



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

Frequently Asked Questions (FAQ)

Version 2.0 issued on 3 July 2020

This FAQ document is for persons involved in the Examination who have questions about the Examination Timetable, procedures and arrangements, including the proposals for virtual Hearings. It may from time to time be updated at the discretion of the Examining Authority (ExA).

1. Why have you issued a new Timetable?

The public health restrictions during the coronavirus (COVID-19) pandemic resulted in the postponement of hearings on 17 and 18 March 2020 and the hearings reserved for 14, 15 and 16 April 2020. On 6 April 2020, the Planning Inspectorate asked the Secretary of State to consider requests from a number of Interested Parties to extend the Examination period.

On 11 May 2020 the Secretary of State set a new deadline for completion of the Examination on or before 12 October 2020.

The ExA issued a Rule 8(3) procedural decision on 19 May 2020 to provide an updated Examination Timetable including new potential Hearing dates.

On 2 June 2020, the ExA issued a Rule 13 Notification of virtual hearings. The notification stated that in order to participate in any of the hearings, it was essential to register by 15 June 2020. The virtual hearings in the notification are:

- virtual Open Floor Hearing 2 (OFH2) on 2 July 2020;
- virtual Open Floor Hearing 3 (OFH3) over four sessions on four days from 14 to 17 July 2020; and
- virtual Issue Specific Hearing 5 (ISH5) over four sessions on four days from 21 to 24 July 2020.

2. Why have so many dates been identified for Hearings?

Hearings have been organised over a number of days because the virtual nature of the hearings is better suited to shorter sessions with fewer participants, enabling people to join for the parts which are relevant to their case. The ExA has planned the sessions on a geographic basis for OFH3 and a topic basis for ISH5.

3. Will the Examination be held in public and will there be any restrictions on who can take part?

The ExA will continue to hold the Examination in public. It will not have private discussions with any parties.

Arrangements will be made for any Hearings to be as accessible to Interested Parties as they reasonably can be in the current circumstances.

The ExA is also able to use its discretion to permit other parties to attend Hearings and to accept oral submissions from them. The ExA will continue to do this if it considers it likely that this would assist the Examination.

The ExA continues to encourage participants who are members of the same organisation, or who know each other and have similar views, to work together and to identify one or two people to make a written submission, or an oral representation at a Hearing. The ExA will give the same consideration to any matter, whether it is raised once or several times.

Please contact the Case Team if you are not sure of your status:

Project email: NorfolkBoreas@planninginspectorate.gov.uk

Siân Evans (Case Manager): 0303 444 5671

Steven Parker (Case Officer): 0303 444 5125

There is no need to attend a Hearing to simply repeat a representation that has already been made in writing. All previous and future written submissions will be taken into consideration by the ExA in making its recommendation to the Secretary of State.

4. How could any Hearings be held when there are public health restrictions in place?

Several examinations were ongoing when Government imposed coronavirus (COVID-19) related public health restrictions. Despite these restrictions, Nationally Significant Infrastructure Project (NSIP) Examinations need to continue in a fair and efficient manner.

For the Proposed Development, coronavirus (COVID-19) related public health restrictions were imposed in the middle of the Examination and several Hearings needed to be postponed. The ExA has decided to continue with the extended Examination and hold the Hearings virtually.

Virtual Hearings do not require participants to attend in person, ensuring that the coronavirus (COVID-19) restrictions are upheld. Additionally, to ensure full participation the ExA has made arrangements for the virtual Hearings to be accessible for people at home using a telephone, computer or tablet. There are options for participation by either sound only (audio) or sound plus picture (video).

5. Can you provide more details about the virtual hearings referred to in the Rule 8(3) letter?

Instead of people being physically together in one place, virtual hearings allow people to join in from a location such as their home or office or to watch the video recording of the virtual hearing after it has ended.

Teleconferencing allows an audio (sound only) discussion between participants at different locations. It typically involves the use of a telephone, mobile, smartphone, or a computer or tablet connected to the internet.

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

6. What is the difference between a virtual Open Floor Hearing and a virtual Issue Specific Hearing?

The difference between hearing types is the same as non-virtual hearings. A virtual Open Floor Hearing allows parties to make oral representations about the application to the ExA. Agendas are arranged to list those parties from whom submissions will be received. It is likely that there will be timed slots for parties to give their representations. The content of the agenda for a virtual Issue Specific Hearing will be determined by the ExA and will set out items on which the ExA wishes to hear further evidence, which maybe from several named Interested Parties. Other Interested Parties will be invited to make representations about the issues by the ExA as required.

7. I want to take part in the Hearings but am not sure if I will be able to. How will you cater for my needs?

The ExA is sensitive to catering for different needs. The Planning Inspectorate is working to make any Hearing as accessible as possible and has provided support and guidance to participants before the Hearings take place.

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8. What equipment and software will I need?

The Planning Inspectorate is enabling the use of readily available equipment and software, which most people are likely to have already. Details of the requirements and relevant guidance and support have been provided. It should also be possible to take part in Hearings using a telephone.

9. How will I be able to join a Hearing?

Advance notice of a request to speak at or observe Hearings will be required.

The practicalities of the technical arrangements that need to be made in advance of the Hearings mean that the ExA is unlikely to be able to accommodate any requests to speak at Hearings that are not made in advance in accordance with the Examination Timetable. Further details were provided with the notification of any Hearings. Persons and organisations which are registered to attend the Hearings will be contacted by the Case Team.

Technical and management considerations may result in the ExA limiting the number of speakers at any Hearings. Hearings will also be split into shorter sessions allowing participants to take part in those sessions where matters are of interest. The ExA is likely to prioritise Interested Parties and those speaking on behalf of a group of people. The ExA will give the same consideration to any matter, whether it is raised once or several times.

The Examination is primarily a written process and points raised in writing have exactly the same standing as those made orally at a Hearing

10. Will I be able to observe the Hearings if I decide that I don't want to speak at them?

Recordings will be made of Hearings and will be the formal record of the Hearings as has always been the case for Examinations. The recordings will be made available on the project page of the National Infrastructure Planning website as soon as is practicable after each Hearing.

11. Will I be able to make a submission on the matters that are covered in Hearings if I decide that I don't want to speak at them?

Parties who do not speak at the Hearings, but who access the recordings are invited to make a written submission on the specific matters included in the Hearing Agendas or arising at the Hearings. These submissions are to be made at the deadline for post-Hearing submissions identified in the Examination Timetable, which is Deadline 13 on 29 July 2020.

12. Can I still take part in the Examination if I am not able to speak at a Hearing or observe it?

Yes, Interested Parties and Statutory Parties can continue to participate in the Examination through the written process. Deadlines for written submissions are identified in the Examination Timetable.

Previously in the Examination the ExA has used its discretion to accept submissions from other parties. The ExA's intention is to continue to do that when it considers it likely that this would assist the Examination.

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13. What if I'm not able to participate in the Examination now or my circumstances change?

Please contact the Case Team and explain your circumstances. We will do our best to accommodate your needs and enable different means of involvement.

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

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

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

The project website also has a facility for you to sign up to receive updates by email.

16. How can I be kept up to date with the Examination if I do not have access to the internet?

Notification of Procedural Decisions will continue to be made by post for those parties who do not have, or have not provided, an email address. We understand that parties without internet access may not be able to access other documents including detailed information contained within any procedural decisions.

If you do not have a computer, tablet or smartphone available to you, please call the Planning Inspectorate Case Team on 0303 444 5000 for further assistance.