



National Infrastructure Planning
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Bristol, BS1 6PN

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

Your Ref:

Our Ref: EN010116

Date: 18 October 2022

Dear Sir/ Madam

Planning Act 2008 – Section 88 and 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 6, 9, 13 and 16.

Application by North Lincolnshire Green Energy Park Limited for an Order Granting Development Consent for the North Lincolnshire Green Energy Park.

Appointment of the Examining Authority and invitation to the Preliminary Meeting and Notification of Hearings and Accompanied Site Inspection.

Following my appointment by the Secretary of State as the lead member of the Examining Authority (ExA) to carry out an Examination of the above application I am writing to introduce myself and the other member of the ExA. My name is Edwin Maund and the other member of the ExA is Philip Brewer. A copy of the appointment notice can be viewed under the [Documents tab](#) on the project webpage of the National Infrastructure Planning website [North Lincolnshire Green Energy Park](#)

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

This letter provides formal notification that the **Preliminary Meeting** will be a blended event and that the **Issue Specific Hearings** (ISHs) referred to in **Annexes I and J** to this letter will also be blended events.



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.

Date	Start time	Venue and joining details
15 November 2022	Seating available at venue from: 9:15am Virtual Arrangements Conference from: 9:30am Preliminary Meeting starts: 10:00am	Forest Pines Spa and Golf Resort, Ermine Street, Broughton, Brigg, DN20 0AQ. 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
<p>IMPORTANT: The Preliminary Meeting should be completed before 1:00pm on 15 November 2022. However, a reserve period has been scheduled for 2:00pm on the same day to allow for the meeting to be resumed in exceptional circumstances e.g. to account for a failure of technology. Normally the reserve period will not be required and confirmation of this will be provided by the ExA at the end of the Preliminary Meeting and subsequently notified on the project web page. https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/north-lincolnshire-green-energy-park/.</p>		

You must register by 2 November 2022 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. Attend the physical event to observe the proceedings;
2. 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
3. Watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.



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 Note 8.3 - Influencing how an application is Examined: the Preliminary Meeting](#) for more information.

The PM will be held as a blended event. This means that it will take place as a virtual event using Microsoft Teams as well as a physical 'in-person' event. For future hearings forming part of the examination of this project the ExA may consider whether they should be held as physical, blended or virtual events, and we would welcome Interested Parties (IP) views on this matter at the PM.

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 Business, Energy and Industrial Strategy who will take the final decision in this case.

The agenda for the meeting is at **Annex A** to this letter. This has been set following our Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations received. The Initial Assessment of Principal Issues 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 D** 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 **Procedural Deadline A** (2 November 2022) (see **Annex D** to this letter).

We request that all submissions are made using the [Make a submission tab](#) on the project webpage on or before **Procedural Deadline A**. **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 you can make a Written Representation and comment on the Written Representations made by other Interested Parties during the Examination. You will also be able to participate in any hearings that are arranged.

If you wish to participate at the Preliminary Meeting you are required to notify the ExA in writing on or before **2 November 2022** (see **Procedural Deadline A**).

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.

Requests to participate should be made using the [Make a submission tab](#) on the project webpage on or before **Procedural Deadline A, Annex H** to this letter provides further information about the [Make a submission tab](#).

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.

Format of Examination Events – Preliminary Meeting and Hearings

The Examination of the application 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 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.



As such we are providing formal notification that the **Preliminary Meeting will be a blended event and that the ISH's referred to in Annexes I and J to this letter will also 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 initial hearings

We have made a Procedural Decision to hold the following initial hearings:

- We have made a Procedural Decision to hold an Issue Specific Hearing (ISH) into the scope of the Proposed Development Issue Specific Hearing (ISH1) on **16 November 2022** (Blended event)
- We have also made a Procedural Decision to hold a second ISH (ISH2), into the draft Development Consent Order (dDCO) on **17 November 2022** (Blended event)

Important information about these hearings is contained in **Annex E** to this letter, including what details need to be provided with a request to be heard at a hearing and the procedure that will be followed.

Other Procedural Decisions made by the Examining Authority

In addition to the hearings notified above, we have made some further Procedural Decisions which are set out in full in **Annex F**.

These are summarised as follows:

- The setting of deadlines for the submission of Statements of Common Ground;
- Requests for regular updated documents throughout the Examination including an updated Guide to the Application and a Compulsory Acquisition Schedule;
- Requests for Local Impact Reports by Deadline 1; and
- The acceptance of Additional Submissions into the Examination.

