



The Planning Inspectorate

National Infrastructure
Planning
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All Interested Parties, Statutory Parties and
any Other Person invited to the Preliminary
Meeting

Your Ref:

Our Ref: EN010115

Date: 20 August 2024

Dear Sir/Madam

**Planning Act 2008 – Section 88 and 89 and The Infrastructure Planning
(Examination Procedure) Rules 2010 – Rules 6, 9 and 13**

**Application by Five Estuaries Offshore Wind Farm Limited for an order
granting development consent for the Five Estuaries Offshore Wind Farm
project**

**Rule 6 letter - invitation to the Preliminary Meeting, Notification of Hearings,
other Procedural Decisions and information about the Examination**

Following my appointment by the Secretary of State as the lead member of the Examining Authority (ExA) to carry out an Examination of the application for the proposed Five Estuaries Offshore Wind Farm, I am writing to introduce myself and the other members of the ExA. I am Grahame Gould, and I will be joined by my colleagues, Rebecca Norman, Felicity Webber, Mark Harrison and Matthew Heron. A copy of the appointment notice can be viewed under the Documents tab on the [project webpage](#) of the National Infrastructure Planning website.

The ExA for the Five Estuaries Application has been appointed solely to examine this Nationally Significant Infrastructure Project (NSIP) application, in accordance with the provisions of the relevant legislation. We will therefore only be examining this application and we will have no responsibility for examining any other NSIP application made in the nearby area that might be accepted for examination before or after the commencement of the Examination for the proposed Five Estuaries Wind Farm. Accordingly, should applications for the proposed:

- North Falls Wind Farm (currently being considered for acceptance for examination by the Planning Inspectorate);
- Norwich to Tilbury network reinforcement (currently at the pre-application stage); and
- Sea Link transmission proposal (currently at the pre-application stage)

be accepted for examination, then each of those schemes would be the subject of their own examinations. Each of those examinations would be conducted by its exclusively appointed ExA. The ExA would, however, stress that in examining the application for the proposed Five Estuaries Wind Farm and in making a recommendation to the Secretary of State for Energy Security and Net Zero it will, amongst other things, be considering the cumulative and in-combination effects of this NSIP with other projects.

We would like to thank those of you who submitted Relevant Representations (RRs). These representations have assisted us when considering how we will examine this application.

Invitation to the Preliminary Meeting

As a recipient of this letter, you are invited to the Preliminary Meeting to discuss the procedure for the Examination of the above application. **The Preliminary Meeting will be a blended event** (ie attendance can be in person or online).

Date	Start Time	Venue and joining details
Tuesday 17 September 2024	Registration and seating available at venue from: 09:30 Virtual (online) Registration Process from: 09:30 Preliminary Meeting starts: 10:00	Wivenhoe House Hotel Wivenhoe Park Park Road Colchester CO4 3FA and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

IMPORTANT: The Preliminary Meeting will be completed before **13:00 on 17 September 2024.**

You must register by completing the [Event Participation Form](#) by Pre-examination Deadline D (9 September 2024) if you intend to participate in the Preliminary Meeting and provide all the information requested (see below).

If you simply wish to observe the Preliminary Meeting then you do not need to register as you will be able to either:

- 1) watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
- 2) watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Alternatively, you can attend the physical event at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to observe only **by 9 September 2024** using the [Event Participation Form](#). Please note that it may not be possible to participate on the day if you have not registered your wish to speak by 9 September 2024.

Any request to participate in the Preliminary Meeting must include the following information:

- Name and unique reference number (found at the top your letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in person; and
- the agenda item on which you wish to speak and a list of the points you wish to make.

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

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to us about how the application should be examined. The ExA will therefore limit the scope of the Preliminary Meeting to consideration of how the application will be examined.

See **Annex B** to this letter and the Planning Inspectorate's Advice for members of the public: [The stages of the NSIP process and how you can have your say](#) for more information.

The Preliminary Meeting is **not** an opportunity for you to give your views about what you like or don't like about the application. The merits or disadvantages of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed. All relevant and important matters will be taken into

account when we make a recommendation to the Secretary of State for Energy, Security and Net Zero, who will take the final decision in this case. **Annex B** to this letter contains further remarks from the ExA on the Examination process.

The agenda for the meeting is at **Annex A** to this letter. This has been set following our Initial Assessment of Principal Issues (IAP) arising from our reading of the application documents and the Relevant Representations received. The IAP is set out in **Annex C** to this letter.

Written Submissions about how the Application should be examined

The Planning Act 2008 establishes a principally written process for the Examination of applications for Development Consent Orders and **representations made in writing carry equal weight to oral representations at all stages of the process.**

We are now requesting written submissions from recipients of this letter about how the application should be examined. We particularly wish to hear from you if:

- You consider changes need to be made to the draft Examination Timetable set out at **Annex E** to this letter; and/or
- you wish to comment about the arrangements for future Examination Hearings, including the use of virtual methods.

You are invited to make a written submission about how the application is to be examined by Pre-Examination Procedural Deadline D, **9 September 2024** (see Annex E to this letter).

We request that all submissions are made using the [‘Have your say’ page](#) on the project webpage on or before the **Pre-examination Procedural Deadline D**. **Annex H** to this letter provides further information about using the Make a submission tab.

Requests to participate at the Preliminary Meeting

Please note that **you are not required to attend, or make written submissions to, the Preliminary Meeting in order to participate in the Examination.** If you are an Interested Party (IP) you can make a Written Representation (WR) and comment on the Written Representations made by other IPs during the Examination. You will also be able to participate in any hearings that are arranged.

Format of Examination Events – Preliminary Meeting and Hearings

The Examination of the application will principally be a written process supplemented where necessary by various types of hearings. See the Planning Inspectorate’s Advice for members of the public: [The stages of the NSIP process and how you can have your say](#) for more information.

The Planning Inspectorate’s operating model includes both blended (part in-person and part virtual) and fully virtual events. We will confirm the format of any Hearings to be held during the Examination Stage when we provide formal notification of each Hearing at least 21 days in advance of it taking place. However, and for this case, the ExA expects Hearings will be blended.

As such we are providing formal notification that the **Preliminary Meeting, the Compulsory Acquisition Hearing (CAH) 1 and the Issue Specific Hearings (ISH) 1 and 2 will be blended events.**

After the Preliminary Meeting

After the Preliminary Meeting we will issue a letter (known as the Rule 8 letter) setting out the finalised Examination Timetable. A note of the meeting will also be published on the [project webpage](#).

