canterbury Borough Council</p>	<p>Canterbury City Council Military Road CT1 1YW</p>	<p>Monday: 09:00 – 17:00 Tuesday: 09:00 – 17:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 17:00 Friday: 09:00 – 17:00</p> <p>The computers are free to use, and no ID is required. No printing facilities available.</p>

Links to all council library locations

Faversham Library: <http://www.kent.gov.uk/libs>

Boughton-under-Blean Library: <http://www.kent.gov.uk/libs>

Teynham Library: <http://www.kent.gov.uk/libs>

Kent County Council: <https://www.kent.gov.uk>

Canterbury City Council: <https://www.canterbury.gov.uk>

Swale Borough Council: <http://www.swale.gov.uk>

Procedural Decisions made by the Examining Authority (ExA)

The ExA has made the following Procedural Decisions under Section 89(3) of the PA2008:

1. Acceptance of Additional Submissions and Late Relevant Representation

In addition to the ExA exercising its discretion to accept a late Relevant Representation from Mr David Pollock, the following documents submitted by the Applicant have also been accepted into the Examination:

- Applicant's response to s51 advice issued by PINS when accepting the application for Examination;
- Updated Guide to the Application;
- Updated Land Plans;
- Updated Rights of Way Plans;
- Updated Crown Land Plans;
- Updated Book of Reference;
- Joint Position Paper with Environment Agency on Flood Defence;
- Statement of Need Addendum;
- Response to Relevant Representations.

These documents have been published to the Project Page on the National Infrastructure website and have been added to the Examination Library.

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 Examination Timetable at **Annex C** therefore provides a deadline for submission of SoCGs. The initial submission of SoCGs is **Deadline 2** and they should be updated at all other deadlines during the course of the Examination.

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 Statements of Common Ground², to include areas of agreement and disagreement, are requested to be prepared by:

² Statements of Common Ground are to be regarded as iterative documents which may be updated to reflect any subsequent matters of agreement

	Parties to the SoCG	SoCG to include
A	<p>The Applicant with the relevant local authorities, especially:</p> <ul style="list-style-type: none"> • Kent County Council; • Swale Borough Council; • Canterbury City Council. 	<ul style="list-style-type: none"> • Assessment of impacts within the respective local authority areas, including as relevant but not limited to: air quality; amenity; archaeology and other cultural assets; biodiversity; human health; landscape and visual impact; noise; statutory nuisance; traffic, transport, highways and Public Rights of Way; • The draft Development Consent Order (dDCO) and other submitted documents; • Mitigation measures; including an assessment of their likely effectiveness, ongoing monitoring procedures and how mitigation will be secured within the DCO.
B	<p>The Applicant with Natural England and the relevant non-Governmental nature conservation groups, including:</p> <ul style="list-style-type: none"> • Kent Wildlife Trust; • RSPB. 	<ul style="list-style-type: none"> • Survey areas, assessment of baseline data and data collection methodologies; • Analysis of data and the presentation of results, including the use of expert judgements and assumptions; • Methodology for Environmental Impact Assessment and Habitats Regulations Assessment, including assessment of cumulative and in-combination effects; • Likely effects on any protected species and on special interest features of sites designated or notified for nature conservation purpose; • Mitigation and enhancement measures, including likely effectiveness, monitoring procedures and method for securing such measures within the DCO; • DCO drafting.
C	<p>The Applicant with the Environment Agency</p>	<ul style="list-style-type: none"> • Relationship with required Environmental Permits; • The situation in relation to the proposals for managed retreat in the draft MEASS; • The proposed transfer of responsibility for the maintenance of the existing flood defence structures and the powers and licences required for this;

		<ul style="list-style-type: none"> • Ongoing activities and operation of the infrastructure required to implement the Graveney Marsh Water Levels Management Plan; • Assessment of hydrological, water quality, water resource and wildlife effects, including but not limited to surface water crossings, run-off, the risk of flooding, and contamination of surface and groundwaters: to include mitigation measures, including likely effectiveness, monitoring procedures and how mitigation will be secured within the DCO; • Compliance with the Water Framework Directive; • Applicability of UKCP18.
D	The Applicant with the Marine Management Organisation (MMO)	<ul style="list-style-type: none"> • The situation in relation to the proposal for managed retreat in the draft MEASS; • Draft Deemed Marine Licence, marine licence exemption powers and maintenance powers sought for the existing sea defences.
E	The Applicant with Historic England	<ul style="list-style-type: none"> • Collection and analysis of heritage data, survey areas, and the presentation of results; • Methodology for, and findings of, the Environmental Impact Assessment; • Impacts on designated assets and their settings; • Proposals for mitigation measures and monitoring.
F	The Applicant with Public Health England	<ul style="list-style-type: none"> • EMF health impact assessment.
G	The Applicant with Lower Medway Internal Drainage Board	<ul style="list-style-type: none"> • Ongoing activities and operation of the infrastructure required to control local water levels; • Assessment of hydrological, water quality, water resource and wildlife effects, including but not limited to surface water crossings, run-off, the risk of flooding, and contamination of surface and groundwaters: to include mitigation measures, including likely effectiveness, monitoring procedures and how mitigation will be secured within the DCO;

		<ul style="list-style-type: none"> • Relationship with IDB Land Drainage Consent requirements.
H	The Applicant with National Grid Electricity Transmission Plc	<ul style="list-style-type: none"> • Impacts on the operations of the statutory undertaker; • Protective provisions.

All of the SoCGs listed above should cover the Articles and Requirements in the draft DCO. Any Interested Party seeking rewording of an Article or Requirement should provide the form of words which are being sought in the SoCG.

The content of the SoCGs will help inform the ExA as to the need to hold any Issue Specific Hearings in September 2019, and to enable the ExA and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.