These Procedural Decisions are set out in full at **Annex F** and should be read carefully, alongside the draft Examination Timetable in **Annex D**. Some of our Procedural Decisions provide you with the opportunity to take action before the date for the Preliminary Meeting and/ or set dates that require you to take action shortly after that date. If you have questions or wish to discuss any aspect of these decisions, please attend the Preliminary Meeting. We will give careful consideration



to all matters raised there before confirming the Examination Timetable and Procedural Decisions for this Examination.

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 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](#).

A [Make a submission tab](#) 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' tab 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 e-mail updates at key stages during the Examination.

Your status in the Examination

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with '2003', 'NLGE-AFP', 'NLGE-S57' 'REF-APP' you are in Group A. If your reference number begins with 'NLGE-SP' you are in Group B. If your reference number begins with 'NLGE-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 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](#).

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

Yours faithfully

Edwin Maund

Lead Member of the Examining Authority

Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Draft Examination Timetable
- E** Notification of initial hearings and details of how to attend
- F** Other Procedural Decisions made by the Examining Authority
- G** Examination Documents and Deposit locations
- H** Information about the Make a submission tab
- I** ISH 1 and Agenda
- J** ISH 2 and Agenda

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



Agenda for the Preliminary Meeting

You must register by 2 November 2022 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. Attend the physical event to observe the proceedings;
2. 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
3. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Date: 15 November 2022

Arrangements Conference: 9:30am

Meeting start time: 10:00am

Venue: Blended event at

Forest Pines Spa and Golf Resort, Ermine Street, Broughton, Brigg, DN20 0AQ

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	
9.15am	Seating available at venue for in-person attendees
	<p>Virtual Arrangements Conference</p> <p>Please arrive at 9.15am to enter the virtual lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted and given further instructions.</p> <p>The Arrangements Conference will commence at 9.30am. 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>
10.00am	Welcome and Introductions

Item 1	The Preliminary Meeting will formally open at 10.00am . The Examining Authority will join, welcome participants and lead introductions.
Item 2	The Examining Authority's (ExA) Agenda for the Preliminary Meeting (A blended event held in person and through Microsoft Teams) - Annex A
Item 3	The ExA's remarks about the Examination process – Annex B
Item 4	Initial Assessment of Principal Issues – Annex C
Item 5	Draft Examination Timetable – Annex D <ul style="list-style-type: none"> • Deadlines for submissions and notifications • Dates and format for hearings • Arrangements for site inspections
Item 6	Procedural Decisions taken by the ExA, – Annex F
Item 7	Hearings – Annexes I and J
Item 8	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 **10.00am** 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:

- 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.

The Examining Authority (ExA) is conscious of videoconferencing fatigue and will aim to keep the proceedings focussed and as efficient as possible. This annex provides advance access to information that would usually be included in the ExA's introductory remarks. Please read this carefully. The ExA will only present a summary of the key points set out here in order 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 Arrangements Conferences 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:

NorthLincolnshireGreenEnergyProject@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 North Lincolnshire Green Energy Park, 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 North Lincolnshire Green Energy Park 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 ([North Lincolnshire Green Energy Park](#)). 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 the day after the close of the PM.

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) being an application for the construction, operation and maintenance of an onshore electricity generating station in England that would have a generating capacity greater than 50 megawatts and therefore within the scope of sections 14(1)(a) and 15 of the PA2008. The application also includes associated development under Section 115(1)(b) of the PA2008. The designated National Policy Statement for Energy Infrastructure (specifically the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statements: (EN-3) Renewable Energy and National Policy Statement (EN-5) Electricity Network Infrastructure for Energy Infrastructure apply to this Examination and to decision-making relating to this application.

The ExA will consider the Proposed Development in accordance with the National Policy Statements (NPS) for Energy Infrastructure (specifically the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statements: (EN-3) Renewable Energy and National Policy Statement (EN-5) Electricity Network Infrastructure 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 National Policy Statement (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's 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 involvement 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.

Under Section 88(3) of the PA2008 and Rule 6(1) of the Infrastructure Planning (Examination Procedure) Rules 2010 (EPR), the ExA can invite other persons they consider to be appropriate to the Preliminary Meeting (PM). Any person who is invited to the PM in this way will also be sent, for information purposes, the Rule 8 letter which confirms the examination timetable. They will also be sent any amendments to that timetable under Rule 8(3) of the EPR

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

- Associated British Ports (Humber) Port Office East Parade East, Goole DN14 5RB

Conduct of the Preliminary Meeting

The ExA estimate that the PM will take half a day 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 NSIPs are primarily a 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 for receipt of written submissions. Timely submissions received by the relevant Deadline and that address its purpose will be accepted. **Documents received after 11:59 pm on the relevant Deadline date are only 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 with the day after the close of the PM. This 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 IPs, it will be very helpful to the ExA if these could be progressed as early as possible.