Notification of Hearings

The ExA provides notice of the following initial Hearings that will take place:

Date	Hearing	Start Time	Venue and Joining details
Tuesday 17 September 2024	Compulsory Acquisition Hearing 1 (CAH1)	Seating available at venue from: 14.00 Virtual Arrangements Conference from: 14.00 Hearing starts: 14.30	Wivenhoe House Hotel Wivenhoe Park Park Road Colchester CO4 3FA and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
Wednesday 18 September 2024	Issue Specific Hearing 1 (ISH1) Environmental Matters	Seating available at venue from: 09.30 Virtual Arrangements Conference from: 09.30 Hearing starts: 10.00	Wivenhoe House Hotel Wivenhoe Park Park Road Colchester CO4 3FA and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to

			those who have pre-registered
Thursday 19 September 2024	Issue Specific Hearing 1 (continued if not completed on Wednesday 18 September 2024) Environmental Matters	Seating available at venue from: 09.30 Virtual Arrangements Conference from: 09.30 Hearing starts: 10.00	Wivenhoe House Hotel Wivenhoe Park Park Road Colchester CO4 3FA and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
Thursday 19 September 2024	Issue Specific Hearing 2 (ISH2) Draft Development Consent Order Matters	Seating available at venue from: 14.00 Virtual Arrangements Conference from: 14.00pm Hearing starts: 14.30	Wivenhoe House Hotel Wivenhoe Park Park Road Colchester CO4 3FA and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

NOTE: 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 [project webpage](#), providing reasonable notice to Interested Parties of the decision to cancel them.

You must register by completing [the Event Participation Form](#) by Pre-examination Deadline D (9 September 2024) if you intend to participate in any, or all of the Hearings and provide all the information requested (see below).

If you simply wish to observe the Hearings then you do not need to register as you will be able to either:

- 1) watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or

- 2) watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Alternatively, you can attend the physical event at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to observe only by (Pre-examination Deadline D (**9 September 2024**)) using the [Event Participation Form](#). Please note that it may not be possible to participate on the day if you have not registered your wish to speak by 9 September 2024.

Any request to participate in a hearing must include the following information:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in person;
- confirmation of the hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/or brief details of the topic(s) that you would like to raise;
- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the Book of Reference and the Land Plans; and
- the Examination Library reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

High-level agendas for these Hearings have been published at **Annex F** to this letter to help inform your decision about whether to register to participate. This has been set following our IAPI arising from our reading of the application documents and the Relevant Representations received. The IAPI is set out in **Annex C** to this letter.

For ISH and CAH the ExA will publish a detailed draft supplementary agenda on the project webpage at least five working days in advance of the Hearing date. However, the actual agenda on the day of the Hearing may be subject to change at the discretion of the ExA.

It is important that notifications from Interested Parties to participate in Hearings is submitted separately from any other written submission using the via the [Event Participation Form](#).

Procedural Decisions made by the Examining Authority

We have made some further Procedural Decisions which are set out in detail at **Annex D** to this letter. They are summarised as follows:

- A further update in relation to conducting species surveys
- Written submissions by the Applicant addressing concerns raised by Interested Parties with respect to the offshore ecological provisions of the draft Development Consent Order
- The ExA's issuing of draft written questions
- The opportunity to submit early responses to Relevant Representations
- Accompanied Site Inspection
- Parties' Document Management, including SoCGs
- Guide to the Application Documents
- Hard copies of documents and plans/drawings
- Granting the Executors of the Estate of Mr Charles Tabor Interested Party status

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.

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 but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter by proposed Examination Deadline 1 (**3 October 2024**).

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

A '[Have your say](#)' page is available on the website which provides a portal through which parties should make written submissions at relevant deadlines during the Examination. Further information about the 'Make a submission' portal is provided at **Annex H** to this letter.

There is also 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 email updates at key stages during the Examination.

Your Status in the Examination

You have received this letter because you are a person or organisation who is involved in the NSIP process. See the Planning Inspectorate's Advice for members of the public: [National Infrastructure Projects and the people and organisations involved in the process](#) for further details. 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.

Deadlines

Please note that all deadlines in the draft Examination Timetable and as referred to in this letter are at 23:59 on the deadline day. **Each deadline within the Timetable should, however, be treated as being a 'not later than time and date'**. There is therefore no reason why submissions relating to a particular deadline cannot be made to the Planning Inspectorate in advance of the stated deadline.

Award 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 G** 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](#).

Pronouns and Titles

Finally, please let the Case Team know if you wish to be referred to by a specific set of pronouns or titles.

We look forward to working with all parties in the Examination of this application.

Yours faithfully

Grahame Gould

Lead Member of the Examining Authority

Annexes

- A** Agenda for the Preliminary Meeting
- B** Examining Authority's Remarks About the Examination Process
- C** Initial Assessment of Principal Issues
- D** Other Procedural Decisions made by the Examining Authority
- E** Draft Examination Timetable
- F** Agenda for Compulsory Acquisition Hearing and Issue Specific Hearings
- G** Availability of Examination Documents
- H** Information about the Make a submission tab

Agenda for the Preliminary Meeting

You must register by 9 September 2024 (Pre-Examination Deadline D) if you intend to participate in the Preliminary Meeting and provide all the information requested (see below).

If you simply wish to observe the Preliminary Meeting then you do not need to register as you will be able to either:

1. watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
2. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Alternatively, you can attend the physical event at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to **observe only** by **9 September 2024** using the [Event Participation Form](#). Please note that it may not be possible to participate on the day if you have not registered your wish to speak by **9 September 2024**.

Please note that by attending the event either in person or online you are agreeing to be filmed for the purposes of the online livestream of the event and the recording of the event which will be published on the [project webpage](#). A limited number of seats will be available for observers who wish not to be filmed at the venue. Please contact the case team to notify them if you prefer not to be filmed at the event. A transcript of the event will also be published on the project page of our website after the event.

Venue: **Blended event at Wivenhoe House Hotel, Wivenhoe Park, Park Road, Colchester CO4 3FA and by virtual means using Microsoft Teams.** Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered

Attendees: **Invited parties who have pre-registered**

Agenda for the Preliminary Meeting	
09:30	Registration and seating available at venue for in-person attendees
09:30	Virtual Registration Process

	<p>Please arrive at 09:30 to enter the virtual lobby. From here you will be admitted to the virtual meeting by the Case Team, greeted and given further instructions.</p> <p>The Registration Process will commence at 09:30. This will be hosted by the Case Team and cover the housekeeping arrangements for the Preliminary Meeting and allow for any questions to be asked about how to take part.</p>
10:00	Preliminary Meeting
Item 1	The Preliminary Meeting will formally open at 10:00 . The Examining Authority will join, welcome participants and lead introductions.
Item 2	The Examining Authority’s remarks about the Examination process
Item 3	Initial Assessment of Principal Issues – Annex C to Rule 6 letter
Item 4	Procedural Decisions – Annex D to this Rule 6 Letter and [PD-005]
Item 5	Draft Examination Timetable – Annex E to Rule 6 letter
Item 6	Any other matters
Close of the Preliminary Meeting	

If you are participating using Microsoft Teams please join the virtual lobby promptly using the instructions that will be sent to you. The event will start at **10.00** irrespective of any late arrivals, for whom access may not be possible.

It may take some time to admit participants from the virtual lobby, your patience whilst you are waiting is appreciated.

The agenda for the Preliminary Meeting is subject to change at the discretion of the Examining Authority (ExA), although in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all Invited Parties.

Any request to participate in the Preliminary Meeting **must include** the following information and be made on the [Event Participation Form](#):

- Name and unique reference number (found at the top your letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person; and

- the agenda item on which you wish to speak and a list of the points you wish to make.

Introduction to the Preliminary Meeting

Background

The Preliminary Meeting (PM) will be a blended event with some participants attending in person and some taking part virtually using Microsoft Teams.

