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

Services: 0303 444 5000

e-mail: BostonAlternativeEnergyFacility

@planninginspectorate.gov.uk

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

Your Ref:

Our Ref: EN010095

Date: 14 October 2021

Dear Sir/ Madam

The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 and 9

Application by Alternative Use Boston Projects Limited for an Order Granting Development Consent for the Boston Alternative Energy Facility project

# **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/north-east/boston-alternative-energy-facility-baef/?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 17 August 2021 [PD-005]<sup>1</sup>. 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.

In light of the representations received I have made the following changes to the draft Examination Timetable at Annex D of the Rule 6 letter [PD-005]:



<sup>&</sup>lt;sup>1</sup> Your invitation to the Preliminary Meeting

#### Deadline 2

- Submission of the Applicant's Navigational Risk Assessment;
- Submission of the Applicant's draft in-principle habitats regulations derogation case;

The **Issue Specific Hearing on navigation and fishing matters** has been moved from 25 November 2021 to w/c 28 February 2022.

**Deadline 3** has been moved from Thursday 2 December to Monday 6 December to allow more time to submit post-hearing submissions.

#### Deadline 4

- has been moved from Friday 10 December 2021 to Monday 13 December due to Deadline 3 having been moved;
- updated SoCGs have been removed;
- comments on draft in-principle habitats regulations derogation case have been added.

## **Deadline 6**

updated SoCGs have been removed

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, I may disregard them.

I request that Interested Parties make their submissions through the electronic portal which is available on the project page of the National Infrastructure Planning website ('Make a submission' tab). 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 I consider it necessary to vary the Examination Timetable during the Examination, notification will only be sent to Interested Parties and Other Persons<sup>2</sup> invited to the Preliminary Meeting. The changes will be published on the Boston Alternative Energy Facility 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:

- Initial Assessment of Principal Issues;
- Examination Timetable;

<sup>2</sup> 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

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- Examining Authority's Written Questions;
- Statements of Common Ground (SoCG);
- · Local Impact Reports (LIRs); and
- Accompanied Site Inspection (ASI).

## **Written Representations**

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by **Deadline 1**, **19 October 2021**, in the Examination Timetable (**Annex A**).

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 letter<sup>3</sup>. 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 why<sup>4</sup>. Interested Parties should also provide with their Written Representations "the data, methodology and assumptions used to support their submissions"<sup>5</sup>.

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**

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:

http://infrastructure.planninginspectorate.gov.uk/document/EN010095-000620

Answers to my WQs must be provided by **Deadline 2**, **11 November 2021** in the Examination Timetable (**Annex A**).

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

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



<sup>&</sup>lt;sup>3</sup> http://infrastructure.planninginspectorate.gov.uk/document/EN010095-000578

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

## **Hearings**

The Examination Timetable at **Annex A** 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 **17 November 2021**, 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/north-east/boston-alternative-energy-facility-baef/?ipcsection=docs

**Annex D** provides details of the location 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

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

If your reference number begins with '2002', 'BAEF-AFP' 'BAEF-APL you are in Group A. you are in Group A. If your reference number begins with 'BAEF-SP' you are in Group B. If your reference number begins with 'BAEF-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)<sup>6</sup>. It is in everyone's interest that information is brought forward as early as possible in the examination process so you are encouraged to do so.

# **Management of information**

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

 $\frac{https://infrastructure.planninginspectorate.gov.uk/projects/north-east/boston-alternative-energy-facility-baef/?ipcsection=advice$ 

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

Max Wiltshire

## Max Wiltshire, 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

This communication does not constitute legal advice.

Please view our Privacy Notice before sending information to the Planning Inspectorate.