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. Provisional 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 it would aid in the Examination and there is a specific reason this would be more helpful than reliance on written evidence only. 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 satisfied 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 they are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCO provided 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 **(1 December 2022)** for participants to notify the ExA that they wish to speak at a CAH.

Site inspections

As part of the Examination process the ExA may undertake site inspections. These can be either 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) are 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 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 (for example if public health restrictions are in place). 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 further USIs/ARSIs as well as possible ASIs.

Initial Assessment of Principal Issues

This is the Initial Assessment of the Principal Issues prepared under s88(1) of the Planning Act 2008 (PA2008). In making this initial assessment, the Examining Authority (ExA) has had regard to the application documents and Relevant Representations (RR) received in respect of the application.

It is not a comprehensive or exclusive list of all relevant matters. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Business, Energy and Industrial Strategy after the Examination has concluded.

The order of the issues does not imply any order of prioritisation or importance.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not set out as separate Principal Issues.

It should be noted that a number of the Principal Issues set out below may have an interrelationship or overlap, and this will be reflected in the Examination. It should also be noted that:

- whilst the effects of the proposal on the achievement of sustainable development including the mitigation of, and adaptation to, climate change are not listed as specific Principal Issues; and
- whilst the effects of the proposal in relation to human rights and equalities duties are not listed as specific Principal Issues;

the ExA will conduct all aspects of the Examination with these objectives in mind.

1. Air Quality

- The extent to which the construction of the Proposed Development and the associated changes to traffic movements would affect air quality with respect to sensitive receptors (human and ecological) from the construction of the Proposed Development and the associated traffic;
- The extent to which the operation of the Proposed Development and plant emissions would affect air quality from the operational process emissions including odour, the approach to amines and operational traffic emissions; and
- The appropriateness of proposed mitigation and extent to which such mitigation should be controlled and secured through any Development Consent Order (DCO).

2. Climate Change

- The effects of the construction and operation of the Proposed Development on climate change;

- The overall change in greenhouse gas emissions that may arise from the construction and operation of the Proposed Development;
- Emissions of greenhouse gases arising from the development, including during its operational phase;
- The timetable for Carbon Capture deployment;
- The effectiveness of measures to mitigate the effects of, or adapt to, climate change;
- The appropriateness of a target/ trigger in the DCO to ensure carbon emissions generated by the power plant are captured.

3. Compulsory Acquisition (CA) and Temporary Possession (TP)

- The need for land and rights to be subject to CA/TP;
- Land, rights and powers sought;
- Minimisation of the need for land and rights;
- Effects on those impacted by CA/TP;
- The position of and effects on Statutory Undertakers, protected provisions and whether the tests of s127 and s138 of PA2008 would be satisfied;
- The position in relation to Crown land;
- The approach to special category land;
- The adequacy and security of funding for compensation;
- Accuracy of the Book of Reference;
- Statement of Reasons and justification for powers sought;
- Whether reasonable alternatives have been explored sufficiently;
- Human rights considerations;
- Whether a compelling case in the public interest has been established;
- Whether the proposals meet the requirements of PA2008 in all other respects.

4. Cultural Heritage

- The effects of the Proposed Development on heritage assets (Designated and Non-designated) and their visual and functional settings, and on archaeology.

5. Design and Layout

- The design of the Energy from Waste Power Station and associated development and whether the proposal both as a whole and in part demonstrates good design.

6. Draft Development Consent Order

- The appropriateness of the Applicant's draft DCO (dDCO) including the appropriateness and adequacy of proposed requirements and whether they would effectively secure mitigation, together with any monitoring provisions;
- Whether any additional requirements are necessary;
- Justification for associated development and other associated development;
- Adequacy of the Explanatory Memorandum;

- Protective provisions; and
- Securing mitigation, including the adequacy of the Draft Agreement.

7. Ecology

- Temporary and permanent impacts on species and habitats, including noise, visual and other disturbance, with particular reference to European and other protected sites and species; and
- Consideration of any necessary mitigation, monitoring, management and compensatory measures and their effectiveness.

8. Environmental Impact Assessment and Environmental Statement

- Exploration of reasonable alternatives, including locations within the site and alternative technologies;
- Approach to EIA, including the use of the 'Rochdale Envelope' and the 'design principles', and whether all necessary parameters and mitigation measures are captured in the dDCO.

9. Flood Risk, Hydrology and Water Resources

- Consideration of the accuracy of the presented Flood Risk Assessment, including whether there would be any increase in the risk of flooding (including offsite flooding) as a result of the Proposed Development;
- Suitability and robustness of consideration of alternative sites;
- Contamination risks during construction, operation and de-commissioning and whether there is sufficient information presented to ensure that the risk to the water environment as a result of the Proposed Development is effectively mitigated; and
- Suitability of any emergency planning measures.