This annex provides advance access to information that would usually be included in the ExA's introductory remarks. Please read it carefully, as the ExA will only present a summary of the key points at the Preliminary Meeting, to ensure that the time available for participants to speak is maximised.

The Examining Authority and the Case Team

The ExA will introduce themselves at the start of the PM.

The ExA will be supported by the Planning Inspectorate Case Team. During the Registration Process a member of the Case Team will welcome and admit participants from the virtual lobby, and will be available to answer questions by email before and after the PM. The contact email address is:

FiveEstuaries@planninginspectorate.gov.uk

The purpose of the Preliminary Meeting

The PM is being held to discuss the arrangements for the Examination of the application for a Development Consent Order (DCO) for the proposed Five Estuaries Offshore Wind Farm, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the PM and Examination as the 'Proposed Development'. The application has been made by Five Estuaries Offshore Wind Farm Limited, which will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for the Examination on the project webpage of the National Infrastructure Planning website ([project webpage](#)). The project webpage has links to the Examination Timetable, Relevant Representations and Examination documents and Examination procedure.

You are encouraged to look at the [project webpage](#) if you haven't already done so, because it will be used to communicate with you and to provide access to documents throughout the Examination.

The main purpose of the PM is to discuss the arrangements for the Examination of the application. **It focuses on the process only, and it will not be looking at the substance of the proposals.** Questions, discussions and representations about the merits or disadvantages of the Proposed Development are for the Examination itself which will begin following the PM's conclusion.

The PM will be your opportunity to influence the process that the ExA intends to follow. The agenda for the PM is attached to this Rule 6 letter at **Annex A**. It is important to have the letter and the agenda in front of you and to refer to them during

the course of the PM. You may wish to print these in advance of the PM for reference.

Government guidance and policy

The application is a NSIP under the Planning Act 2008 (PA2008) as a consequence of sections 14 and 15. The designated National Policy Statements (NPSs) for Energy EN1, EN3 and EN5 will apply to this Examination and to the decision-making for this application.

The ExA will consider the Proposed Development in accordance with the previously mentioned NPSs and any other applicable policy or considerations the ExA deem to be important and relevant. The PA2008 makes it clear that, in making a decision, the relevant Secretary of State (SoS) “*must decide the application in accordance with any relevant NPS*” (s104(3)), subject to certain provisos. Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the Proposed Development would not outweigh its benefits.

The SoS is entitled to disregard any representations that relate to the merits of the designated NPS. In practice, this means that the ExA will not spend time examining representations that challenge policy set out in NPSs or the validity of NPSs themselves. The focus will be on the merits or disadvantages of the Proposed Development, tested to the appropriate extent using the tests set out in relevant designated NPSs that are in force.

Other important and relevant planning policies that the ExA may consider include policies in the relevant local authorities’ development plans. However, if these conflict with policy in a NPS, then the NPS will take precedence.

In summary, the PM will establish the procedures and timetable for the Examination of the Proposed Development. It will set a framework for the ExA to enable the SoS to consider and decide the application. In doing so, the ExA will have regard to:

- The positions and representations of all Interested Parties (IPs);
- any Local Impact Reports (LIR) prepared and provided by relevant local authorities;
- other prescribed matters; and
- any other matters that appear to be both relevant and important to the relevant SoS’s decision.

Preliminary Meeting invitees

The Applicant is invited to the PM and is generally given the opportunity to reply to any representations made.

Everyone who has made a valid Relevant Representation has been registered as an Interested Party (IP) and has been invited to the PM. All IPs are entitled to be involved in the Examination.

Each person or organisation with an interest in land or rights that are affected by a Compulsory Acquisition request in this application is an Affected Person (AP) and has been invited to the PM. In addition to a general entitlement to involvement in the Examination, APs have a right to be heard in relation to any objection about the effects of Compulsory Acquisition on their interests in land and a right to be notified of any Compulsory Acquisition Hearing. All APs are IPs, whether or not they have made a valid Relevant Representation.

Certain bodies are Statutory Parties and they have been invited to the PM. Statutory Parties can elect to become IPs without having made a valid Relevant Representation by notifying the ExA in writing.

The ExA has the power to involve people who are not IPs in the Examination as though they are IPs, including by inviting them to the PM. However, this is only done in exceptional circumstances, for example if it was clear that the application would materially affect a person, they are not automatically an IP or eligible to elect to become an IP and they had been unable to take the necessary action to register as an IP.

The ExA has decided to invite the following Other Persons to the PM

- The Belgium Government
- Department Network Development and Vision/Rijkswaterstaat Zee en Delta

Conduct of the Preliminary Meeting

The ExA estimate that the PM will take up to three hours to complete.

During the PM participants may have to make allowances and be patient if there are delays associated with the technology used. In recognition of the fatigue associated with on-screen communication, the ExA will provide breaks during the PM as appropriate.

A digital recording of the PM will be made available on the project webpage as soon as practicable following the close of the PM. The recording allows any member of the public who is interested in the application and the Examination to find out what has been discussed at the PM. The making and publication of these recordings are a means by which the ExA meets the legal requirement to hold the PM (and any other hearings) in public. In this regard, **anyone speaking at the PM will need to introduce themselves each time they speak**, to ensure that someone listening to the recording after the event is clear who was speaking. A written note of the PM will be produced and published as soon as practicable following the close of the PM.

As the recordings are retained and published, they form a public record that can contain personal information to which the UK General Data Protection Regulation (UK GDPR) applies. Participants must do their best to avoid providing any information which should otherwise be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also

be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the SoS's decision on the DCO. If you actively participate in the PM, it is important that you understand that you will be recorded and that the recording will be made available in the public domain. Please see our [Privacy Notice](#) for more information about how we handle your data.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the meeting in accordance with the agenda. If you prefer not to have your image recorded, you can switch off your camera at any point.

The Examination process

The Examination of NSIPs follows different processes to those, for example, of a Public Inquiry into a planning appeal following the refusal of planning permission. The main differences are that **the Examination of an NSIP application is a primarily written process** and hearings take on an inquisitorial approach as opposed to an adversarial one.

This means that the ExA will probe, test and assess the evidence primarily using written questions. While some hearings are held to provide supplementary evidence, questions to the Applicant or to witnesses will come from the ExA. Questioning or cross-examination of witnesses by other parties will not generally be allowed.

In terms of opportunities to provide evidence in writing, the draft Examination Timetable makes provision for the following written processes:

- Local authorities can submit LIRs if they wish. Whilst these are voluntary, the PA2008 provides that if they are provided, they must be considered by the SoS in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to the ExA, the SoS and their residents.
- IPs can make Written Representations (WRs) and comment on WRs made by other parties.
- IPs can respond to the ExA's written questions (ExQs) and comment on responses to these written questions provided by others.
- IPs may be asked to contribute to the making of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicant agrees, and if it would be useful for this to be clarified. **SoCGs most usefully extend to catalogue matters that are not agreed or are outstanding.**

The draft Examination Timetable includes a series of numbered deadlines (Deadline 1, Deadline 2 etc) for receipt of written submissions. Timely submissions received by the relevant deadline and that address its purpose will be accepted and each deadline included in the Examination Timetable should be treated as being a 'not later than time and date'. There is therefore no reason why submissions relating to a particular deadline cannot be made to the Planning Inspectorate in advance of the stated deadline. **Documents received after 23:59 on the relevant deadline may only be accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties.** Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties can amount to unreasonable behaviour.