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<sup>6</sup> 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	Date
1.	<ul> <li>Procedural Deadline A</li> <li>Deadline for receipt by the ExA of:         <ul> <li>Written submissions on the Examination procedure including any submissions about the use of virtual procedures; and</li> <li>Requests to be heard orally at the Preliminary Meeting Part 1</li> <li>Applicant's draft Accompanied Site Inspection itinerary</li> </ul> </li> </ul>	Tuesday 14 September 2021
2.	Preliminary Meeting PART 1	Tuesday 28 September 2021
3.	<ul> <li>Procedural Deadline B</li> <li>Deadline for receipt by the ExA of:         <ul> <li>Written submissions on Examination procedure including responses to matters raised orally at the Preliminary Meeting Part 1; and</li> <li>Requests to be heard orally at the Preliminary Meeting Part 2</li> </ul> </li> <li>Comments on the Applicant's draft Accompanied Site Inspection (ASI) itinerary</li> </ul>	Monday 4 October 2021
4.	Preliminary Meeting PART 2	Thursday 7 October 2021
5.	Issue by the ExA of:  • Examination Timetable  Publication of:  • The ExA's Written Questions (ExQ1)  • The ExA's draft ASI itinerary	As soon as practicable following the Preliminary Meeting
6.	Deadline 1  For receipt by the ExA of:  Comments on Relevant Representations (RRs)	Tuesday 19 October 2021

	Date reserved for Open Floor Hearing in person	Thursday 18
8.	Accompanied Site Inspection	Wednesday 17 November 2021
	Any further information requested by the ExA under Rule 17 of the Examination Rules	
	<ul> <li>Applicant's draft in-principle Habitats Regulations derogation case</li> </ul>	
	Applicant's Navigational Risk Assessment	
	Responses to ExA's Written Questions	
	Updated Application Guide	
	Comments on LIRs	
	Comments on WRs	
	For receipt by the ExA of:	November 2021
7.	Deadline 2	Thursday 11
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules<sup>1</sup></li> </ul>	
	<ul> <li>Notification by Statutory Parties of their wish to be considered as an Interested Party by the ExA</li> </ul>	
	<ul> <li>Notification of wish make oral representations at an Issue Specific Hearing (ISH)</li> </ul>	
	<ul> <li>Notification from any Affected Person of wish to speak at a Compulsory Acquisition Hearing (CAH)</li> </ul>	
	<ul> <li>Notification of wish to speak at Open Floor Hearing (in-person)</li> </ul>	
	Comments on ExA's draft ASI itinerary	
	Notification of wish to attend ASI	
	Statement of Commonality of SoCGs	
	Initial Statements of Common Ground (SoCGs)	
	<ul> <li>Local Impact Report(s) (LIR) from any local authority</li> </ul>	
	Summaries of all WRs exceeding 1500 words	
	Written Representations (WRs)	
	Summaries of RRs exceeding 1500 words	

 $<sup>^{\</sup>mathrm{1}}$  The Infrastructure Planning (Examination Procedure) Rules 2010

10.	Issue Specific Hearing on the draft Development Consent Order	Tuesday 23 November 2021
11.	Issue Specific Hearing on environmental matters (part 1)	Wednesday 24 November 2021
12.	Issue Specific Hearing on environmental matters (part 2 – if required)	Thursday 25 November 2021
13.	Date reserved for Compulsory Acquisition Hearing (if required)	Friday 26 November 2022
14.	Deadline 3	Monday 6
	For receipt by the ExA of:	December 2021
	<ul> <li>Post hearing submissions including written summaries of oral case</li> </ul>	2021
	<ul> <li>Comments on responses to ExA's Written Questions</li> </ul>	
	<ul> <li>Revised draft Development Consent Order (DCO)</li> </ul>	
	Updated Book of Reference	
	<ul> <li>Land negotiations tracker, including s127 Statutory Undertakers' Land and Rights Schedule and s138 Statutory Undertakers' Apparatus Schedule</li> </ul>	
	Updated Application Guide	
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules (if required)</li> </ul>	
15.	Deadline 4	Monday 13
	For receipt by the ExA of:	December 2021
	Comments on revised draft DCO	
	<ul> <li>Updated Statement of Commonality of SoCGs</li> </ul>	
	Updated Application Guide	
	<ul> <li>Comments on draft in-principle Habitats Regulations derogation case</li> </ul>	
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules (if required)</li> </ul>	
16.	Publication by the ExA of:	Tuesday 11 January 2022

