



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

Customer 0303 444 5000  
Services:

email: [HornseaProjectFour@planninginspectorate.gov.uk](mailto:HornseaProjectFour@planninginspectorate.gov.uk)

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All Interested Parties, Statutory  
Parties and any other person invited  
to the Preliminary Meeting

Your Ref:

Our Ref: EN010098

Date: 28 February 2022

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Dear Sir/ Madam

## **Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8, Rule 9 and Rule 13**

### **Application by Ørsted Hornsea Project Four Limited for an Order Granting Development Consent for the Hornsea Project Four Offshore Wind Farm**

#### **Examination Timetable and procedure and Notification of Hearings**

#### **Purpose and content of the letter**

This letter (the Rule 8 letter) provides important information about the Examination of this application. The letter includes:

- The Examination Timetable;
- An invitation to submit Written Representations;
- Details of the publication of the Examining Authority's (ExA) written questions;
- A request for Statements of Common Ground;
- A request for Local Impact Reports from Local Authorities;
- Other Procedural Decisions made by the ExA;
- Notification of Hearings;
- Information about Hearings;
- Availability of Examination Documents; and
- Guidance on the use of the 'Make a submission' tab on the project webpage.

All documentation associated with this Examination, including a note of the Preliminary Meeting and the recording of that meeting, can be viewed under the [Documents tab](#) on the [project webpage](#) of the National Infrastructure Planning website.

## 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** to this letter.

The Examination Timetable replaces the draft timetable that was included in our [Rule 6 letter](#). In finalising the Examination Timetable, the ExA has sought to accommodate requests and suggestions made orally or in writing to the Preliminary Meeting. A list of the main changes made to the draft Examination Timetable are set out at **Annex B** to this letter.

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines, except Deadline 8 are at 23:59 on the date specified. The deadline for Deadline 8 is 12 noon. 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.

We request that all Interested Parties make their submissions using the [Make a submission tab](#) on the project webpage on or before the applicable Deadline. **Annex E** to this letter provides further information about using the Make a submission tab.

If we consider it necessary to vary the Examination Timetable during the Examination, notification will be sent to Interested Parties, Statutory Parties and Other Persons invited to the Preliminary Meeting. The changes will be published on the [project webpage](#).

## 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.

Paragraphs 16 to 20 of the [Planning Act 2008: Guidance for the examination of applications for development consent](#) provides further information about the definition of Interested Parties.

Written Representations can cover any relevant matter and are not restricted to the matters set out in our [Initial Assessment of Principal Issues](#) or 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 which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination (see paragraph 74 of [Planning Act 2008: Guidance for the examination of applications for development consent](#)).

Further written submissions will be requested by the Examining Authority at various points in the Examination.

Any Written Representations, and any further written submissions requested by the Examining Authority during the Examination, that 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.

Representations **must not include hyperlinks** to documents/evidence hosted on third party websites. Please see the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about Written Representations.

### **Examining Authority's Written Questions**

We have prepared written questions (ExQ1) about the application and the representations received so far. These questions are published on the project webpage and can be accessed at the following link:

[Examining Authority's First Written Questions \(ExQ1\)](#)

Responses to ExQ1 must be provided by **Deadline 2** in the Examination Timetable.

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

**Annex B** to this letter contains important details and clarifications about other Procedural Decisions we made at, or following, the Preliminary Meeting. These include:

- Requests to amend the Examination Timetable;
- Details about an Accompanied Site Inspection (if required);
- Statements of Common Ground;
- Submission of Local Impact Reports;
- Changes to land interests; and
- Request by the Applicant to use a Schedule of Changes.

## Format of Examination Events

The Planning Inspectorate is currently consulting with stakeholders and customers about the future format of Examination hearings. It is expected that both blended (part in-person and part virtual) and fully virtual events will form part of its future operating model. Please see the Planning Inspectorate's [guidance related to Coronavirus \(COVID-19\)](#) for more information, including the detailed guidance relating to Nationally Significant Infrastructure Projects (NSIP). This guidance is updated periodically to align with the most up to date Government guidance relating to Coronavirus (COVID-19).

We therefore remain flexible and will confirm the format of any hearings when we provide formal notification of each hearing at least 21 days in advance of it taking place.

