



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

Your Ref:

Our Ref: EN010087

Date: 19 November 2019

Dear Sir/ Madam

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

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

Examination Timetable and procedure

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 a note of the Preliminary Meeting and the audio recording taken at that meeting, can be found using this link:

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

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 11 October 2019¹. 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. The changes made to the draft timetable are explained further in Annex B to this letter.

¹ Your invitation to the Preliminary Meeting

Please note that the Examination Timetable contains a number of deadlines for receipt of information by the Planning Inspectorate. All deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them and they will be held over to the next deadline unless in the ExA's opinion there are exceptional circumstances.

We request that Interested Parties send, where practicable, electronic copies of their submission as email attachments to NorfolkBoreas@planninginspectorate.gov.uk on or 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 Persons² invited to the Preliminary Meeting. The changes will be published on the Norfolk Boreas 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:

- **Examination Timetable**
- **Examining Authority's Written Questions;**
- **Statements of Common Ground;**
- **Local Impact Reports;** and
- **Accompanied Site Inspections.**

Written Representations

All Interested Parties are now invited to submit Written Representations. These should be submitted by Deadline 2, **Tuesday 10 December 2019**, 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 letter³. 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

² 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

³ <http://infrastructure.planninginspectorate.gov.uk/document/EN010087-001033>

which they do not agree, explaining the reasons why⁴. Interested Parties should also provide with their Written Representations “*the data, methodology and assumptions used to support their submissions*”⁵.

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 Written Questions (WQ) about the application and the representations received so far. These questions are published on the National Infrastructure Planning website and can be accessed through the following link:

<http://infrastructure.planninginspectorate.gov.uk/document/EN010087-001245>

Answers to our WQs must be provided by Deadline 2, **Tuesday 10 December 2019**, in the Examination Timetable (**Annex A**).

If you require an editable version of our WQs, please contact the Case Team who will email you a copy.

Hearings

The Examination Timetable at **Annex A** includes periods of time reserved for any hearings to be held, and we will notify all Interested Parties 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 to inform the Planning Inspectorate if they wish to attend the notified hearing(s).

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

Availability of application documents and representations submitted to the Examination

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-boreas/?ipcsection=docs>

⁴ Required under Rule 10(4) of The Infrastructure Planning (Examination Procedure) Rules 2010

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

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**.

Interested Parties may have responded to similar questions from, and submitted representations to, the ExA that examined the Norfolk Vanguard application for Development Consent. However, it is important to understand that this is a separate Examination, and the ExA will only examine what is in front of it. **The ExA will not take account of submissions made to another ExA, unless these are specifically brought into this 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 '2002' or 'NORB-AFP' you are in Group A. If your reference number begins with 'NORB-SP' you are in Group B. If your reference number begins with 'NORB-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.

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)⁶. 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-boreas/>

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

⁶ <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

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

Frances Fernandes

Frances Fernandes, Lead Member of the Panel

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 representations and application documents

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

Annex A Examination Timetable

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

Item	Matters	Due Dates
1	Preliminary Meeting	Tuesday 12 November 2019
2	Issue Specific Hearing on the draft Development Consent Order	Wednesday 13 November 2019
3	Evening Open Floor Hearing	Wednesday 13 November 2019
4	Issue Specific Hearing on Environmental Matters including HRA	Thursday 14 November 2019
5	Issue by the ExA of: <ul style="list-style-type: none"> • Rule 8 Letter • Examination Timetable • A Compulsory Acquisition Objections schedule • Written Questions 	Tuesday 19 November 2019
6	Deadline 1 Deadline for receipt of: <ul style="list-style-type: none"> • Submission of post-hearing documents including any written submissions of oral case • Revised draft DCO and Schedule of Changes • Applicant's updated HRA Matrices to inform the RIES • Nominations of suggested locations and justifications for site inspections for consideration by the ExA • Notification by Statutory Parties of wish to be considered an Interested Party • Any other information as requested by the ExA 	Monday 25 November 2019

7	<p>Deadline 2</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Written Representations • Summaries of Relevant Representations exceeding 1500 words • Summaries of all Written Representations exceeding 1500 words • Local Impact Reports • Responses to ExA's Written Questions • Initial Statements of Common Ground • Schedule of Mitigation • Notification of wish to speak at a Compulsory Acquisition Hearing • Notification of wish to make oral representations at the Issue Specific Hearings in January 2020 • Notification of wish to speak at Open Floor Hearing • Any other information as requested by the ExA 	Tuesday 10 December 2019
8	<p>Deadline 3</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Comments on responses to ExA's Written Questions • Comments on Written Representations • Comments on LIRs • Comments on the updated HRA Matrices • Updated Guide to the Application • Implications for the Norfolk Boreas Application for Development Consent of any SoS decision on the Norfolk Vanguard Offshore Windfarm application; • Any other information as requested by the ExA 	Thursday 19 December 2019
9	Notification by the ExA of further hearings and Accompanied Site Inspection	By Tuesday 24 December 2019
10	Issue Specific Hearing on onshore effects including the draft Development Consent Order	Tuesday 21 January 2020
11	Issue Specific Hearing on offshore effects including the draft Development Consent Order	Wednesday 22 January 2020
12	Accompanied Site Inspection	Thursday 23 January 2020

