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Our Ref: EN010107

Date: 11 January 2021

Dear Sir/ Madam

## **Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 13**

### **Application by EP Waste Management Limited for an Order Granting Development Consent for the South Humber Bank Energy Centre project**

#### ***Notification of Hearings***

I write to advise you that an Open Floor Hearing and an Issue Specific Hearing will be held during the week commencing 8 February 2021.

The Examining Authority (ExA) is conscious of the continued threat of, and uncertainties around, COVID-19 and the latest Government guidance and restrictions. Equally, the Government has made it clear that the consenting processes for Nationally Significant Infrastructure Projects (NSIPs) should progress. Therefore, I have decided to hold these hearings by virtual means, through Microsoft Teams<sup>1</sup>.

<b>Date</b>	<b>Hearing</b>	<b>Time</b>	<b>Venue</b>
Monday 8 February 2021	Open Floor Hearing (OFH)	14:00 Arrangements Conference starts 13:30	By virtual means
Tuesday 9 February 2021	Issue Specific Hearing into the Development Consent Order (DCO) (ISH1)	10.00 Arrangements conference starts 09:30	

Agendas for these hearings will be published on the project page of the Planning Inspectorate’s National Infrastructure website approximately 7 days prior to

<sup>1</sup> Further information is available in Advice Note 8.6, available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtualexamination-events/>



the hearing taking place. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

### **Reserved Hearing dates**

I intend to cover all necessary matters as set out above. However, notification is also made of reserved dates. **These would be used only if the OFH or ISH1 above are disrupted by technical issues and run over.** Participants for OFH and ISH1 should ensure that they are available for all dates listed above and below.

<b>Date</b>	<b>Hearing</b>	<b>Time</b>	<b>Venue</b>
Wednesday 10 February 2021	Open Floor Hearing (OFH) <b>(if required)</b>	14:00 Arrangements Conference starts 13:30	By virtual means
Thursday 11 February 2021	Issue Specific Hearing into the Development Consent Order (ISH1) <b>(if required)</b>	10.00 Arrangements conference starts 09:30	

Reserved Hearings that are not required may be cancelled during the OFH, ISH1 or in the banner on the Planning Inspectorate’s National Infrastructure Planning website<sup>2</sup> and no other notice is required.

### **Arrangements Conference**

Invitees can join the Arrangements Conference using a joining link or telephone number that you will receive in a separate email shortly before the Hearings. This is solely for your use. Please join the Arrangements Conference at the appointed time shown above and wait until the Case Manager registers you, and then admits you to the Hearing. The Arrangements Conference allows procedures to be explained and enables the Hearing to start promptly.

If you do not wish to speak but would like to observe the Hearings in real time, rather than retrospectively as a recording, it is the Applicant’s intention to arrange a livestream of the hearings. The link to the livestream will be published on the project page of the Planning Inspectorate’s National Infrastructure website. A full digital recording will be made available on the same web page as soon as possible after the close of the hearing.

### **Participation at Hearings**

In regard to the OFH only Network Rail have indicated that they wish to speak at an OFH and I would specifically like to hear from them during that hearing.

In terms of ISH1, due to the nature of these events, we can only accommodate participation on the day by those who register in advance with the Case Team, and

<sup>2</sup> See the project page on the Planning Inspectorate’s National Infrastructure Planning website: <https://infrastructure.planninginspectorate.gov.uk/projects/Yorkshire%20and%20the%20Humber/South-Humber-Bank-Energy-Centre/>

numbers may need to be limited. Should any party or individual who has made a Relevant Representation wish to speak at ISH1, please notify the case team in writing by Deadline 3, which is Wednesday 20 January 2021, specifying which aspect of the draft DCO you specifically wish to speak on.

Notification in respect of the above should be sent separately from any other written submission, and appropriately titled to allow the Planning Inspectorate to identify quickly 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>3</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>4</sup>.

The Examination will be principally undertaken through the exchange of written submissions, and the ExA must 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.

### ***Publicity for events***

In accordance with the Infrastructure Planning (Examination Procedure) Rules 2010, the Applicant should send copies of any newspaper notices advertising each event to the Case Team by Deadline 3 (Wednesday 20 January 2021).

### **Other matters**

If you have any further queries, please do not hesitate to contact the case team using the details at the top of this letter.

Yours faithfully

*Christopher Butler*

### **Examining Authority**

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<sup>3</sup> Rule 14

<sup>4</sup> Rule 14(5)