10. Geology and Land Contamination

- Risks from discovery of contaminated soils, and securing appropriate mitigation; and
- Risks from discovery of airborne contamination, such as ground gases and securing appropriate mitigation.

11. Habitats Regulations Assessment

- The approach to, and scope of, cumulative and in combination assessments within the Report to Inform Habitat Regulations Assessment;
- Air Quality Impacts from both traffic and operation;
- Disturbance to birds of the Humber Estuary SPA/Ramsar;
- Loss of functionally linked land associated with the Humber Estuary SPA/Ramsar; and
- Consideration of direct/indirect effects on the qualifying features of European Sites, and the mitigation sought to be secured.

12. Health

- The effects of the Proposed Development on human health, including consideration of electromagnetic fields, contamination, air quality, noise and vibration.

13. Landscape and Visual Amenity

- The impact of the Proposed Development on landscape and visual amenity;
- The effects of temporary and permanent lighting on the landscape and visual amenity; and
- The extent to which the design of permanent structures should be controlled and secured through any DCO.

14. Major Accidents and Hazards

- Potential cumulative effects of minor events;
- Mitigation, including any emergency action plans;
- Assessment of loss of gaseous containment, loss of water supply and discharge and staff shortages; and
- Potential effects on the safety and monitoring of surrounding sites.

15. Noise and Vibration

- Impacts of construction noise and vibration on sensitive receptors close to the construction site, including residents and community receptors, and wildlife communities; and
- Impacts of operational noise from the Proposed Development.

16. Planning Policy

- Whether the Proposed Development complies with:
National Policy Statement EN-1, Overarching National Policy for Energy;
National Policy Statement EN-3 Renewable Energy Infrastructure;
National Policy Statement EN-5, Electricity Network Infrastructure;
- The implications of the draft National Policy Statements on Energy and any important and relevant matters arising from them; and
- Policies of Local Development Plans and the extent to which they are relevant and important.

17. Socio-Economics

- The extent to which the Proposed Development would result in any socio-economic benefits in terms of the national, regional or local economy;
- The extent to which the Proposed Development would result in any adverse socio-economic effects on the national, regional or local economy; and
- Effects of the Proposed Development on agricultural land, farming operations, soil quality and the loss of Best and Most Versatile (BMV) agricultural land.

18. Traffic and Transport

- The effect of the Proposed Development on traffic flows, delays, volumes and circulation in both the local and wider context;

- The effect of the Proposed Development on road safety, cyclists and pedestrian amenity; and
- The extent to which the Proposed Development would impact public rights of way (availability/usability).

19. Waste

- Waste management during construction, operation and decommissioning; and
- Source of and content of waste for fuel and compatibility with Waste Policy and the Waste Hierarchy.

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	Matters	Date
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of: Written submissions on the Examination Procedure, including any submissions about the use of virtual or blended methods</p> <p>Requests to be heard orally (in-person or virtual) at the Preliminary Meeting including which agenda items you wish to speak on.</p> <p>Requests to be heard orally (in person or virtual) at Issue Specific Hearing 1 and Issue Specific Hearing 2</p>	2 November 2022
2.	Preliminary Meeting	15 November 2022 10:00am
3.	Reserved time for Preliminary Meeting (if required)	15 November 2022 2:00pm
4.	<p>Issue Specific Hearing (ISH1)</p> <p>ISH1 on the Scope of the Proposed Development</p>	16 November 2022 10.00am
5.	<p>Issue Specific Hearing (ISH2)</p> <p>ISH2 on the draft Development Consent Order (dDCO)</p>	17 November 2022 10.00am
6.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> Examination Timetable <p>Publication of:</p>	As soon as practicable after the close of the Preliminary Meeting

	<ul style="list-style-type: none"> • The ExA's First Written Questions (ExQ1) 	
7.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written summaries of oral submissions put at Issue Specific Hearings held on the 16 and 17 November 2022 • Comments on Relevant Representations (RR) • Summaries of all RR exceeding 1500 words • Local Impact Reports (LIR) from Local Authorities • Statements of Common Ground (SoCGs) requested by the ExA (see Annex F) • Statements of Commonality for SoCG (see Annex F) • Notification of Statutory Parties of their wish to be considered as an Interested party (IP) • Notification of any Affected Person (AP) of a wish to speak at a Compulsory Acquisition Hearing (CAH) • Notification of an interested party of a wish to speak at an Open Floor Hearing (OFH) • Submission of suggested sites to be included in any Accompanied Site Inspection (ASI) or Unaccompanied Site Inspection (USI) including reasons why the site needs to be visited on an accompanied basis and any access requirements • Notification of wish to attend an ASI • Revised Application Guide • National Policy Statement (NPS) Tracker • A Compulsory Acquisition Schedule • Status of Negotiations Schedule 	1 December 2022