## Notification of hearings

As explained in the Rule 6 letter and at the Preliminary Meeting, the Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

The ExA have made a Procedural Decision to hold the following hearings:

- Open Floor Hearing (OFH) on 11 April 2022 (virtual event)
- Issue Specific Hearing (ISH1) on 12 April 2022 (virtual event)
- Compulsory Acquisition Hearing (CAH) on 13 April 2022 (virtual event)
- Issue Specific Hearing (ISH2 and ISH3) on 26 April 2022 (virtual event)
- Issue Specific Hearing (ISH4) on 27 April 2022 (virtual event)
- Issue Specific Hearing 5 (ISH5) on 28 April 2022 (virtual event)
- Issue Specific Hearing 6 (ISH6) on 29 April 2022 (virtual event)
- Issue Specific Hearing 7 (ISH7) (if required) on 4 May 2022 (virtual event)
- Issue Specific Hearing 8 (ISH8) (if required) on 5 May 2022 (virtual event)

**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.

**You must register by Deadline 1, Tuesday 8 March 2022 if you intend to participate in any of the hearings and provide all the information requested in Annex C to this letter.**

If you simply wish to observe the hearings then you do not need to register as you will be able to watch a livestream of the events. A link to the livestream

will be made available on the [project webpage](#) shortly before the event is scheduled to begin. You will also be able to watch the recording of the events which will be published on the project webpage shortly after the event has finished.

## **Managing Examination correspondence**

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a letter from the Planning Inspectorate but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#).

There is a function on the right-hand side of the project webpage called '[E-mail updates](#)'. This provides you with an opportunity to register to receive automatic e-mail updates at key stages during the Examination and the ExA would encourage you to sign up to receive these updates.

## **Your status in the Examination**

This letter is addressed to those persons and organisations who fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your unique reference number, found at the top of correspondence (letter or email) sent to you by the Planning Inspectorate, begins with:

- '2002', 'HORN-0' 'H4WF-AFP', 'H4WF -S57' or 'H4WF -APL', you are in Group A
- 'H4WF-SP' you are in Group B
- 'H4WF-OP' you are in Group C

The meaning and purpose of those groups are explained in the document published at the link above.

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

## **Awards of costs**

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).

## **Management of information**

Information, including representations, submitted in respect of this Examination (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage](#).

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

Please note that in the interest of facilitating an effective and fair Examination, it is 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

*Jo Dowling*

## **Lead Member of the Examining Authority**

### **Annexes**

- A** Examination Timetable
- B** Other Procedural Decisions made by the Examining Authority
- C** Notice of hearings and requests to participate
- D** Availability of Examination Documents
- E** Information about the Make a submission tab

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

## 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.

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

Item	Matters	Date
1.	<p><b>Procedural Deadline</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written submissions on the Examination procedure and draft Examination Timetable including any submissions about the use of virtual procedures</li> <li>• Requests to be heard orally at the Preliminary Meeting including which agenda items you wish to speak on, points you wish to make and why these need to be made orally rather than in writing.</li> </ul>	<b>Friday 11 February 2022</b>
2.	<b>Preliminary Meeting</b>	<b>Tuesday 22 February 2022 at 10:00</b>
3.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul> <p>Publication of:</p> <ul style="list-style-type: none"> <li>• The ExA's First Written Questions (ExQ1)</li> </ul>	As soon as practicable following the Preliminary Meeting
4.	<p><b>Deadline 1</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Notification of wish to speak at a Compulsory Acquisition Hearing (CAH)</li> <li>• Notification of wish to speak at an Open Floor Hearing (OFH)</li> </ul>	<b>Tuesday 8 March 2022</b>

	<ul style="list-style-type: none"> <li>• Notification of wish to speak at any of the Issue Specific Hearings (ISHs)</li> <li>• Submission of suggested sites for the ExA to visit on either an unaccompanied basis or as part of an Accompanied Site Inspection (ASI), if one is required<sup>1</sup></li> <li>• Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA</li> <li>• Notification of wish to have future correspondence received electronically</li> <li>• Comments on Relevant Representations (RRs)</li> <li>• Local Impact Reports (LIRs) from local authorities (see Annex E)</li> <li>• Initial Statements of Common Ground (SoCGs) requested by the ExA (see Annex E)</li> <li>• Statement of Commonality of SoCGs</li> <li>• A revised version of the draft Development Consent Order (draft DCO) in clean and tracked versions<sup>2</sup></li> <li>• An indicative schedule showing when updated or new offshore ornithology and HRA documents are likely to be submitted into the Examination, including their likely content and approximate size.<sup>3</sup></li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules<sup>4</sup></li> </ul>	
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<sup>1</sup> When suggesting locations, please have regard to the places visited by the ExA on its Unaccompanied Site Inspections (USIs) [EV-001 and EV-002]. Suggestions must explain why the site needs to be visited, information about whether the location can be accessed or seen using public rights of way or publicly accessible land, and what access arrangements would need to be made.

<sup>2</sup> As suggested by the Applicant at the Preliminary Meeting.

<sup>3</sup> To assist various parties with advance resource planning, as agreed at the Preliminary Meeting.