These written processes will be the principal means used by the ExA to gather information, evidence and views about the application. However, the Examination will only be effective if all parties resolve to give timely, full, frank, clear and evidenced answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of WRs and SoCGs.

There is no merit in withholding or delaying information, or in failing to co-operate, and should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party.

The ExA has discretion to make amendments to the Examination Timetable for the wider benefit of the Examination. If possible, events will be arranged for times when all relevant parties are available, but the ExA is under a duty to complete the Examination by the end of the six-month period beginning on the day after the close of the PM. That requirement is set by legislation and while the ExA will try to rearrange event dates to accommodate all relevant parties, in practice there will be limited scope to alter dates set out in the draft Examination Timetable.

The statutory time limit for the Examination means that where there are matters that still need to be discussed and agreed between the Applicant and other IPs, it will be very important for those matters to be progressed by the parties as early as possible. In that regard the ExA made the Procedural Decision (PD) on 23 July 2024 that SoCGs **MUST** be concluded (ie finalised and signed) by around the midpoint of the Examination [see PD2 in [PD-005](#)].

Hearings

The draft Examination Timetable includes provision for hearings, at which the ExA takes oral evidence from the various parties.

Any registered IP may request an **Open Floor Hearing** (OFH) to make oral representations about the application if they believe this to be preferable to relying on their written representation, though both carry equal weight. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail and explanation to help inform the ExA. There should be no new or unexpected material in oral representations. A written summary note

with any supporting evidence or references will be requested of each speaker following the hearing.

As with all Examination events, OFHs are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the deadline shown in the Examination Timetable and in accordance with the instructions. It is common practice for the ExA to set a time limit for each speaker and speakers with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, so as to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role.

The Applicant's draft DCO provides for the Compulsory Acquisition of land and rights and the Temporary Possession of land. Affected Persons (ie those whose land or rights over land are affected) have a right to request and be heard at a **Compulsory Acquisition Hearing** (CAH). If one or more APs request to be heard then a CAH must be held. Dates for CAHs are included in the draft Examination Timetable along with deadlines by which requests to be heard must be submitted.

The ExA has the discretion to hold **Issue Specific Hearings** (ISHs) if they would aid the Examination of an application and there is a specific reason this would be more helpful than simply relying on written evidence. The lack of an ISH on one or more topics does not suggest that that topic is less important than others which are subject to a hearing. Rather, it is an indication that the ExA is content that the issues can be fully considered through written submissions and responses to its written questions and that each party has had a fair opportunity to put its case.

The draft Examination Timetable includes a number of dates reserved for ISHs and IPs may make suggestions for topics to be discussed at an ISH in their written or oral representations to the PM.

It may be necessary for the ExA to hold more than one ISH on the draft DCO. This is normal practice and any such draft DCO specific hearings are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCO submitted by the Applicant with the application, without prejudicing their overall position on the application.

Holding such hearings does not imply that the ExA has reached any judgements on the merits of the application. Whatever the ultimate recommendation is, the ExA must make sure that the draft DCO is fit for purpose if the SoS decides to grant consent, as any consent will be subject to Requirements (ie conditions) set out in the DCO.

At hearings it will not normally be necessary for parties to make long and detailed submissions that require (for example) PowerPoint presentations. Any supporting detail/information can be provided in writing following the event by the relevant deadline.

The draft Examination Timetable includes a deadline, Pre-examination Procedural Deadline D (**9 September 2024**), for participants to notify the ExA that they wish to speak at an OFH or a CAH.

Site inspections

As part of the Examination process the ExA may undertake site inspections. These can either be unaccompanied or accompanied.

The purpose of these is for the ExA to see features of the proposals within the context of the evidence put forward. Notes of Unaccompanied Site Inspections (USIs) will be published on the [project webpage](#).

Accompanied Site Inspections (ASI) will only be necessary to view land to which there is no public right of access or with no clear view from nearby locations with open public access. The purpose of ASIs is familiarisation only and no discussion of the merits of the Proposed Development will be entertained by the ExA during an ASI.

The ExA may decide to hold USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material if this would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time-consuming to conduct. The ExA may also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of a USI on an access required basis (ARSI)

The draft Examination Timetable includes a deadline for IPs to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform USIs/ARSIs as well as possible ASIs.

Initial Assessment of Principal Issues

Pursuant to section 88(1) of the Planning Act 2008 (PA2008) set out below is the Examining Authority's (ExA) Initial Assessment of the Principal Issues. This assessment of the issues is based on the ExA's consideration of the submitted application documents and relevant representations submitted by the Interested Parties.

This is not a comprehensive or exclusive list of all relevant issues. There will be other important issues subject to examination and inevitably some issues will overlap or interrelate. The ExA will have regard to important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Energy Security and Net Zero after the Examination has concluded. Issues will be considered during the proposed phases of construction, operation and decommissioning where relevant.

The issues have been listed alphabetically and that does not imply any order of importance. The items listed under each issue are indicative and do not preclude other sub-items being considered.

For the avoidance of doubt, the policy and consenting requirements and documents associated with PA2008 will be an integral part of the Examination and are therefore not listed as principal issues. It should also be noted that whilst the effects of the proposal in relation to human rights and equalities duties are not listed as main issues, the ExA will conduct the Examination with these in mind. Likewise, matters concerning the provisions of the draft Development Consent Order and Compulsory Acquisition are taken as read as being important and relevant issues in the Examination and have not been listed below.

Principal Issue	Brief amplification, to include but not necessarily be limited to:
1. Alternatives	Whether alternatives to the Proposed Development have been adequately considered, including connecting to an offshore transmission network as an alternative to connecting with an onshore cable corridor with onshore substation
2. Design	The acceptability of the extent, justification and definition of the design choices and parameters, including: <ul style="list-style-type: none"> • the siting, size and number of wind generating turbines; • the routing for and width of the offshore export cable corridor; • the routing for and width of the onshore cable corridor;

	<ul style="list-style-type: none"> the proposals for the onshore substation, including the factors determining its scale; and co-ordination with other projects requiring onshore electricity transmission infrastructure, including the proposed substations for the North Falls Offshore Wind Farm and the East Anglia Connection Node
3. Ecology (offshore and onshore)	<ul style="list-style-type: none"> The potential offshore effects, including cumulative/in-combination effects, for designated habitats and their qualifying features, benthic ecology, fish, marine mammals, migratory bats, ornithology and any other protected species from the construction and operation of all elements of the Proposed Development and for ongoing management and maintenance; Potential construction and operational effects on terrestrial species and habitats; and The suitability of and means for securing any necessary mitigation and/or compensatory habitat
4. Farming	<p>Effects for farming during the construction and operational phases, including:</p> <ul style="list-style-type: none"> use of best and most versatile agricultural land, soil management during construction and soil quality post construction; the scale of land take; depth of cabling; and any implications for/constraints on crop rotation, planting and harvesting
5. Historic Environment	Effects on the onshore and offshore historic environment
6. Landscape, Visual and Seascape effects	<ul style="list-style-type: none"> Effects on landscape and visual amenity arising from the construction of the proposed onshore cable corridor and substation; Effects for trees and hedgerows and the adequacy of mitigation; Cumulative effects associated with the proximity of the Proposed Development's onshore substation with the proposed substations for the North Falls Offshore Wind Farm and the East Anglia Connection Node; and Effects for seascape, landscape character and visual amenity arising from the proposed wind turbine generators and offshore substations alone and in-combination with the existing windfarms and the proposed North Falls Offshore Wind Farm