	<ul style="list-style-type: none"> • Comments on any further information/submissions accepted by the ExA • Updated Book of Reference (BoR) and Schedule of Changes to the BoR and tracked versions (if required) • Comments on any updated application documents • Notification of wish to have any future correspondence received electronically • Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules 	
8.	<p>Deadline 2 (D2)</p> <p>Deadline for the receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to ExQ1 • Responses to comments on Relevant Representations • Written Representations (WRs), including summaries of all WRs exceeding 1500 words • Comments on LIRs • Updated SoCG • Updated Statement of Commonality for SoCG • Revised Status of Negotiations Schedule • Applicant to provide a draft itinerary for the ASI • Applicant's updated dDCO (clean and tracked versions) • Updated schedule of changes to the Applicant's dDCO • Revised Application Guide (clean and tracked versions) • Comments on any other submissions received at D1 • Any further information requested by the ExA under Rule 17 of the Examination Rules 	15 December 2022
9.	<p>Deadline 3 (D3)</p> <p>Deadline for receipt by the ExA of:</p>	12 January 2023

	<ul style="list-style-type: none"> • Comments on responses to the ExA's ExQ1 • Responses to comments on LIRs • Comments on WRs • Comments on any other information submitted at D2 • Revised Statement of Negotiations Schedule (clean and tracked versions) • Comments on the Applicants' dDCO • Revised Application Guide (clean and tracked versions) • Comments on the Applicant's draft itinerary for the ASI • Any further information requested by the ExA under Rule 17 of the Examination Rules 	
10.	<p>Hearings</p> <p>Dates reserved for</p> <ul style="list-style-type: none"> • Issue Specific Hearings on environmental matters • Open Floor Hearings (if requested) • Accompanied Site Inspection (ASI) (if required) 	Week commencing 23 January 2023
11.	<p>Deadline 4 (D4)</p> <p>Deadline for the receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post hearing submissions, including written submission of oral case and any post-hearing notes requested at the hearings held during w/c 23 January 2023. Responses to comments on WRs • Comments on any other information submitted at D3 • Updated SoCGs (clean and tracked versions) • Updated Statement of Commonality for SoCGs • Updated dDCO (clean and tracked versions) 	7 February 2023

	<ul style="list-style-type: none"> • Updated schedule of changes to the dDCO • Revised Application Guide (clean and tracked versions) • Revised Statement of Negotiations Schedule (clean and tracked versions) • Any further information requested by the ExA under Rule 17 of the Examination Rules 	
12.	<p>Deadline 5 (D5)</p> <p>Deadline for the receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any other information submitted at D4 • Updated SoCGs (clean and tracked versions) • Updated Statement of Commonality for SoCGs • Updated NPS Tracker • A Compulsory Acquisition Schedule • Revised Statement of Negotiations Schedule (clean and tracked versions) • Updated Book of Reference (BoR) and Schedule of Changes to the BoR and tracked versions (if required) • Updated dDCO (clean and tracked versions) • Updated schedule of changes to the dDCO • Revised Application Guide (clean and tracked versions) • Any further information requested by the ExA under Rule 17 of the Examination Rules 	21 February 2023
13.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • ExA's Second Written Questions (ExQ2) (if required) 	2 March 2023

14.	<p>Hearings</p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> • Compulsory Acquisition hearings • Issue Specific Hearings on environmental matters (if required) 	<p>Week commencing 6 March 2023</p>
15.	<p>Deadline 6 (D6)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written summaries of oral submissions put at any hearings held week commencing 6 March 2023 • Responses to the ExA's ExQ2 • Comments on the Applicants' proposed changes to the dDCO • Comments on any other information submitted at D5 • Revised Statement of Negotiations Schedule (clean and tracked versions) • Revised Application Guide (clean and tracked versions) • Comments on any other information submitted at D5 • Any further information requested by the ExA under Rule 17 of the Examination Rules 	<p>20 March 2023</p>
16.	<p>Hearings and ASI</p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> • Issue Specific Hearings (if required) • Open Floor Hearing (if required) • Compulsory Acquisition Hearing (if required) • Accompanied Site Inspection (if required) 	<p>Week commencing 27 March 2023</p>
17.	<p>Publication by the ExA of:</p>	<p>6 April 2023</p>