<sup>4</sup> The Infrastructure Planning (Examination Procedure) Rules 2010



<p><b>5.</b></p>	<p><b>Deadline 2</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to ExQ1</li> <li>• Written Representations (WRs)</li> <li>• Summaries of any WRs that exceed 1500 words</li> <li>• Comments on the LIR(s)</li> <li>• Applicant to provide a draft itinerary for the ASI if required</li> <li>• Applicant to provide an updated Guide to the Application</li> <li>• Applicant to provide a Compulsory Acquisition Schedule (CA Schedule)</li> <li>• An updated version of the draft DCO in clean and tracked versions (if required as a result of ExQ1)</li> <li>• Schedule of changes to the draft DCO (if required)</li> <li>• Responses to comments on RRs</li> <li>• Comments on any other submissions received at Deadline 1</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	<p><b>Tuesday 29 March 2022</b></p>
<p><b>6.</b></p>	<p><b>Open Floor Hearing</b></p>	<p><b>To be held virtually on MS Teams on Monday 11 April 2022 (evening)</b></p>
<p><b>7.</b></p>	<p><b>Issue Specific Hearing (ISH1)</b></p> <ul style="list-style-type: none"> <li>• ISH1 on the draft DCO</li> </ul>	<p><b>To be held virtually on MS Teams on Tuesday 12 April 2022</b></p>
<p><b>8.</b></p>	<p><b>Compulsory Acquisition Hearing (CAH1)</b></p> <ul style="list-style-type: none"> <li>• CAH1 on the Applicant's compulsory acquisition (CA) and temporary possession (TP) case and on any CA</li> </ul>	<p><b>To be held virtually on MS Teams on Wednesday 13 April 2022</b></p>

	and TP objections (if there are requests to be heard)	
<b>9.</b>	<p><b>Deadline 3</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post-hearing submissions including written summaries of oral case put at any of the hearings held during w/c 11 April 2022</li> <li>• Comments on draft ASI itinerary produced by the Applicant</li> <li>• Comments on submissions received at Deadline 2</li> <li>• Progressed versions of any SoCG and an updated Statement of Commonality of SoCG</li> <li>• Applicant to provide an updated Guide to the Application</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	<b>Thursday 21 April 2022</b>
<b>10.</b>	<p><b>Issue Specific Hearing (ISH2)</b></p> <ul style="list-style-type: none"> <li>• ISH2 on onshore environmental matters)<sup>5</sup></li> </ul>	<b>To be held virtually on MS Teams on Tuesday 26 April 2022 (morning)</b>
<b>11.</b>	<p><b>Issue Specific Hearing (ISH3)</b></p> <ul style="list-style-type: none"> <li>• ISH3 on offshore environmental matters<sup>6</sup></li> </ul>	<b>To be held virtually on MS Teams on Tuesday 26 April 2022 (afternoon)</b>
<b>12.</b>	<p><b>Issue Specific Hearing (ISH4)</b></p>	<b>To be held virtually on MS Teams on Wednesday 27 April 2022</b>

<sup>5</sup> The agenda will draw on some or all of the following matters: design, landscape and visual effects; traffic and transport and Public Rights of Way; the historic environment; effect of noise, vibration, EMFs and lighting effects onshore; onshore water environment; the Proposed Development and site selection; socio economic, land use and agriculture effects.

<sup>6</sup> The agenda will draw on some or all of the following matters: commercial fishing and fisheries (but not in relation to fish or shellfish ecology); infrastructure and other marine activities and users; navigation and radar (marine and air).

	<ul style="list-style-type: none"> <li>• ISH4 on the marine environment (excluding ornithology)<sup>7</sup></li> </ul>	
<b>13.</b>	<b>Issue Specific Hearing (ISH5)</b> <ul style="list-style-type: none"> <li>• ISH5 on marine and coastal ornithology</li> </ul>	<b>To be held virtually on MS Teams on Thursday 28 April 2022</b>
<b>14.</b>	<b>Issue Specific Hearing (ISH6)</b> <ul style="list-style-type: none"> <li>• ISH6 on the Habitats Regulations Assessment</li> </ul>	<b>To be held virtually on MS Teams on Friday 29 April 2022</b>
<b>15.</b>	<b>Issue Specific Hearing (ISH7) (reserve date if required)</b> <ul style="list-style-type: none"> <li>• ISH7 on environmental matters</li> </ul>	<b>To be held virtually on MS Teams on Wednesday 4 May 2022</b>
<b>16.</b>	<b>Issue Specific Hearing (ISH8) (reserve date if required)</b> <ul style="list-style-type: none"> <li>• ISH8 on environmental matters</li> </ul>	<b>To be held virtually on MS Teams on Thursday 5 May 2022</b>
<b>17.</b>	<b>Deadline 4</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Post-hearing submissions including written summaries of oral case put at any of the hearings during the w/c 25 April 2022 and 2 May 2022</li> <li>• Progressed versions of any SoCG and an updated Statement of Commonality of SoCG</li> <li>• An updated Guide to the Application</li> <li>• An updated CA Schedule</li> <li>• An updated version of the draft DCO in clean and tracked versions</li> <li>• An updated schedule of changes to the draft DCO</li> <li>• Comments on any submissions received at Deadline 3</li> </ul>	<b>Tuesday 10 May 2022</b>

<sup>7</sup> This is likely to include matters relating to (*inter alia*) marine processes; marine geology; oceanography; marine and coastal ecology (including benthic, fish, shellfish and mammals); and marine underwater noise.