<p>7. Navigation and Shipping</p>	<ul style="list-style-type: none"> • Effects for navigational safety during construction and operation, including in adverse weather conditions; • Effects for shipping movements, including the passage of vessels to and from nearby ports; and • Effects on emergency planning, search and rescue operations
<p>8. Socio Economic effects</p>	<ul style="list-style-type: none"> • Economic and employment effects for the local and wider economy, during the construction and operational phases
<p>9. Terrestrial Traffic and Transportation</p>	<ul style="list-style-type: none"> • Effects on road network and local communities from traffic during the construction phase; and • Effects for users of public rights of way and other non-motorised users

Other Procedural Decisions made by the Examining Authority

1. Update in Relation to Species Surveys

The Applicant's response (dated 6 August 2024 [[PD1-001](#)]) to the ExA's fifth Procedural Decision of 23 July 2024 [[PD-005](#)] is noted. The ExA understands from the Applicant's correspondence that a meeting between Natural England and it to discuss the undertaking of further species surveys is scheduled to take place on 22 August 2024. To assist the ExA in its preparations for Issue Specific Hearing 1 on 18 September 2024, the Applicant should submit an update on outcome of its meeting with Natural England scheduled for 22 August. That meeting update should be submitted no later than Pre-examination Procedural Deadline D (**9 September 2024**).

2. Written Response to Concerns with the contents of the Draft Development Consent Order in Relation to Off-shore Ecology

A number of Written Representations, notably those provided by Natural England [[RR-081](#)] and the Marine Management Organisation [[RR-070](#)], have raised concerns with respect to the provisions of the draft Development Consent Order (dDCO), ie the Requirements insofar as they relate to offshore ecology, and the Deemed Marine Licences. The Applicant should therefore specifically address those concerns in writing by providing: 1) a summary explanation of the issues raised; 2) the mechanism(s) for addressing the concerns raised (if necessary); and 3) an indication of how the issues would be addressed/secured via any made DCO. The Applicant should make its written submission in response to this Procedural Decision at Deadline 1 (which is proposed to be **3 October 2024**).

3. ExA's draft list of Written Questions and requests for information

The ExA is giving all parties advance notice of its intention to publish a draft list of written questions and requests for information (dWQ1). dWQ1 will be published on the [project webpage](#) in the near future. The draft list of questions is being issued to allow all parties an opportunity to begin to prepare their responses in advance of the formal submission of responses once the Examination has commenced.

The ExA intends to issue dWQ1 in its final form as the ExA's Written Questions (ExQ1) on 8 October 2024, as indicated in the draft Examination Timetable (see Annex E below). The final version of dWQ1 may include some additional questions, while some questions may be changed or updated. However, the ExA will seek to keep any amendments to a minimum. The submission of responses will be to ExQ1 rather than dWQ1. Responses to the ExQ1 will be for submission at the proposed

Deadline 2 (**Tuesday 22 October 2024**). Responses to the questions included in dWD1 should not be submitted in advance of their finalisation by the ExA and incorporation into ExQ1.

4. Deadline for the Submissions of Comments and Summaries on Relevant Representations (RRs)

Rule 3(2) of the Infrastructure Planning (Examination Procedure) Rules 2010 states:

“Any interested party who submits a written comment on any relevant representation must ensure that it is received by the Commission [now the ExA] by whichever is the later of:

- a) the date on which the preliminary meeting is held; or*
- b) the date specified in the timetable referred to in rule 8. ...”*

To comply with Rule 3(2) the ExA has requested responses to RRs and summaries exceeding 1500 words be submitted by Deadline 1 (**Thursday 3 October 2024**). However, the ExA has noted from experience that Applicants generally respond as quickly as possible following the close of the RR period, and it would be helpful to the ExA, for the PM and the subsequent Hearings, if responses to RRs could be submitted by Pre-examination Procedural Deadline D (**Monday 9 September 2024**).

5. Accompanied Site Inspection (ASI) – suggested locations

The draft Examination Timetable at Annex E to this letter includes a date reserved for an Accompanied Site Inspection (ASI) during week commencing 28 October 2024. The ExA requests that Interested Parties submit suggested locations for the ExA to visit as part of an ASI by Procedural Deadline D (**Monday 9 September 2024**). The request must include:

- sufficient information to identify the location;
- the issues to be observed at the location;
- information on whether the site can be accessed via public land; and
- the reason why the location has been suggested.

Interested Parties should be aware that ASIs are not an opportunity to make any oral representations to the ExA about the Proposed Development.

However, participants may be invited by the ExA to indicate specific features or sites of interest.

The Applicant is requested to prepare a draft itinerary for the ASI to be submitted by **Deadline 1**. That draft itinerary must take account of the any site inspection locations suggested by other IPs that they might identify by **Pre-Examination Procedural Deadline D**.

Comments by Interested Parties on the Applicant's draft itinerary must be submitted by **Deadline 2**.

The ExA will consider each suggested site location, including those provided in the Applicant's draft itinerary, to determine if it could be viewed from public land on an unaccompanied basis (as part of an unaccompanied site inspection [USI]) or if it is necessary to view it on an accompanied basis as part of an ASI. The ExA will also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of a USI on an access required basis.

The ExA will publish its final itinerary at least five working days before the date of the ASI.

6. Parties' Document Management, including SoCGs

It is important that all documents submitted for Examination can easily be used by all IPs, other parties and the ExA. When parties are referring to any previously submitted documents and irrespective of who has authored those documents, they must always give the reference numbers allocated to them in the [Examination Library](#) (e.g. [APP-001], [RR-002], [AS-003] and [REP1-004]). To aid reading and cross-referencing page and paragraph numbering must be used. Any appendices or annexes must also be fully page numbered, including any appendices/annexes within appendices/annexes. Where the Applicant and other IPs are cross referring to either their own documents or another party's documents in their written submissions, in addition to citing the Examination Library reference they should also give the paragraph or page number. Failure to comply with the foregoing document cross referencing arrangements will result in requests from the ExA for submissions to be reissued in a form that accords with this Procedural Decision.

Relying on accessing documents via weblinks can be problematic because links:

- may become broken or be incomplete; or
- it can be unclear as to whether a linked document when accessed is identical to the version relied on when the weblink was created, or
- may be for documents or other written material for which the source cannot be readily authenticated.

Accordingly, hyperlinks to websites will be redacted (deactivated) and will not be accessible to the ExA or the Secretary of State unless they relate to documents on the Planning Inspectorate's website (including the project page for this application), other United Kingdom government departments or agencies and professional bodies (for example the Royal Town Planning Institute). If you include a website hyperlink in a written submission an explanation for that should be provided together with the date when the document/source was accessed to create the hyperlink.