	<ul style="list-style-type: none"> • Report on the Implications for European Species (RIES) and any associated questions (if required) • ExA's dDCO or The ExA's schedule of changes to the dDCO (if required) 	
18.	<p>Deadline 7 (D7)</p> <p>Deadline for the receipt of by the ExA of:</p> <ul style="list-style-type: none"> • Comments on responses to the ExA's ExQ2 • Written summaries of oral submissions put at hearings held on week commencing 27 March 2023 • An updated version of the dDCO (including final protective provisions) • An updated Mitigation Schedule • An updated version of the Guide to the Application • An updated version of the Land Acquisition and Temporary Possession Negotiations Schedule • Comments on any further information requested by the ExA and received on Deadline 6 • Any further information requested by the ExA under Rule 17 of the Exam Rules 	12 April 2023
19.	<p>Issue by the ExA of:</p> <p>ExA's Third Written Questions (ExQ3) (if required)</p>	17 April 2023

20.	<p>Deadline 8 (D8)</p> <p>Deadline for the receipt of by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's ExQ3 (if required) • Comments on the RIES • Comments on the ExA's dDCO • An updated version of the Guide to the Application • An updated version of the Compulsory Acquisition and Temporary Possession Negotiations Schedule • Any further information requested by the ExA under Rule 17 of the Exam Rules • Comments on any further information requested by the ExA and received to Deadline 7 	<p>28 April 2023</p>
21.	<p>Deadline 9 (D9)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on responses to the ExA's ExQ3 (if required) • Final DCO • Final DCO to be submitted by the Applicant in the SI template with the SI template validation report • Final updated BoR • Final BoR and schedule of changes to BoR and tracked version • Final SoCG • Final Statement of Commonality of SoCG • List of matters not agreed where SoCG could not be finalised • Final Navigation Document/Guide to the application • Final Status of Negotiations CA Schedule • Final Status of Negotiations with Statutory Undertakers • Final NPS tracker 	<p>10 May 2022</p>

	<ul style="list-style-type: none"> • Signed final versions of any Development Consent Obligations associated with the application (if required) • Comments on any further information/submissions received • Comments on any additional information/submissions received at D 8 • Any further information requested by ExA • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Closing Submissions 	
22.	<p>Deadline 10 (D10)</p> <p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months</p>	15 May 2023

Submission times for Deadlines

The 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.

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 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 agendas may not be published.

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant 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.

Notification of initial hearings

Date	Hearing	Start time	Venue and Joining details
15 November 2022	Preliminary Meeting	Seating available at venue from: 9:15am Virtual Arrangements Conference from: 9:30am Hearing starts: 10:00am	Forest Pines Spa and Golf Resort, Ermine Street, Broughton, Brigg, DN20 0AQ. 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
16 November 2022	Issue Specific Hearing (ISH) into the scope of the Proposed Development (ISH1)	Seating available at venue from: 9:15am Virtual Arrangements Conference from: 9:30am Hearing starts: 10:00am	Forest Pines Spa and Golf Resort, Ermine Street, Broughton, Brigg, DN20 0AQ. 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
17 November 2022	Issue Specific Hearing (ISH) into the draft Development Consent Order (dDCO) (ISH2)	Seating available at venue from: 9:15am Virtual Arrangements Conference from:	Forest Pines Spa and Golf Resort, Ermine Street, Broughton, Brigg, DN20 0AQ. and By virtual means using Microsoft Teams

Date	Hearing	Start time	Venue and Joining details
		9:30am Hearing starts: 10:00am	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 2 November 2022 if you intend to participate in 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. Attend the physical event to observe the proceedings;
2. 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
3. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

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.

It is important that notifications from Interested Parties to participate in hearings is submitted separately from any other written submission. Please select the appropriate Deadline and Submission Item under the [Make a submission tab](#) and ensure the submission is titled appropriately to allow us to quickly identify which event the notification relates to. **Annex H** provides further information about the [Make a submission tab](#). 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

High-level agendas for these hearings have been published alongside this notification 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 Examination will principally be a written process (see the Planning Inspectorate's [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings. Please refer to the [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#) as these provide important information about hearing procedures.

The procedure to be followed at hearings 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.

The Examining Authority (ExA) has made the following Procedural Decisions:

1. Accompanied Site Inspection

An Accompanied Site Inspection (ASI) will be held on **27 January 2023**, commencing at 9:00am.

The focus of the ASI will be the Order land and this ASI reflects the fact that the ExA has not been able to access all areas of the Order land to date or to observe it at close quarters given that areas of the land are not publicly accessible. If required a subsequent ASI may also observe the Proposed Development site from other vantage points.

Interested Parties who wish to attend the ASI on **27 January 2023** should notify the Case Team of their wish to do so by **1 December 2022**.