	<ul style="list-style-type: none"> <li>Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	
<b>18.</b>	<p><b>Publication of:</b></p> <ul style="list-style-type: none"> <li>ExA's Further Written Questions (ExQ2) (if required)</li> </ul>	<b>Monday 30 May 2022</b>
<b>19.</b>	<p><b>Deadline 5</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Responses to ExQ2 (if published)</li> <li>Notification of wish to attend an ASI if one is required</li> <li>An updated Guide to the Application</li> <li>An updated version of the draft DCO in clean and tracked versions (if required)</li> <li>Schedule of changes to the draft DCO (if required)</li> <li>An updated CA Schedule in clean and tracked versions</li> <li>Progressed SoCGs and an updated Statement of Commonality of SoCGs</li> <li>Comments on any submissions received at Deadline 4</li> <li>Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	<b>Monday 20 June 2022</b>
<b>20.</b>	<p><b>Dates reserved (if required) for:</b></p> <ul style="list-style-type: none"> <li>Any Compulsory Acquisition Hearing</li> <li>Any Issue Specific Hearing</li> <li>Any Open Floor Hearing</li> <li>Accompanied Site Inspection<sup>8</sup></li> </ul>	<b>Week commencing Monday 18 July 2022, format to be confirmed</b>
<b>21.</b>	<p><b>Deadline 6</b></p> <p>Deadline for receipt by the ExA of:</p>	<b>Wednesday 27 July 2022</b>

<sup>8</sup> Please note the ExA will consider all submissions on this and if an ASI is necessary it can only go ahead if Government guidance on COVID-19 at that time permits. In the event it cannot be undertaken as a physical visit, alternative approaches (including the potential use of technology) will be explored and all participants will be notified.

	<ul style="list-style-type: none"> <li>• Post-hearing submissions including written summaries of oral case put at hearings during w/c 18 July 2022 (if held)</li> <li>• Comments on responses to ExQ2 (if published)</li> <li>• An updated Guide to the Application</li> <li>• An updated version of the draft DCO in clean, tracked and Word versions</li> <li>• Schedule of changes to the draft DCO</li> <li>• An updated CA Schedule in clean and tracked versions</li> <li>• Progressed SoCGs and an updated Statement of Commonality of SoCGs</li> <li>• Comments on any other submissions received at Deadline 5</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	
<b>22.</b>	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• The Report into the Implications for European Sites (RIES) (if required)</li> <li>• The ExA's preferred draft DCO, proposed schedule of changes, or commentary on the draft DCO (if required)</li> <li>• Any requests for information under Rule 17 of the Examination Procedure Rules (if required)</li> </ul>	<b>Thursday 28 July 2022</b>
<b>23.</b>	<p><b>Deadline 7</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the ExA's preferred draft DCO, proposed schedule of changes, or commentary on the draft DCO (if issued)</li> <li>• Final SoCGs and Statement of Commonality of SoCGs, also listing matters not agreed (in circumstances where a SoCG could not be finalised)</li> </ul>	<b>Wednesday 10 August 2022</b>

	<ul style="list-style-type: none"> <li>• Final version of the draft DCO in clean, tracked and Word versions</li> <li>• Final schedule of changes to the draft DCO (if required)</li> <li>• Final draft DCO to be submitted by the Applicant in the SI template with the SI validation report</li> <li>• Final Guide to the Application</li> <li>• Final CA Schedule in clean and tracked versions</li> <li>• An updated Book of Reference</li> <li>• Signed and dated planning obligations and any other agreements (if required)</li> <li>• Comments on any submissions received at Deadline 6</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	
<b>24.</b>	<p><b>Deadline 8</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the RIES (if issued)</li> <li>• Comments on responses submitted for Deadline 7</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	<b>Midday on Thursday 18 August 2022</b>
<b>25.</b>	<p>The ExA is under a duty to complete the examination of the application by the end of the period of six months.</p> <p>Please note that the ExA may close the Examination before the end of the six-month period if it is satisfied that all relevant matters have been addressed and discussed.</p>	<b>Monday 22 August 2022</b>

### Submission times for deadlines

The final time for submission of documents at all deadlines **except** Deadline 8 is 23:59 on the relevant deadline date although you are

welcome to submit documents in advance of the deadline. The deadline for Deadline 8 is **midday** on Thursday 18 August 2022. The acceptance of documents received after the expiry of a deadline is subject to the exercise of discretion by the ExA.