If you want to include information from another website with a written submission you can include this as a separate document (annex), but you must include details of where the information has come from and the date you accessed the information. You must also be aware of any copyright restrictions. It is better to include just the relevant section(s) of the information (an extract) in your written submission rather than include a long document. You should clearly explain the reasons why the information is relevant.

7. Guide to the Application Documents

At each deadline, the Applicant must provide an updated Guide to the Application Documents which provides a list of the most up to date documents put before the Examination. A final version must be submitted by Deadline 7 (**Thursday 27 February 2025**).

8. Hard copies of documents and plans/drawings

The Applicant is requested to provide hard copies of the following Application plans and documents for the ExA's use. Five copies of each set of plans or document should be submitted by the Applicant unless otherwise stated in the list below. With respect to the requested plans, they should be printed in colour and at paper size A3.

- Location Plan – Onshore [APP-006]
- Location Plan – Offshore [APP-007]
- Land Plans – Onshore [APP-008]
- Special Category Land Plan [APP-009]
- Works Plan – Onshore [APP-010]
- Works plans – Offshore [APP011]
- Street Works and Access Plans [APP-013] (3 copies)
- Temporary Closure of Public Rights of Way Plan [APP-014] (3 copies)
- Tree Preservation Order and Hedgerow Plan [APP-015] (3 copies)
- Historic Environment Plan – Onshore [APP-016] (3 copies)
- Historic Environment Plan – Offshore [APP-017] (3 copies)
- Statutory or Non-Statutory Sites and Features of Nature Conservation – Onshore [APP-018]
- Statutory or Non-Statutory Sites and Features of Nature Conservation – Offshore [APP-019]
- Water Bodies in a River Basin Management Plan [APP-020] (3 copies)
- Crown Land Plan – Onshore [APP-022] (3 copies)
- Temporary Speed Reduction Plan [APP-023] (3 copies)
- Draft Development Consent Order [APP-024]
- Report to Inform Appropriate Assessment [APP-040]
- Non-Technical Summary [APP-067]

- Ground Conditions and Land Use [APP-087] (3 copies)
- Archaeology and Cultural Heritage [APP-089] (3 copies)
- Onshore Project Description [AS-004] (3 copies)

The Applicant and other IPs should note that during the course of the Examination they may be the subject to requests made by the ExA for the submission of other hard copy documents. Any such requests from the ExA are likely to relate to long documents and/or documents that contain a lot of coloured material.

9. Acceptance of the Executors of the Estate of Mr Charles Tabor as an Interested Party

In an email to the Planning Inspectorate of 15 August 2024 the Executors of the Estate of Mr Charles Tabor (the Executors) advised that following Mr Tabor's death the Executors had only become aware of the Application's acceptance on 18 July 2024, following the receipt of a correctly addressed letter that had been sent by the Applicant. A letter of 8 May 2024 from the Applicant to the Executors referring to the Application's acceptance and setting the procedure for making Relevant Representations (RRs) and registering as an Interested Party (IP) was not received because of a deficiency in the addressee details used.

The Executors therefore only became aware of the Application's submission following passing of the deadline for making RR's on 21 June 2024. That meant the Executors were unable to submit a RR by the June deadline. The Executors' email has requested that its contents be treated as a RR and that the Executors be granted IP status.

The ExA has considered the Executors' request to be granted IP status and having regard to both the circumstances outlined above and the provisions of the Planning Act 2008 (section 102A). The ExA is content that there are grounds for granting the Executors IP status and accordingly it has made the Procedural Decisions that:

- a) the Executors should be treated as an IP; and
- b) the Executor's email of 15 August 2024 should be accepted as a RR and be added to the Examination Library.

The ExA has made a further Procedural Decision requiring the Applicant ensures the Land Rights Tracker, for submission pursuant to the ExA's seventh Procedural Decision of 23 July 2024 [PD-005] must include details relating to any Land Plots that the Executors have an interest in. Should the Applicant be unable to include those details in the first version of the Land Rights Tracker to be submitted by 28 August 2024 then the Applicant must ensure those details are included in the tracker's first update, which is to be submitted at Deadline 1 (**3 October 2024** in the draft Timetable, **see Annex E** below).

Draft 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		Date
1.	<p>Pre- examination Procedural Deadline A</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> • Survey timetable and reporting schedule for undertaking further species surveys • Blank template for a Land Rights Tracker 	6 August 2024
2.	<p>Pre- examination Procedural Deadline B</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> • Applicant’s Statement of Common Ground (SoCG) position statement • Natural England’s revised version of RR [RR-081] 	13 August 2024
3.	<p>Pre-examination Procedural Deadline C</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> • Applicant to submit the first version of Land Rights Tracker, as required by Procedural Decision 7 in [PD-005] 	28 August 2024
4.	<p>Pre-examination Procedural Deadline D</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> • Requests to be heard orally at the Preliminary Meeting (please refer to Annex A for further information), including indications of: <ul style="list-style-type: none"> ○ which agenda items IPs wish to speak on; the points they wish to raise; and ○ why these need to be made orally rather than in writing • Written submissions, if required, from the Applicant and any Interested Party (IP) relating to Examination procedure and any changes that are considered necessary to the draft Examination timetable 	9 September 2024

	<ul style="list-style-type: none"> • Requests from any Affected Person (AP) of a wish to attend and speak at Compulsory Acquisition Hearing 1 (CAH1) • Requests by IPs to participate in Open Floor Hearing 1 (OFH1) • Notification of suggested locations for the ExA to include in Accompanied Site Inspections (ASI), including the reason for nomination and matter(s) to be observed, information about whether the location can be accessed using public rights of way or what access arrangements would need to be made and the likely time requirement for the visit to that location if not covered within an USI (See Annex B) • Responses to Relevant Representations (RRs) • Update from the Applicant concerning species surveys following the meeting with Natural England on 22 August 2024 	
5.	Preliminary Meeting	17 September 2024 10:00
6.	Compulsory Acquisition Hearing 1 (CAH1)	17 September 2024 not before 14:00
7.	Issue Specific Hearing (ISH) 1 <ul style="list-style-type: none"> • Environmental Matters 	18 September 2024 10:00
8.	<ul style="list-style-type: none"> • ISH1 (continuation if required) • ISH2 Development Consent Order (DCO) matters 	Thursday 19 September 2024 ISH1 at 10:00 and ISH2 at 14:30
9.	Issue by the ExA of: <ul style="list-style-type: none"> • The Examination Timetable 	As soon as practicable following the Preliminary Meeting
10.	Deadline 1 Receipt by the ExA of: <ul style="list-style-type: none"> • Post-hearing submissions including written submissions of oral cases and responses to any hearing action points arising from the hearings held between 17 and 19 September 2024 	3 October 2024

