



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

Your Ref:

Our Ref: EN010093

Date: 17 April 2019

Dear Sir/ Madam

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

Application by Cory Riverside Energy for an Order Granting Development Consent for the Riverside Energy Park

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/london/riverside-energy-park/?ipcsection=docs>

The Examination Timetable

I 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 13 March 2019¹. In finalising the Examination Timetable, I have sought to accommodate requests and suggestions made at the Preliminary Meeting and in representations submitted in advance of that 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

¹ Your invitation to the Preliminary Meeting

specified. Please ensure submissions arrive by the deadline. If you do not make your submissions by the dates specified in the timetable, I may disregard them.

I request that, where practicable, Interested Parties send electronic copies of their submission as email attachments to RiversideEP@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 submission 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 I 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 Riverside Energy Park project page of the National Infrastructure Planning website.

Other Procedural Decisions

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

- **Statements of Common Ground;**
- **Local Impact Reports;**
- **Accompanied Site Inspection.**

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 2 in the Examination Timetable.

Written Representations can cover any relevant matter and are not restricted to the matters set out in my Initial Assessment of Principal Issues discussed at the Preliminary Meeting and included in my Rule 6 letter³. Nor are they restricted to the content of my 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 why⁴. Interested Parties should also provide with their Written Representations "*the data, methodology and assumptions used to support their submissions*"⁵. Submissions should not include electronic links

² Other Persons are persons that I 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 <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010093/EN010093-000347-Rule%206%20Letter.pdf>

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>

to external websites and the information within those links will not form part of the evidence seen by the ExA.

Further written submissions may 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

I 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:

<https://infrastructure.planninginspectorate.gov.uk/projects/london/riverside-energy-park/?ipcsection=docs>

Answers to my WQs must be provided by Deadline 2 in the Examination Timetable.

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

Hearings

The Examination Timetable includes periods of time reserved for any hearings to be held, and I 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.

Accompanied Site Inspection

Information about the Accompanied Site Inspection, scheduled to take place on **4 June 2019**, is also contained in **Annex B**.

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/london/riverside-energy-park/?ipcsection=docs>

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

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

If you have made a Relevant Representation, have a legal interest in the land affected by the application, or are a relevant Local Authority where the development is proposed within your boundary (reference numbers beginning with 'RVSD-AFP or APL', or '200'), 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) or a Local Authority bordering the Local Authorities in which the development is proposed; but have not made a Relevant Representation (reference number beginning with 'RVSD-SP') you will not automatically be an Interested Party. However, following the Preliminary Meeting, you have a further opportunity to notify the ExA by Deadline 1 that you wish to be treated as an Interested Party.

If you are not an Interested Party or a statutory party (ie body specified in the relevant regulations supporting the PA2008), you have received this letter because you have been accepted as an 'Other person' in the Examination. 'Other persons' have a reference number beginning with 'RVSD-OP'.

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

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

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/london/riverside-energy-park/>

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.

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

Yours faithfully

Jonathan Green

Jonathan Green, Examining Inspector

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

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

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	10 April 2019
2.	Issue by the ExA of: <ul style="list-style-type: none"> • Examination timetable • The ExA's written questions 	17 April 2019
3.	Deadline 1 Deadline for the receipt of: <ul style="list-style-type: none"> • Notification of wish to speak at a Compulsory Acquisition Hearing • Notification of wish to speak at an Issue Specific Hearing • Notification of wish to speak at an Open Floor Hearing • Notification of wish to attend an Accompanied Site Inspection (ASI), suggested locations and justifications • Notification by statutory parties of wish to be considered as an Interested Party • Notification of wish to have future correspondence electronically • Provision by the Applicant of a draft itinerary for the ASI • Responses to any further information requested by the ExA for this Deadline 	30 April 2019
4.	Deadline 2 Deadline for receipt of: <ul style="list-style-type: none"> • Comments on Relevant Representations (RRs) • Written Representations (WRs) • Summaries of all WRs exceeding 1500 words • Local Impact Reports (LIR) from any local authorities • Statements of Common Ground(s) (SoCGs) requested by the ExA • Responses to the ExA's Written Questions 	20 May 2019