	Second Written Questions (if required)	
	<ul> <li>ExA's commentary on the draft DCO</li> </ul>	
17.	Deadline 5	Tuesday 25
	For receipt by the ExA of:	January 2022
	<ul> <li>Responses to Second Written Questions (if required)</li> </ul>	
	• Responses to ExA's commentary on the draft DCO	
	Updated Application Guide	
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules (if required)</li> </ul>	
18.	Deadline 6	Tuesday 8
	For receipt by the ExA of:	February 2022
	<ul> <li>Comments on responses to Second Written Questions (if required)</li> </ul>	2022
	Revised draft DCO	
	<ul> <li>Updated Statement of Commonality of SoCGs</li> </ul>	
	Updated Application Guide	
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules (if required)</li> </ul>	
19.	Publication by the ExA of:	Tuesday 22
	<ul> <li>Report on the Implications for European Sites (RIES)</li> </ul>	February 2022
20.	Dates reserved for:	Monday 28
	Accompanied Site Inspection	February to Friday 4 March 2022
	Open Floor Hearings	
	Issue Specific Hearings	
	<ul> <li>Issue Specific Hearing on navigation and fishing matters</li> </ul>	
	Compulsory Acquisition Hearings	
21.	Deadline 7	Tuesday 15
	For receipt by the ExA of:	March 2022
	<ul> <li>Post hearing submissions including written summaries of oral case (if required)</li> </ul>	
	Comments on the RIES	

	Comments on revised draft DCO	
	Updated Application Guide	
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules (if required)</li> </ul>	
22.	Deadline 8	Thursday 24
	For receipt by the ExA of:	March 2022
	<ul> <li>Final DCO to be submitted by the Applicant in the SI template with the SI template validation report</li> </ul>	
	<ul> <li>Tracked version of the Applicant's final DCO</li> </ul>	
	<ul> <li>finalised schedule of changes to the dDCO</li> </ul>	
	<ul> <li>Final updated Book of Reference</li> </ul>	
	Final SoCGs	
	<ul> <li>Final Statement of Commonality of SoCGs</li> </ul>	
	<ul> <li>Final land negotiations tracker, including s127         Statutory Undertakers' Land and Rights Schedule         and s138 Statutory Undertakers' Apparatus         Schedule (clean and tracked)     </li> </ul>	
	Updated Application Guide	
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules (if required)</li> </ul>	
23.	Deadline 9	Thursday 7
	For receipt by the ExA of:	April 2022
	<ul> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	
	The ExA is under a duty to complete the examination of the application by the end of the period of six months	

# **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.

# **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 its obligations under Regulation 63(3) of the Habitats Regulations<sup>2</sup> and/ or Regulation 28 of the Offshore Marine Regulations.

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<sup>&</sup>lt;sup>2</sup> The Conservation of Habitats and Species Regulations 2017

## **Procedural Decisions made by the Examining Authority**

I have made a number of Procedural Decisions following the Preliminary Meeting<sup>1</sup>:

## 1. Initial Assessment of Principal Issues

I have paid careful attention to submissions about my Initial Assessment of Principal Issues (Annex C to the Rule 6 Letter of 17 August 2021). That assessment represents a snapshot in time, a non-exhaustive list of issues identified at the start of the pre-examination period. Additional important and relevant issues are likely to emerge during the Examination and all important and relevant issues will be examined. For these reasons I do not propose to amend or republish the initial assessment.

#### 2. Examination Timetable

I received proposals from various bodies in representations and at the Preliminary Meeting that the examination should be deferred. Taking all these considerations into account, both individually and cumulatively, I concluded that on balance, the commencement of the examination should not be deferred or delayed. In response to those submissions my summary reasons for that decision are as follows:

- That the Applicant is taking on the consenting risk fully aware of the views of the statutory consultees, and in particular their views on the amount of time available in the examination;
- The Applicant has stated their consenting strategy and how they plan to proceed in knowledge of the risk to the final recommendation and decision, and indeed any later permit requirements if they don't pursue that now.
- To conclude this item, I have emphasised that where the Environmental Impact Regulations and the NPSs require certainty and feasibility regarding these matters there will be deadlines in the examination that the Applicant must meet to enable me to reach a conclusion.

In response to representations received I have made the following changes to the draft timetable issued with my Rule 6 letter, these are summarised below.

#### Deadline 2

- Submission of the Applicant's Navigational Risk Assessment;
- Submission of the Applicant's draft in-principle Habitats Regulations derogation case;

The **Issue Specific Hearing on navigation and fishing matters** has been moved from 25 November 2021 to w/c 28 February 2022.