	<ul style="list-style-type: none"> • Comments on any updates to Application documents submitted prior to the PM • Responses to RRs (if not provided at the Pre-examination Procedural Deadline D) • Comments on Applicant's Land Rights Tracker • Applicant's updated version of the draft Development Consent Order (dDCO) (clean and tracked) (if required) • Applicant's first update to the Statement of Commonality for SoCG; • Applicant's updated Guide to the Application documents (clean and tracked) • Applicant's update to the Land Rights Tracker (clean and tracked) • Applicant's draft itinerary for an ASI • Comments on any submissions received at Pre-examination Procedural Deadlines A, B, C and D • Notification by Statutory Parties of a wish to be considered as an Interested Person (IP) by the ExA • Requests from any IPs wishing to receive communications by email • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
11.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • The ExA's Written Questions (ExQ1) 	8 October 2024
12.	<p>Deadline 2</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written Representations (WRs), including summaries for any WRs exceeding 1,500 words • Submission of Local Impact Reports (LIR) from Local Authorities (See Annex B) • Responses to ExQ1 • Request by IPs to attend an ASI and comments on the Applicant's draft itinerary for the ASI • Comments on any submissions received at Deadline 1 • Updated Statement of Commonality for SoCG (clean and tracked) • Applicant's updated Guide to the Application documents (clean and tracked) • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	22 October 2024

13.	Dates reserved for second round of hearings: <ul style="list-style-type: none"> • ISH (if required) • CAH2 (if required) • OFH1 (if required) • ASI1 (if required) 	w/c 28 October 2024
14.	Publication of: <ul style="list-style-type: none"> • The ExA's Written Questions (ExQ2) (if required) 	8 November 2024
15.	Deadline 3 Receipt by the ExA of: <ul style="list-style-type: none"> • Post-hearing submissions including written submissions of oral cases and responses to any hearing action points arising from the hearings held during w/c 28 October 2024 (if required) • Applicant's updated version of the draft Development Consent Order (dDCO) (clean and tracked) (if required) • Applicant's update to the Land Rights Tracker (clean and tracked) • Updated Statement of Commonality for SoCG (clean and tracked) • Applicant's updated Guide to the Application documents (clean and tracked) • Comments on any submissions received at Deadline 2 • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	12 November 2024
16.	Deadline 4 Receipt by the ExA of: <ul style="list-style-type: none"> • Responses to the ExA's ExQ2 (if required) • Applicant's updated version of the dDCO (clean and tracked) (if required) • Applicant's update to the Land Rights Tracker (clean and tracked) • Updated Statement of Commonality for SoCG (clean and tracked) • Applicant's updated Guide to the Application documents (clean and tracked) • Natural England's first substantive Principal Areas of Disagreement (PADs) update (clean and tracked) • Comments on any submissions received at Deadline 3 	3 December 2024

	<ul style="list-style-type: none"> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
17.	<p>Deadline 5</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> Further PADs update from Natural England (clean and tracked) Completed and signed Statements of Common Ground Applicant's updated version of the dDCO (clean and tracked) (if required) Applicant's update to the Land Rights Tracker (clean and tracked) Applicant's updated Guide to the Application documents (clean and tracked) Comments on any submissions received at Deadline 4 Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	7 January 2025
18.	<p>Date reserved for third round of hearings:</p> <ul style="list-style-type: none"> ISH if required CAH3 if required 	w/c 13 January 2025
19.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> The Report on the Implications for European Sites (RIES) The ExA's proposed schedule of changes to the dDCO (if required) The ExA's Written Questions (ExQ3) (if required) 	23 January 2025
20.	<p>Deadline 6</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> Post-hearing submissions including written submissions of oral cases and responses to any hearing action points arising from the hearings held w/c 13 January 2025 (if required) Further PADs update from Natural England (clean and tracked) Applicant's updated version of the dDCO (clean and tracked) (if required) Applicant's updated Guide to the Application documents (clean and tracked) Comments on any submissions received at Deadline 5 	4 February 2025

	<ul style="list-style-type: none"> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
21.	<p>Deadline 7</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> Comments on the Report on the Implication for European Site (RIES) Comments on the ExA's proposed schedule of changes to the dDCO (if required) Responses to the ExA's ExQ3 (if required) Applicant's final dDCO to be submitted in the SI template accompanied by a SI template validation report. This version of the dDCO should be submitted in an editable format and it should also be accompanied by an editable copy showing any revisions to the preceding version shown with tracked changes (if required) The Applicant's final version of the Explanatory Memorandum (clean and tracked) Final Land Rights Tracker (clean and tracked) Final Book of Reference (BoR) and a schedule of any changes to BoR Final Statement of Reasons (clean and tracked) Certified copies of any executed (signed and dated) legal agreements Applicant's final Guide to the Application Documents (clean and tracked) Final PADs update from Natural England (clean and tracked) Comments on any submissions received at Deadline 6 Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	27 February 2025
22.	<p>Deadline 8</p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> Comments on any submissions received at Deadline 7 Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 (if required) 	10 March 2025

23.	<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>	17 March 2025
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Submission times for Deadlines

The last time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the Deadlines for submissions.

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 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 Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

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

Agenda for Hearings between 17 and 19 September 2024

Procedure at Hearings

The procedure to be followed at CAH1, ISH1 and ISH2 is set out in Rule 14 of The Infrastructure Planning (Examination Procedure) Rules 2010. 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.

Agenda for Compulsory Acquisition Hearing 1 (CAH1)

Date	Tuesday 17 September 2024
Arrangements Conference	14:00
Meeting start time	14:30
Venue	Blended event at Wivenhoe House Hotel Wivenhoe Park, Park Road Colchester CO4 3FA
	Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered
Attendees	The Applicant and Affected Persons who have pre-registered

Agenda for Compulsory Acquisition Hearing 1

1	Welcome and Introductions
2	The Applicant's case for Compulsory Acquisition (CA) and Temporary Possession (TP), with particular regard to: a) The extent to which the CA powers sought in relation to the onshore export cable corridor and substation for the proposed Five Estuaries Wind Farm, the substation and cable ducting for the proposed North

	<p>Falls Wind Farm and National Grid's proposed East Anglia Connection Node substation accord with:</p> <ul style="list-style-type: none"> • the conditions stated in section 122(2) of the Planning Act 2008 (PA2008); and • the Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land (Department for Communities and Local Government, September 2013) <p>Under item a) the Examining Authority (ExA) will ask questions as to whether the CA powers sought by the Applicant would be proportionate in terms of constructing and operating the proposed Five Estuaries Wind Farm</p> <p>b) Whether full consideration has been given to all reasonable alternatives to the proposals for onshore CA and TP have been considered</p> <p>c) Whether for the purposes of section 122(3) of the PA2008 there is a compelling case in the public interest for all of the land subject to the CA powers sought by the Applicant to be acquired compulsorily</p> <p>d) The ExA will invite submissions from Affected Persons (APs) who wish to raise matters relevant to this agenda item</p>
3	<p>Implications of limiting the CA and TP powers sought</p> <p>If a Development Consent Order is made, what implications would there be for constructing and operating the proposed Five Estuaries Wind Farm if the onshore CA and TP powers were to be limited to those necessary to construct and operate a substation and an export cable corridor sufficient to meet the needs of the Five Estuaries Wind Farm alone</p>
4	<p>Negotiations relating to the CA and TP powers sought by the Applicant</p> <p>a) The Applicant to advise on how CA and TP negotiations have been progressed following the Application's acceptance for Examination</p> <p>b) The ExA will invite submissions from Affected Persons (APs) who wish to raise matters relevant to this agenda item</p>
5	Any Other Business
6	Any Action Points and Hearing Close