13	<p>Deadline 4</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Post hearing submissions from hearings • Revised draft DCO and Schedule of Changes • Any other information as requested by the ExA 	Thursday 30 January 2020
14	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Further Written Questions (if required) 	Wednesday 12 February 2020
15	<p>Notification by the ExA of further hearings and Accompanied Site Inspection (if required)</p>	By Tuesday 18 February 2020
16	<p>Deadline 5</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to Further Written Questions • Any other information as requested by the ExA 	Wednesday 26 February 2020
17	<p>Deadline 6</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Comments on responses to Further Written Questions • An Updated Compulsory Acquisition Objections schedule • Updated Statements of Common Ground • Updated Guide to the Application • Any other information as requested by the ExA 	Thursday 5 March 2020
18	<p>Notification by the ExA of further hearings (if required)</p>	Tuesday 17 March 2020
19	<p>Reserved for Issue Specific Hearing</p>	Tuesday 17 March 2020
20	<p>Reserved for Compulsory Acquisition Hearing</p>	Wednesday 18 March 2020
21	<p>Reserved for Accompanied Site Inspection</p>	Thursday 19 March 2020
22	<p>Deadline 7</p> <ul style="list-style-type: none"> • Submission of post-hearing documents including any written including written submissions of oral case 	Wednesday 25 March 2020

	<ul style="list-style-type: none"> Revised draft DCO and Schedule of Changes Any other information as requested by the ExA 	
23	Publication by the ExA of: <ul style="list-style-type: none"> The Report on Implications for European Sites (RIES) 	Tuesday 7 April 2020
24	Reserved for Issue Specific Hearing	Tuesday 14 April 2020
25	Reserved for Issue Specific Hearing	Wednesday 15 April 2020
26	Reserved for Open Floor Hearing in Dereham / Swaffham	Wednesday 15 April 2020 (evening)
27	Reserved for Issue Specific Hearing	Thursday 16 April 2020
28	Deadline 8 <ul style="list-style-type: none"> Submission of post-hearing documents including any written submissions of oral case Revised draft DCO and Schedule of Changes Any other information as requested by the ExA 	Wednesday 22 April 2020
29	Deadline 9 Deadline for receipt of: <ul style="list-style-type: none"> Comments on the RIES; Comments on the revised draft DCO and Schedule of Changes Updated Guide to the Application Final 'Compulsory Acquisition' schedule Final signed Statements of Common Ground Submissions on the implications for the Norfolk Boreas Application of any SoS decisions on relevant offshore Wind Farm applications Any other information as requested by the ExA 	Wednesday 29 April 2020
30	Deadline 10 Deadline for receipt of:	Wednesday 6 May 2020

	<ul style="list-style-type: none"> • Final draft DCO and Schedule of Changes to be submitted by the Applicant in the SI template with the SI template validation report • Final Guide to the Application • Final updated version of the Book of Reference • Responses to comments on the RIES • Comments on submissions on the implications for the Norfolk Boreas Application of any SoS decisions on relevant offshore Wind Farm applications • Any other information as requested by the ExA 	
<p>31</p>	<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>	<p>Tuesday 12 May 2020</p>

Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after each deadline for submissions.

Hearing agendas

We will aim to publish a 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.

Annex B Procedural Decisions made by the Examining Authority

We have made a number of Procedural Decisions following the Preliminary Meeting¹:

1. Examination Timetable

The ExA has changed the draft Examination Timetable as a result of the representations it received prior to and during the Preliminary Meeting.

The main changes are:

- to bring forward the date of the issue specific hearings and the accompanied site inspection in January 2020 by one week;
- to provide details of the hearings that will be held in January 2020;
- to put back the date of the publication of the RIES to 7 April 2020;
- to reserve time for an Issue Specific Hearing and an Open Floor hearing in the Dereham/ Swaffham area (if requested) in April 2020; and
- to extend the date of the last deadline of the Examination to 6 May 2020 to enable additional time for preparation of final documentation.

These decisions have resulted in consequential changes to other deadlines in the Examination as set out in the timetable.

2. Examining Authority's Written Questions

Some of our Written Questions (WQ) 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 for each to check our WQs 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 2015².

3. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their production. Final signed versions of the SoCGs listed below are requested to be submitted by **Wednesday, 29 April 2020** (Deadline 9, **Annex A**).

1. Environment Agency
2. Marine Management Organisation

¹ Section 89(1) of the Planning Act 2008

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

3. Natural England
4. The Royal Society for the Protection of Birds
5. The Wildlife Trust
6. Eastern Inshore Fisheries Conservation Agency
7. Highways England
8. Historic England
9. Maritime and Coastguard Agency
10. National Federation of Fishermen's Organisations and VisNed
11. National Farmers Union
12. NATS
13. Orsted Hornsea Project Three
14. Trinity House
15. Whale and Dolphin Conservation

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

Where a particular SoCG cannot be agreed between the parties by Deadline 9, or in so far as any local authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted **by the Applicant** to Deadline 8. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs is necessary to help inform us as to the need to hold Issue Specific Hearings in March 2020 and April 2020.