	<ul style="list-style-type: none"> • Provision by the Applicant of final itinerary for ASI • Comments on any additional information/submissions received by previous deadline • Responses to any further information requested by the ExA for this Deadline 	
5.	Accompanied Site Inspection	4 June 2019 daytime
6.	Open Floor Hearing	4 June 2019 evening
7.	Issue Specific Hearing on environmental matters	5 June 2019
8.	Issue Specific Hearing on the draft Development Consent Order	6 June 2019
9.	Compulsory Acquisition Hearing	6 and 7 June 2019
10.	<p>Deadline 3</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs and responses to comments on RRs • Comments on LIRs • Comments on responses to the ExA's First Written Questions • Any revised SoCGs • Revised draft DCO from Applicant • Post hearing submissions including written submissions of oral case • Responses to any further information requested by the ExA • Comments on any additional information/submissions received by previous deadline 	18 June 2019
11.	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • The ExA's Further Written Questions (if required) 	3 July 2019
12.	<p>Deadline 4</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to the ExA's Further Written Questions (if required) • Comments on Applicant's revised draft DCO (if required) 	19 July 2019

	<ul style="list-style-type: none"> • Comments on Post hearing submissions including written submissions of oral case • Any revised SoCG • Responses to any further information requested by the ExA • Comments on any additional information/submissions received by previous deadline 	
13.	Dates reserved for CA, Issue Specific and any other Hearings (if required)	30 July, 31 July 2019
14.	Publication by ExA of: <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES), if required 	5 August 2019
15.	Deadline 5 Deadline for receipt of: <ul style="list-style-type: none"> • Comments on responses to the ExA's Further Written Questions (if required) • Applicant's revised draft DCO • Responses to further information requested by the ExA • Any revised SoCG • Post hearing submissions including written submissions of oral case • Responses to any further information requested by the ExA • Comments on any additional information/submissions received by previous deadline 	13 August 2019
16.	Dates reserved for Issue Specific and any other Hearings (if required)	27-29 August 2019
17.	Deadline 6 Deadline for receipt of: <ul style="list-style-type: none"> • Comments on the draft DCO (if required) • Comments on the RIES • Any revised SoCG • Responses to any further information requested by the ExA • Comments on any additional information/submissions received by previous deadline 	3 September 2019

18.	Dates reserved for Issue Specific and any other Hearings (if required)	17-19 September 2019
19.	<p>Deadline 7</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to comments on the draft DCO (if required) • Responses to any further information requested by the ExA • Final SoCGs • Comments on any additional information/submissions received by previous deadline • Final draft DCO to be submitted by the Applicant in the statutory instrument (SI) template with the SI template validation report 	23 September 2019
20.	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.	9 October 2019

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

I 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.

Report on the Implications for European Sites

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 Report on the Implication for European Sites (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 his 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

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

1 Examination Timetable

This is a summary of the changes made following the Preliminary Meeting:

- OFH is confirmed for the evening of 4 June
- 7 June is added as a potential CA hearing date, if required following CA hearing on 6 June.
- Change Deadline 3 date to 18 June (from 11 June)
- Change Publication of Written Questions to 3 July (from 26 June)
- Change Deadline 4 date to 19 July (from 16 July)
- Add SoCG revisions to Deadlines
- CA hearing added to Item 13, to be held on 30 July and, if necessary, 31 July.

These changes have been incorporated in the revised timetable at Annex A

2 Examining Authority's Written Questions

The link to my Written Questions (WQ) is provided in the covering letter

All Interested Parties should review my WQs carefully and identify and respond to any questions posed to them. But no Interested Party should feel inhibited or restricted in responding to any question I ask, even if it is directed elsewhere.

3 Statements of Common Ground (SoCG)

The submission of SoCGs will be of great help to me in carrying out the Examination by identifying areas of agreement and, where relevant, issues on which it has not been possible to reach agreement. In my letter of 13 March 2019 I requested SoCGs between the Applicant and the London Borough of Bexley and Dartford Borough Council. I would welcome the submission of further SoCGs between the Applicant and other Interested Parties.

The Applicant is taking the lead in the preparation of SoCGs and Interested Parties who wish to submit SoCGs should liaise with the Applicant in respect of their production.

The first deadline for the submission of SoCGs is Deadline 2 on 20 May 2019. I have also included provision for revised SoCGs to be submitted at later deadline with a final deadline of 23 September at Deadline 7. I encourage the submission of SoCGs as early as possible during the Examination so that I can draw on these in drafting questions to be put at hearings.

4 Local Impact Reports (LIRs)

¹ Section 89(1) of the Planning Act 2008

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 Reports².

Local authorities³ are invited to submit LIRs by 20 May 2019 (Deadline 2, **Annex A**).

5 Accompanied Site Inspection (ASI)

Time has been reserved in the Examination Timetable for an ASI on 4 June 2019.