Agenda for Issue Specific Hearing 1 (ISH1) – Environmental Matters

Dates	Wednesday 18 September 2024 (Day 1) and Thursday 19 September 2024 (Day 2) AM Only (if required)
Arrangements Conference	09:30
Meeting start time	10:00
Venue	Blended event at Wivenhoe House Hotel Wivenhoe Park, Park Road Colchester CO4 3FA Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered
Attendees	The Applicant and Interested Parties who have pre-registered

Agenda for Issue Specific Hearing 1 – Environmental Matters	
1	Welcome and Introductions
2	Effects for Offshore Ecology
3	Effects for Navigation and Shipping
4	Effects for Landscape, Visual and Seascape
5	Effects for Onshore Ecology
6	Effects for Farming
7	Effects for Terrestrial Traffic and Transportation
8	Any Other Business
9	Any Action Points and Hearing Close

The ExA has allowed one and a half days for ISH1 to allow the agenda matters to be discussed. It is likely that the Hearing will be adjourned at some point on Day 1 and resumed on Day 2. However, should matters be concluded by the end of Day 1, the Hearing will be closed and not sit on Day 2 and the project page will be updated accordingly. A more detailed agenda will be issued by the ExA at least five working days prior to the holding of ISH1.

The ExA intends that matters relating directly to the drafting of the draft Development Consent Order will be discussed during ISH2 (DCO matters) rather than during the course of ISH1.

Agenda for Issue Specific Hearing 2 (ISH2) – Development Consent Order Matters

Date	Thursday 19 September 2024 PM Only
Arrangements Conference	14:00
Meeting start time	14:30
Venue	<p>Blended event at Wivenhoe House Hotel Wivenhoe Park, Park Road Colchester CO4 3FA</p> <p>Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered</p>
Attendees	The Applicant and Interested Parties who have pre-registered

Agenda for Issue Specific Hearing 2 – Development Consent Order Matters	
1	Welcome and Introductions
2	Consideration of amongst other things: the justification for Articles; Requirements and other provisions included in the dDCO; the potential need for any additional provisions; and general drafting points
3	Any Other Business
4	Any Action Points and Hearing Close

A more detailed agenda will be issued by the ExA at least five working days prior to the holding of ISH2.

Availability of Examination Documents

The application documents and Relevant Representations are available on the project webpage.

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

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. **Please quote the unique reference number from 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.

The opening hours and availability of information technology set out in the table below may be subject to changes. Please check the current circumstances with the relevant locations before you attend.

Local authority	Venue/address	Opening hours	Printing costs
Essex County Council	Clacton Library Station Road (opposite the Town Hall) Clacton-on-Sea CO15 1SF	Monday: 9am to 5:30pm	A4 BW - 20p
		Tuesday: 9am to 5:30pm	A4 COL - £1.50
		Wednesday: 9am to 7pm	A3 BW - 60p
		Thursday: 9am to 5:30pm	A3 COL - £2.45
		Friday: 9am to 5:30pm	

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		Saturday: 9am to 5:30pm Sunday: Closed	
Essex County Council	Brightlingsea Library New Street Brightlingsea Colchester CO7 0BZ	Monday: Closed Tuesday: 2pm to 5:30pm Wednesday: 9am to 1pm Thursday: Closed Friday: 2pm to 7pm Saturday: 9am to 5pm Sunday: Closed	A4 BW - 20p A4 COL- £1.50 A3 BW - 60p A3 COL - £2.45
Essex County Council	West Clacton Library Jaywich Lane Clacton-on-Sea CO16 8BE	Monday: 9am to 4:30pm Tuesday: 9am to 4:30pm Wednesday: 9am to 4:30pm Thursday: 9am to 4:30pm Friday: 9am to 4:30pm Saturday: Closed Sunday: Closed	A4 BW - 20p A4 COL- £1.50 A3 BW - 60p A3 COL - £2.45
Essex County Council	Holland Library Public Hall Frinton Road Holland-on-Sea Clacton-on-Sea CO15 5UR	Monday: 2pm to 7pm Tuesday: Closed Wednesday: 9am to 1pm Thursday: Closed Friday: Closed Saturday: 9am to 5pm Sunday: Closed	A4 BW - 20p A4 COL- £1.50 A3 BW - 60p A3 COL - £2.45
Essex County Council	Manningtree Library High Street	Monday: Closed	A4 BW - 20p

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	Manningtree CO11 1AD	Tuesday: 9am to 5:30pm Wednesday: 9am to 1pm Thursday: 1pm to 7pm Friday: 9am to 1pm Saturday: 9am to 5pm Sunday: Closed	A4 COL- £1.50 A3 BW - 60p A3 COL - £2.45
Essex County Council	Harwich Library Upper Kingsway Dovercourt Harwich CO12 3JT	Monday: 9am to 5:30pm Tuesday: 9am to 7pm Wednesday: Closed Thursday: 9am to 5:30pm Friday: 9am to 5:30pm Saturday: 9am to 5pm Sunday: Closed	A4 BW - 20p A4 COL- £1.50 A3 BW - 60p A3 COL - £2.45
Essex County Council	Frinton Library 59 Old Road Frinton-on-Sea CO13 9DA	Monday: Closed Tuesday: 9am to 5:30pm Wednesday: Closed Thursday: 9am to 7pm Friday: 2pm to 5:30pm Saturday: 9am to 5pm Sunday: Closed	A4 BW - 20p A4 COL- £1.50 A3 BW - 60p A3 COL - £2.45
Essex County Council	Wivenhoe Library 104/6 High Street Wivenhoe	Monday: Closed Tuesday: 2pm to 7pm	A4 BW - 20p A4 COL- £1.50

Annex G

	CO7 9AB	<p>Wednesday: Closed</p> <p>Thursday: 9am to 5:30pm</p> <p>Friday: Closed</p> <p>Saturday: 9am to 5pm</p> <p>Sunday: Closed</p>	No A3 printing available.
Local authority	Venue/address	Opening hours	Printing Costs
Kent County Council	<p>Margate Library</p> <p>Thanet Gateway Plus</p> <p>Cecil Street</p> <p>Margate</p> <p>Kent</p> <p>CT9 1RE</p>	<p>Monday: 10am to 5:30pm</p> <p>Tuesday: 10am to 5pm</p> <p>Wednesday: 10am to 5pm</p> <p>Thursday: 10am to 5:30pm</p> <p>Friday: 10am to 5:30pm</p> <p>Saturday: 10am to 3:30pm</p> <p>Sunday: Closed</p>	<p>A4 BW - 15p</p> <p>A3 BW - 50p</p>

Information about the 'Have your say' page

The '[Have your say](#)' page is available on the [project webpage](#).

You will need to enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2004, FIVEE or 5EST. 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 unique 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. See the Planning Inspectorate's [Advice for submitting representations or comments](#) for further information about making written submissions. 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 D** 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 '[Have your Say](#)' page please contact the Case Team using the contact details at the top of this letter and they will assist.