### **Publication dates**

All information received will be published on the [project webpage on the National Infrastructure Planning website](#) as soon as practicable after the deadlines for submissions. See **Annex E** of this letter for more information.

### **Hearing agendas**

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a high-level agenda alongside the notification of the hearing to help inform your decision about whether to register to participate. A detailed draft agenda will be made available on the [project webpage on the National Infrastructure Planning website](#) at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. Agendas may not be published for Open Floor Hearings.

### **Report on the Implications for European Sites (RIES)**

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake the 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 considered as part of the ExA's Recommendation to the Secretary of State.

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

## **Other Procedural Decisions made by the Examining Authority (ExA)**

In addition to the Procedural Decisions published in the Rule 6 letter of 24 January 2022 [PD-005], the ExA has made a number of Procedural Decisions following the Preliminary Meeting<sup>1</sup>:

### **1. Examination Timetable**

At the Procedural Deadline, a number of parties [PDL-001 and PDL-006] had raised concerns about their ability to prepare for and attend the Issue Specific Hearings (ISHs) timetabled for the week commencing 25 April 2022 as this would be in the week immediately after Easter. In response to these concerns the ExA has reviewed the timetable and to allow preparation time for people proposing to attend the ISH they will now commence on Tuesday 26 April 2022. The hearings will also be held virtually in order to minimise the need for attendees to travel. Finally, the ExA has programmed towards the end of the week the ISH at which Natural England's attendance is required, recognising the particular concerns it raised [PDL-006].

In order to allow all parties to know when they may need to attend, where possible the ExA has indicated the broad topics that will be considered at each ISH. A further two reserve dates have been included in the timetable for the following week on Wednesday 4 and Thursday 5 May 2022, allowing for the Bank Holiday that falls on Monday 2 May 2022. These would only be used if required. To accommodate these changes, Deadline 4 has been moved to Tuesday 10 May 2022.

The ExA notes Natural England's [PDL-006] concerns regarding Deadline 6 (27 July 2022). However, the ExA does not consider that the request to change this Deadline can be accommodated as it would affect the ability of the ExA to issue a Report on the Implications for European Sites, if one was needed.

The ExA notes the preference raised by the Applicant at the Preliminary Meeting [EV-003] to present evidence in person at an ISH. However, the ExA is also aware of the views expressed by the RSPB at the Preliminary Meeting [EV-003] where it stated that it was of a similar view to ERYC [PDL-004] and Natural England [PDL-006] in support of virtual events. For the reasons outlined above and as set out by the ExA at the Preliminary Meeting the ISHs timetabled for April and May will be held virtually. However, no decision has yet been made on the format of the ISHs timetabled for July, if they are required. The ExA will review the Applicant's request again at the relevant point in the Examination.

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



The ExA notes the Applicant's [PD-001] request that Timetable deadlines should be changed to 18:00 to allow for the health and wellbeing of its staff. As outlined at the Preliminary Meeting [EV-003], the time is common to all parties. The deadline of 23:59 allows for parties who are working or otherwise occupied in the daytime the opportunity to use the evening to work on and submit their representations. Therefore, in order to ensure fairness and access to all the ExA does not agree to the suggested change. This of course does not preclude the Applicant from introducing its own internal deadline for the completion of documents for submission into the Examination.

## **2. Accompanied Site Inspection (ASI)**

Time has been reserved in the Examination Timetable to undertake an ASI, if required, during the week commencing the 18 July 2022. The format and detail of this will depend on any Government public health restrictions that may be in force at the time.

The Examination Timetable at **Annex A** invites you to submit suggested locations for the ExA to visit, should an ASI be required, by **Deadline 1**. If you are suggesting locations please have regard to the places visited by the ExA on its Unaccompanied Site Inspections (USIs) [EV-001 and EV-002]. Suggestions must explain why the site needs to be visited, information about whether the location can be accessed or seen using public rights of way or publicly accessible land, and what access arrangements would need to be made.

The Applicant has been asked to produce at **Deadline 2** a draft itinerary and arrangements based on any requests and suggestions received at Deadline 1 as noted above.

The ExA will consider all the submissions on this, and if an ASI is considered necessary it will aim to publish the final itinerary and arrangements on the project page of the Planning Inspectorate's National Infrastructure website closer to the event.

If an ASI is held and you want to attend, the date by which you would need to notify the ExA has been amended to **Deadline 5**.