2. Statements of Common Ground (SoCG)

The aim of a SoCG is to provide a focus and save Examination time by identifying matters which are not in dispute or need not be the subject of further evidence. In particular, the SoCG should identify where the differences between parties lie and the reasons for any disagreement or outstanding matters.

The SoCG need not include a verbatim list of discussions to date but rather a concise summary of the overall timescale and principal events which have led to the current position of agreement and/or disagreement.

The SoCG should be agreed between the Applicants and the other relevant Interested Parties as listed below and submitted by the Applicants at the deadlines as set out in **Annex D**.

In relation to some of the Principal Issues identified in **Annex C**, the ExA would be assisted by the early preparation of SoCGs between the Applicants and certain Interested Parties. The draft Examination Timetable at **Annex D** establishes **Deadline 1** for submission of initial SoCGs. The ExA expects the Applicants to continue working with the Interested Parties, and to submit regular updates. The Applicants are to provide a final signed and agreed SoCG for each Interested Party by **Deadline 9**, if not provided in a previous Deadline.

SoCGs are requested to be prepared between the Applicants and the following named parties:

SoCGs are requested to be prepared between the Applicant and:

Anglian Water Services Limited, to include:

- Draft Development Consent Order and any relevant Protective Provisions;
- The effect on existing apparatus and infrastructure, including the capacity of the sewerage network and any mitigation required to ensure adequate capacity;
- Whether there is a need to divert any existing water infrastructure or provide protection to existing water infrastructure.
- Water environment effects including flooding effects and risks to drainage matters; and
- Water quality.

Northern Powergrid Yorkshire plc, to include:

- Development Consent Order including Relevant Protective Provisions;
- impact on existing apparatus;
- impact on existing and future operations; and
- any connection issues

Cadent Gas Limited, to include:

- Development Consent Order including Relevant Protective Provisions;
- impact on existing apparatus;
- impact on existing and future operations; and
- any connection issues

British Telecommunications plc and Openreach Limited, to include:

- Development Consent Order including Relevant Protective Provisions;
- impact on existing apparatus;
- impact on existing and future operations; and
- any connection issues

Network Rail Infrastructure Limited, to include:

- Draft Development Consent Order, Protective Provisions and a response to the Relevant Representation regarding Compulsory Acquisition; and
- The effect on existing railway infrastructure and services, including the use of any level crossing and any liabilities arising as a result of such use.

Scunthorpe and Gainsborough Water Management Board, to include:

- Draft Development Consent Order and any relevant Protective Provisions;
- Water environment effects, including flood risk and effects on flood alleviation and storage schemes, watercourses and waterbodies, and foul and surface water drainage matters, including ensuring all assessments have been made using the most up to date data available;
- The Applicant's Flood Risk Assessment, with particular reference to climate change allowances and the flood emergency plan;
- Land contamination and groundwater, including source protection zones and groundwater dependent ecosystems; and
- Mitigation, risk management and enhancement measures, including Construction Environmental Management Plan/ Code of Construction Practice.

National Highways, to include:

- Development Consent Order including Relevant Protective Provisions;
- impact on existing apparatus;
- impact on existing and future operations; and
- any connection issues

Severn Trent Water Limited, to include:

- Development Consent Order including Relevant Protective Provisions;
- impact on existing apparatus;
- impact on existing and future operations; and
- any connection issues

The Environment Agency, to include:

- Development Consent Order including Relevant Protective Provisions;
- Water environment effects, including flood risk and effects on flood alleviation and storage schemes, watercourses and waterbodies, and foul and surface water drainage matters, including ensuring all assessments have been made using the most up to date data available;
- The Applicant's Flood Risk Assessment, with particular reference to climate change allowances and the flood emergency plan;
- Compliance with the Water Framework Directive;
- Biodiversity;
- Land contamination and groundwater, including source protection zones and groundwater dependent ecosystems;
- Waste management;
- Environmental permits, consents and licences; and

- Mitigation, risk management and enhancement measures, including Construction Environmental Management Plan/ Code of Construction Practice.

Historic England, to include:

- The effect on heritage assets including any archaeological effects;
- The Written Scheme of Investigation;

Natural England, to include:

- Draft Development Consent Order and any relevant Protective Provisions;
- Ecology, habitats and nature conservation including issues related to:
 1. The Applicant's Habitats Regulation Assessment report and effects on European sites and features;
 2. the effect on protected species and habitats;
 3. mitigation measures and enhancements, including likely effectiveness of mitigation, monitoring procedures, how mitigation will be secured within the DCO and the content of the Construction Environmental Management Plan/ Code of Construction Practice.
- Air Quality;
- Landscape; and
- Water Quality

North Lincolnshire Council, to include:

- Planning policy;
- The Need and Principle of the Proposed Development and Examination of Alternatives;
- Ecology and Biodiversity;
- Emergency Planning;
- Climate change;
- Construction Effects on people and communities;
- Draft Development Consent Order and Protective Provisions;
- Water resources, drainage and flood risk including the suitability of the site when assessed against NPPF and PPG advice on Flood Risk;
- Historic Environment;
- Highways and Transport, including Public Rights of Way and cycle routes and to what extent HGV movements arising from the construction and operation of the development will have an impact on the highway network;
- Landscape and Visual impacts;
- Noise, air quality and disturbance during construction and operation; and
- Construction Environmental Management Plan/ Code of Construction Practice.