Interested Parties wishing to take part in the ASI should notify the Planning Inspectorate by Deadline 1. Interested Parties can include suggestions for inclusion in the itinerary of particular points of interest/ physical features that they wish me to inspect. I will consider these suggestions before the final itinerary is published.

The Applicant has agreed to prepare a draft itinerary for the ASI for submission by Deadline 1 in the Examination Timetable. The itinerary should include those locations where the most significant impacts are predicted to arise as a result of the Proposed Development. The final itinerary will be submitted by the Applicant at Deadline 2, 20 May 2019.

It may be necessary to limit the numbers of persons who accompany me on the ASI 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. Please contact the Case Team if you wish to meet the inspection at a specific location within the itinerary, or at a new location, as proposed in your comments.

Interested Parties should be aware that the **ASI is not an opportunity to make any oral representations about the Proposed Development**. However, I may invite participants to indicate specific features or sites of interest.

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

³ Defined in s56A of the Planning Act 2008

6 Requests to appear and procedure to be followed at hearings

Requests to hold an OFH and CAH were received at the Preliminary Meeting and these will be held as stated in the timetable at Annex A.

The Examination Timetable now reserves 5 periods of time for hearings to be held during the Examination period. These are set out below:

An Issue Specific Hearing, dealing with the draft Development Consent Order, will be held on **6 June 2019**.

Hearing	Location	Time	Date
Open Floor Hearing	tbd	6pm	4 June 2019
Issue Specific Hearing on environmental matters	Slade Green*	10am	5 June 2019
Issue Specific Hearing on the draft Development Consent Order	Slade Green*	10am	6 June 2019
Compulsory Acquisition Hearing	Slade Green*	10am	6 and 7 June 2019
Compulsory Acquisition Hearing	Slade Green*	10am	30 and 31 July

*Slade Green Community Centre Chrome Road, Erith, DA8 2EL

Requests from Interested Parties 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). The deadline for notification is Deadline 1, **30 April 2019**.

I also propose to hold Issue Specific Hearings (ISH) about topics that I 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.

Procedure at hearings

The procedure to be followed at hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010¹⁰. 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.

¹⁰ Rule 14

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 parties¹¹. My examination will be principally undertaken through the exchange of written submissions, and I will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important I consider an issue or topic to be.

Hearing agendas

I 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 my discretion.

7 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/london/riverside-energy-park/>

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 Examination documents' unique reference numbers** (applied in the EL) when referring to them in representations that you make.

Documents can also be viewed electronically at public libraries usually free of charge at the following locations. If you have difficulty accessing any documentation, please contact the Case Team using the details provided at the top of this letter. The Applicant may provide hard copies in local locations but is under no obligation to do so. All documents are available on the National Infrastructure Planning website -

<https://infrastructure.planninginspectorate.gov.uk/projects/london/riverside-energy-park/?ipcsection=docs>

¹¹ Rule 14(5)

Authority	Location	Opening hours		Printing/ copying
London Borough of Bexley	Slade Green and Howbury Community Library, Chrome Road Erith DA8 2EL	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	10am - 7pm 10am – 7pm 10am – 530 10am – 9pm 10am – 9pm 10am – 4pm 930am – 230	<ul style="list-style-type: none"> • Computer access • Don't need ID to access the building • 20p for B&W, 75P for colour
London Borough of Bexley	Belvedere Community Centre, Mitchell Close, Belvedere, DA17 6AA	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	8am – 10pm 8am – 10pm 8am – 10pm 8am – 10pm 8am – 11pm 8am – 11pm 8am – 10pm	<ul style="list-style-type: none"> • No computer access, free wifi • Don't need ID to access the building • 10p to copy
London Borough of Bexley	London Borough of Bexley Civic Offices, 2 Watling Street, Bexleyheath, Kent, DA6 7AT	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	9am - 5pm 9am - 5pm 9am - 5pm 9am - 5pm 9am - 5pm Closed Closed	<ul style="list-style-type: none"> • Free computer access • No ID required • £15.50 up to 10 sheets, 10p after that • £6 per plan
London Borough of Dartford	Dartford Library Central Park, Market Street, Dartford, Kent, DA1 1EU	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	830am – 6pm 830am – 6pm 830am – 6pm 830am – 6pm 830am – 6pm 9am - 5pm Closed	<ul style="list-style-type: none"> • Computers are free • Printing B&W 15p 50p colour A4 only

All printing charges quoted are correct as of March 2019.

This communication does not constitute legal advice.

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