Interested Parties should be aware that any **ASI would only allow the ExA to view specific features and would not be an opportunity to make oral representations to the ExA about the Proposed Development**.

### **3. Examining Authority's Written Questions**

The ExA's first set of Written Questions (ExQ1) has been published alongside this Rule 8 letter. Whilst most of the written questions are directed at specific parties, no other party should feel inhibited or restricted in responding to any question that has been asked, even if it is directed elsewhere.

Some of the questions are directed to specific Statutory Parties that 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 are requested to check the Written Questions carefully in order that they may identify and respond to any questions posed to them.

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](#). Statutory Parties, including relevant local authorities, that have not already registered to become an Interested Party should consider notifying the ExA of their wish to be considered as an Interested Party, under Section 89(2A)(b) of the Planning Act 2008 as soon as possible.

Responses to ExQ1 are due at **Deadline 2**.

### **4. Statements of Common Ground (SoCG)**

At the Preliminary Meeting [EV-003], the ExA confirmed that as the National Farmers Union had not submitted a Relevant Representation then a SoCG with it would not be necessary.

The ExA can also confirm that in relation to the effect of the Proposed Development on the Endurance Aquifer, only a SoCG with BP Exploration Operating Co. Ltd, the operating company within the Northern Endurance Partnership, is required.

With regards to the request submitted on behalf of NEO Energy (SNS) Limited [PDL-003] for the Applicant to produce a SoCG with all of the oil and gas operators that have made Relevant Representations, the Applicant advised at the Preliminary Meeting [EV-003] its intention to submit joint position statements with these operators rather than SoCGs. The Applicant is directed to ExQ1 where the ExA has requested further information on this matter. Once this information is received, the ExA will consider this matter further.

## **5. Local Impact Reports (LIR)**

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 PINS [Advice Note One: Local Impact Reports](#).

Local Authorities, defined in section 56A of the Planning Act 2008, are invited to submit LIRs by **Deadline 1**.

At the Preliminary Meeting [EV-003], the ExA confirmed that it was satisfied with the approach proposed by East Riding of Yorkshire Council for submitting its LIR, as outlined in its submission [PDL-004].

## **6. Habitats Regulations Assessment**

Under The Conservation of Offshore Marine Habitats and Species Regulations 2017 and The Conservation of Habitats and Species Regulations 2017, certain information needs to be provided and consultation undertaken during the course of the Examination in order to inform the Secretary of State as the competent authority for a Habitats Regulations Assessment (HRA). The Applicant is requested to ensure that its submitted screening and integrity matrices are kept updated throughout the Examination, with changes submitted at Deadlines as necessary.

## **7. Changes to land interests**

When the Applicant becomes aware that there has been a change in ownership or a new interest in relevant land, the Applicant is requested to make the relevant person aware that they can make a request to the ExA to become an Interested Party under section 102A of the PA2008 by completing the [form available on the project webpage](#). The Examination Timetable includes various Deadlines for the submission of an updated Book of Reference and schedule of changes to the Book of Reference, which should include confirmation that relevant persons have been informed of their rights under section 102A.

## **8. Additional Submissions**

In addition to the documentation submitted by the Procedural Deadline, the ExA has exercised its discretion and made a Procedural Decision to accept Additional Submission from each of the following:

- a letter of representation from Hull City Council [AS-001];
- a written submission from the Holderness Fishing Industry Group [AS-025]; and

- a written submission from the National Federation of Fisherman's Organisations [AS-026].

In addition, the ExA has accepted a number of documents from the Applicant that were submitted in response to section 51 advice issued by the Planning Inspectorate on 26 October 2021 [PD-003]. These can be found in the Examination Library under references [AS-002 to AS-024].

## **9. Request by Applicant to use a Schedule of Changes**

The Applicant [PDL-001] proposed that in order to streamline the production of documents rather than updating them throughout the Examination, that a Schedule of Change would be submitted instead. In its opinion, this would prevent the repeated submission of large documents and provide an overview of combined changes. The Applicant confirmed that it would then update all amended documents at the final deadline or at the request of the ExA.

Whilst the ExA notes the request, having considered the matter further and having experienced the use of Schedules of Change by the Applicant for its responses to the Section 51 advice [PD-003], it considers that the limited benefits of reduced paperwork are outweighed by the potential to exclude Interested Parties from participating in the process and in so doing, restricts the ability to run a fair and open Examination. In particular, the ExA considers that it will take longer to read and understand documents and there is a possibility that important changes or updates could be missed. It is also important to avoid a 'paperchase' around the documents, especially the ES.