**Deadline 3** has been moved from Thursday 2 December to Monday 6 December to allow more time to submit post-hearing submissions.

## **Deadline 4**

 has been moved from Friday 10 December 2021 to Monday 13 December due to deadline 3 having been moved;

<sup>&</sup>lt;sup>1</sup> Section 89(1) of the Planning Act 2008

- updated SoCGs have been removed;
- comments on draft in-principle Habitats Regulations derogation case have been added.

#### Deadline 6

• updated SoCGs have been removed.

# 3. Examining Authority's Written Questions

http://infrastructure.planninginspectorate.gov.uk/document/EN010095-000620

Some of my 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 I request for each to check my 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 I ask, even if it is directed elsewhere.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015<sup>2</sup>.

## 4. 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 **24 March 2022** (Deadline 8, **Annex A**).

- 1. Anglian Water
- 2. Boston Borough Council
- 3. The Boston and Fosdyke Fishing Society
- 4. Environment Agency
- 5. Historic England
- 6. Lincolnshire County Council
- 7. Marine Management Organisation
- 8. Natural England
- 9. Public Health England
- 10. Western Power Distribution plc
- 11. Port of Boston
- 12. Royal Society for the Protection of Birds
- 13. Lincolnshire Wildlife Trust

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.

 $<sup>^2\ \</sup>underline{\text{https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/legislation/}}$ 

## 5. Local Impact Reports (LIRs)

A LIR is a report in writing giving details of the likely impact of a Proposed Development on a local authority's area (or any part of that area). For more information about the importance and content of LIRs see our Advice Note One: Local Impact Reports<sup>3</sup>.

Local authorities<sup>4</sup> are invited to submit LIRs by 19 October 2021 (Deadline 1, **Annex A**).

## 6. Accompanied Site Inspection (ASI)

An ASI will be undertaken on 17 November 2021.

As requested in Annex E of my Rule 6 letter dated 17 August 2021, on 14 September 2021 the Applicant submitted to the Examination a draft itinerary for the ASI. The draft itinerary was published to the National Infrastructure Planning website and comments received at Procedural Deadline B. I have considered those comments and endeavoured to include them where possible in my draft ASI itinerary published with this letter.

I now invite comments from any Interested Party on the ExA's draft itinerary by Tuesday 19 October 2022 (Deadline 1, **Annex A**). Requests by Interested Parties to attend the ASI should be provided to the same deadline. As explained in my Rule 6 letter, the Interested Parties attending the ASI will include representatives of the Applicant, the council, together with other Interested Parties (or their representatives).

It may be necessary to limit the numbers of persons who accompany me 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.

The final itinerary for the ASI will be published on the project page of the National Infrastructure Planning website on or before **10 November 2021**.

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

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

<sup>&</sup>lt;sup>4</sup> Defined in s56A of the Planning Act 2008

## Requests to appear and procedure to be followed at hearings

The Examination Timetable reserves periods of time for hearings to be held.

At least one Issue Specific Hearing, dealing with the draft Development Consent Order will also be held.

# Requests to appear at hearings

Interested Parties are required to notify the Examining Authority (ExA) in writing of their wish to take part in an Open Floor Hearing (OFH) or Compulsory Acquisition Hearing (CAH). I remind Interested Parties of the Procedural Decision issued with the Rule 6 letter requesting notification from Interested Parties in this regard on or before Tuesday 19 October 2021 (Deadline 1, **Annex A**).

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

I may also choose 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.

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

## Procedure at hearings

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

The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties<sup>2</sup>. My 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 I consider an issue or topic to be.

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

<sup>&</sup>lt;sup>1</sup> Rule 14

# **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.

## 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/north-east/boston-alternative-energy-facility-baef/?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.

# **Kirton Library**

New Life Community Church The Junction Wash Road Boston Lincolnshire PE20 1QJ

Opening times: Monday Closed

Tuesday 10am to 12pm

Wednesday Closed
Thursday 2pm to 4pm

Friday Closed Saturday 10am to 12pm

Sunday Closed

Facilities will be available for copying documents at a charge of:

A4 black and white: 10p single-sided A4 colour: 25p single-sided A3 black and white: 20p single-sided A3 colour: 50p single-sided