4. 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 Reports³.

Local authorities⁴ are invited to submit LIRs by Tuesday 10 December 2019 (Deadline 2, **Annex A**).

5. Accompanied Site Inspection (ASI)

Time has been reserved in the Examination Timetable to undertake an ASI on Thursday 23 January 2020, with a reserved date of Thursday 19 March 2020 should it be needed.

We now invite comments from any Interested Party on suggestions for the ASI, to be submitted by Deadline 1, Monday 25 November 2019. The Examining Authority requests that this should be done after having read the Unaccompanied Site Inspection note [EV2-002]. Requests by Interested Parties to attend the ASI should be provided to the same deadline. The Interested Parties attending the ASI will

³ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

⁴ Defined in s56A of the Planning Act 2008

include representatives of the Applicant, relevant planning authorities, together with other Interested Parties (or their representatives).

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 within the itinerary. Given the linear nature of the Proposed Development, the ExA considers that Interested Parties might not wish to attend all of the locations to be visited. Please contact the Case Team if you wish to meet the inspection at a specific location.

The final itinerary for the ASIs will be published on the project page of the National Infrastructure Planning website approximately one week before the inspection takes place.

Interested Parties 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 or sites of interest.

Annex C

Requests to appear and procedure to be followed at hearings

The Examination Timetable reserves time for three sets of hearings to be held; between Tuesday 21 January 2020 and Wednesday 22 January 2020; between Tuesday 17 March 2020 and Wednesday 18 March 2020 and between Tuesday 14 April 2020 and Thursday 16 April 2020.

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). Notification from Interested Parties in this regard should be submitted on or before **Tuesday 10 December 2019** (Deadline 2, **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 2010¹. 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 parties².

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.

¹ Rule 14

² Rule 14(5)

Hearing agendas

We will aim to publish a 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.

Annex D

Availability of representations and application documents

All application documents and representations submitted to the Examination are available to view on the project page on the National Infrastructure Planning website:

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

For ease of navigation, we recommend that you use 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:

- each application document;
- each representation accepted to be read in conjunction with the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is provided with a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the National Infrastructure Planning website is provided. **Please use the unique reference numbers applied in the EL when referring to any Examination documents in representations that you make.**

Documents can also be viewed electronically at the following locations close to the application site, free of charge. If you have difficulty accessing any documentation please contact the Case Team using the details provided at the top of this letter.

Library/ address	Opening hours
North Walsham Library New Road North Walsham NR28 9DE	Monday: 8:00am to 7:00pm Tuesday: 8:00 am to 7:00pm Wednesday: 8:00am to 7:00pm Thursday: 8:00am to 7:00pm Friday: 8:00am to 7:00pm Saturday: 8:00am to 4:00pm Sunday: 10:00am to 4:00pm
Aylsham Library 7 Hungate Street Aylsham Norwich NR11 6AA	Monday: 8:00am to 7:00pm Tuesday: 8:00am to 7:00pm Wednesday: 8:00am to 7:00pm Thursday: 8:00am to 7:00pm Friday: 8:00am to 7:00pm Saturday: 8:00am to 4:00pm

Annex D

	Sunday: 8:00am to 4:00pm	
Dereham Library 59 High Street Dereham NR19 1DZ	Monday: 9:15am to 5:00pm Tuesday: 9:15am to 7:00pm Wednesday: 9:15am to 5:00pm Thursday: 9:15am to 5:00pm Friday: 9:15am to 7:00pm Saturday: 9:15am to 4:00pm Sunday: CLOSED	
Norfolk and Norwich Millennium Library The Forum Millennium Plain Norwich NR2 1AW	Monday: 10:00am to 7:00pm Tuesday: 10:00am to 7:00pm Wednesday: 10:00am to 7:00pm Thursday: 10:00am to 7:00pm Friday: 10:00am to 7:00pm Saturday: 9:00am to 7:00pm Sunday: 10:30am to 4:30pm	
Swaffham Library The Pightle Swaffham PE37 7DF	Monday: 8:00am to 7:00pm Tuesday: 8:00am to 7:00pm Wednesday: 8:00am to 7:00pm Thursday: 8:00am to 7:00pm Friday: 8:00am to 7:00pm Saturday: 8:00am to 4:00pm Sunday: 10:00am to 4:00pm	
Photocopy costs	Black and White	Colour
A4	Single-sided: 20p Double-sided: 40p	Single sided: 30p Double-sided: 60p
A3	Single-sided: 50p Double-sided: £1.00	Single-sided: £1.00 Double-sided: £2.00
Link to all council library locations		
https://www.norfolk.gov.uk/libraries-local-history-and-archives/libraries		