## Notification of hearings

### Notice of hearings and requests to participate

The Examining Authority (ExA) provides notice of the following hearings:

<b>Date</b>	<b>Hearing</b>	<b>Start time</b>	<b>Joining details</b>
<b>11 April 2022</b>	<b>Open Floor Hearing</b>	<b>Arrangements Conference from: 18:30 Hearing starts: 19:00</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>12 April 2022</b>	<b>Issue Specific Hearing (ISH1)</b>  ISH1 on the draft DCO	<b>Arrangements Conference from: 09:30 Hearing starts: 10:00</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>13 April 2022</b>	<b>Compulsory Acquisition Hearing (CAH1)</b>  CAH1 on the Applicant's compulsory acquisition (CA) and temporary possession (TP) case and on any CA and TP	<b>Arrangements Conference from: 09:30 Hearing starts: 10:00</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

Date	Hearing	Start time	Joining details
	objections (if there are requests to be heard)		
<b>26 April 2022</b>	<b>Issue Specific Hearing (ISH2)</b> ISH2 on onshore environmental matters	<b>Arrangements Conference from:</b> <b>09:00</b> <b>Hearing starts:</b> <b>09:30</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>26 April 2022</b>	<b>Issue Specific Hearing (ISH3)</b> ISH3 on offshore environmental matters	<b>Arrangements Conference from:</b> <b>13:30</b> <b>Hearing starts:</b> <b>14:00</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>27 April 2022</b>	<b>Issue Specific Hearing (ISH4)</b> ISH4 on the marine environment (excluding ornithology)	<b>Arrangements Conference from:</b> <b>09:00</b> <b>Hearing starts:</b> <b>09:30</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

Date	Hearing	Start time	Joining details
<b>28 April 2022</b>	<b>Issue Specific Hearing (ISH5)</b> ISH5 on marine and coastal ornithology	<b>Arrangements Conference from:</b> <b>09:00</b> <b>Hearing starts:</b> <b>09:30</b>	This hearing will be held virtually using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>29 April 2022</b>	<b>Issue Specific Hearing (ISH6)</b> ISH6 on the Habitats Regulations Assessment	<b>Arrangements Conference from:</b> <b>09:00</b> <b>Hearing starts:</b> <b>09:30</b>	This hearing will be held virtually using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p><b>NOTE:</b> If any of the above hearings are no longer required then notification that a particular date is no longer required will be published as soon as practicable on the <a href="#">Project Webpage</a>, providing reasonable notice to Interested Parties of the decision to cancel them.</p>			

**You must register by Deadline 1, Tuesday 8 March 2022 if you intend to participate in the hearings and provide all the information requested.**

If you simply wish to observe the hearings then you do not need to register as you will be able to watch a livestream of the events. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin. You will also be able to watch the recording of the events which will be published on the project webpage shortly after the events have finished.

## Reserved hearing dates

The ExA intends to cover all necessary matters as set out above. However, notification is also made of further hearings in the event that the ExA considers they are required, for example if a hearing is disrupted by technical issues.

Date	Hearing	Start time	Joining details
4 May 2022	Issue Specific Hearing (ISH7)	<b>Arrangements Conference from:</b> <b>09:00</b> <b>Hearing starts:</b> <b>09:30</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
5 May 2022	Issue Specific Hearing (ISH8)	<b>Arrangements Conference from:</b> <b>09:00</b> <b>Hearing starts:</b> <b>09:30</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p><b>NOTE:</b> If the reserved hearing dates are no longer required then notification will be published as soon as practicable on the <a href="#">Project Webpage</a>, providing reasonable notice to Interested Parties of the decision to cancel them.</p>			

To participate in any of the above hearings, you need to register using this form before 23:59 4 April 2022:  
<https://forms.office.com/r/JgvkTpuUvE>

Please contact the Case Team using the contact details at the top of this letter if you require any support to attend a hearing.



## **Hearing agendas**

Details of what topics will be covered for each of these hearings have been included in the Examination Timetable which can be viewed on the [project webpage](#) to help inform your decision about whether to register to participate.

For Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a detailed draft agenda on the project webpage at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. For Open Floor Hearings an agenda may not be published.

## **Procedure at hearings**

The procedure to be followed at hearings is set out in Rule 14 of The Infrastructure Planning (Examination Procedure) Rules 2010. 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.

## **Hearing livestream and recording**

A link to a livestream for each hearing will be made available on the [project webpage](#) shortly before any hearing is due to open. The livestream is available to anybody who wishes to observe a hearing in real time.

All hearings are recorded, and the recordings will be made available on the project webpage as soon as practicable after the close of the hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed.

## Availability of Examination Documents

The application documents and Relevant Representations are available on the [project webpage on the National Infrastructure Planning website](#).

All further documents submitted in the course of the Examination will also be published under the [Documents](#) tab at the above location.

## The Examination Library

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

The EL records and provides a hyperlink to:

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

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

## Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below. No ID is needed to access the internet.

The opening hours and availability of information technology set out in the table below may be subject to changes or limitations to address public health requirements as a result of Coronavirus (COVID-19). Bearing in mind the availability of the documents on the National Infrastructure Planning website and the effect of public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend.

**ANNEX D**

<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>
Beverley Customer Service Centre	7 Cross Street, Beverley, HU17 9AX	Monday: 9:00am-5pm Tuesday: 9:00am-5pm Wednesday: 9:00am- 5pm Thursday: 9:00am-5pm Friday: 9:00am-4:30pm Saturday: CLOSED Sunday: CLOSED
Bridlington Customer Service Centre	Bridlington Town Hall, Quay Road, Bridlington, YO16 4LP	Monday: 9:00am-4.30pm Tuesday: 9:00am-4.30pm Wednesday 9:00am- 4.30pm Thursday: 9:00am-4.30pm Friday: 9:00am-4.00pm Saturday: CLOSED Sunday: CLOSED
Cottingham Centre	Market Green, Cottingham, HU16 SQG	Monday: 9:30am – 4.30pm Tuesday: 9:30am – 4.30pm Wednesday: CLOSED Thursday: 9:30am-6:30pm Friday: 9:30am-1:00pm

**ANNEX D**

		Saturday: 9:30am-12:30pm Sunday: CLOSED
Goole Customer Service Centre	Council Offices, Church Street, Goole, DN14 SB	Monday: 9:00am-5pm Tuesday: 9:00am-5pm Wednesday: 9:00am- 5pm Thursday: 9:00am-5pm Friday: 9:00am-4:30pm Saturday: CLOSED Sunday: CLOSED
Pocklington Pocela Centre	23 Railway Street, Pocklington, Y042 2QU	Monday: 9:30am-4:30pm Tuesday: 9:30am-6:30pm Wednesday: CLOSED Thursday: 9:30am-4:30pm Friday: 9:30am-1:00pm Saturday: 9:30am-12:30pm Sunday: CLOSED
Hornsea Customer Service Centre	Council Offices, 75 Newbegin, Hornsea, HU18 1PA	Monday: 9:30am-4:30pm Tuesday: 12:30pm-6:30pm Wednesday: CLOSED

**ANNEX D**

		Thursday: 9:30am-1:30pm Friday: 9:30am-4:30pm Saturday: 9:30am-12:30pm Sunday: CLOSED
Withernsea Centre	Queen Street, Withernsea, HU19 2HH	Monday: 9:30am-4:30pm Tuesday: 9:30am-6:30pm Wednesday: CLOSED Thursday: 9:30am-4:30pm Friday: 9:30am-1:00pm Saturday: 9:30am-12:30pm Sunday: CLOSED
The Treasure House	Champney Road, Beverley, HU17 8HE	Monday: 9:30am-4:45pm Tuesday: 9:30am-7:45pm Wednesday: 9:30am-4:45pm Thursday: 9:30am-7:45pm Friday: 9:30am-4:45pm Saturday: 9:00am – 3:45pm Sunday: CLOSED

<b>Printing costs</b>	<b>Black and white</b>	<b>Colour</b>
<ul style="list-style-type: none"> <li>• Beverley Customer Service Centre</li> <li>• Bridlington Customer Service Centre</li> <li>• Cottingham Centre</li> <li>• Goole Customer Service Centre</li> <li>• Pocklington Pocela Centre</li> <li>• Hornsea Centre</li> <li>• Withernsea Centre</li> <li>• The Treasure House</li> </ul> <p>Free computer access is available No ID is needed to access the internet</p>		
<b>A4</b>	Single-sided: A4 black and white page (self-service): £0.20	Single-sided: A4 colour (self- service): £0.50
<b>A3</b>	Single-sided: A3* black and white page (self-service): £0.40  *not all sites can offer colour or A3	Single-sided: A3* colour (self- service): £1.00  *not all sites can offer colour or A3

## **Information about the Make a submission tab**

The [Make a submission tab](#) is available on the project webpage.

You will need to enter your Unique Interested Party Reference Number found at the top of correspondence (email or letter) sent to you by the Planning Inspectorate, beginning either 2002 or HORN-0, H4WF-AFP, H4WF-S57, H4WF-APP, H4WF-SP or H4WF-OP. If you are making a submission on behalf of another person or organisation, and do not have your own Unique Reference number, then you should enter the Interested Party Reference Number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant Deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website eg technical reports, media articles etc. 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.

You should select the relevant Deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Annex A** to this letter. Please ensure you make a separate submission for each Submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the Submission items then please select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the Make a submission tab please contact the Case Team using the contact details at the top of this letter and they will assist.