Humberside Fire and Rescue Authority, to include:

- Fire Safety and Major Accident Assessment and Mitigation

Associated British Ports (Humber), to include:

- Navigation Risk and suitability of DCO to ensure appropriate provisions are in place to respond to risks identified.

British Steel Limited, to include:

- Draft Development Consent Order and any relevant Protective Provisions
- impact on existing apparatus;
- impact on existing and future operations

Rainham Steel Company Limited, to include:

- Draft Development Consent Order and any relevant Protective Provisions
- impact on existing apparatus;
- impact on existing and future operations

Jotun Paints (Europe) Limited, to include:

- Draft Development Consent Order and any relevant Protective Provisions
- impact on existing apparatus;
- impact on existing and future operations

AB Agri Limited, to include:

- Draft Development Consent Order and any relevant Protective Provisions
- impact on existing apparatus;
- impact on existing and future operations

Bagnoor Wind Limited, to include:

- Draft Development Consent Order and any relevant Protective Provisions
- impact on existing apparatus;
- impact on existing and future operations

National Grid Carbon Ltd, to include:

- Relationship to Humber Net Zero and whether DCO should include provisions for connection to the proposed pipeline

UKWIN, to include:

- Matters relating to the composition, and sourcing of the waste as fuel now and in the future.

Enfinium Limited, to include:

- Matters relating to the composition, and sourcing of the waste as fuel now and in the future

The SoCG should cover the following topics where relevant:

- methodology for Environmental Impact Assessment including assessment of cumulative effects;
- data collection methods ;
- baseline data;
- data/ statistical analysis, approach to modelling and presentation of results (including forecast methodologies);
- full expression of expert judgements and assumptions;
- identification and sensitivity of relevant features and quantification of potential impact;
- likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose; and
- feasible and deliverable mitigation and method for securing such mitigation within the DCO.

All of the SoCGs listed above should cover the Articles and Requirements in the dDCO. Any Interested Party seeking for an Article or Requirement to be reworded should provide the form of words being sought in the SoCG.

Where a particular SoCG cannot be agreed between the parties by **Deadline 9**, or, in so far as any local authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted by the Applicants at **Deadline 8**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs will help to inform the ExA about the need to hold any Issue Specific Hearings during the Examination, and to enable the ExA and the Applicants to give notice of such hearings at least 21 days in advance of them taking place.

In addition, the ExA requests that at the relevant deadlines set out in the draft timetable, the Applicants provide a Statement of Commonality of Statements of Common Ground to provide an update on progress with SoCGs, an overview of where the areas of agreement and dispute between the Interested Parties are, and a likely timescale for submission.

3. Updated Documents

The ExA requests that at each deadline, the Applicants provide an updated application document tracker (Application Guide [AS-004]) which provides a list of the most up-to-date documents before the Examination and a Compulsory Acquisition and Temporary Possession Schedule /Status of Negotiations Schedule setting out the status of negotiation with all parties affected by the proposed works.

Where revised documents are issued that a clean and tracked version is provided so that all parties can be aware of any changes made from the previous version.

Final versions must be submitted at **Deadline 10** before the close of the Examination.

4. Local Impact Report

The ExA requests Local Impact Reports (LIR) from North Lincolnshire Council, the host Local Authority, and welcomes LIRs from any other relevant local authorities who may wish to submit one.

All LIRs are requested to be submitted into the Examination no later than by **Deadline 1** on **1 December 2022**.

5. Acceptance of Additional Submissions into the Examination

Following the acceptance of the application, the Applicants submitted a range of correspondence on 28 September 2022 to the Planning Inspectorate.

The ExA exercised its discretion to accept the Additional Submissions submitted by the Applicants in response to the s55 checklist [PD-002] issued on 23 June 2022. The documents have now been published on the project page on the National Infrastructure Planning website.

The revised/ amended documents submitted by the Applicant are as follows:

- Response to PINS s51 advice [[AS-002](#)]
- Summary Table of responses to s51 advice [[AS-003](#)]
- Application Guide Revision.1.0 [[AS-004](#)]
- Project Glossary Revision 1 [[AS-005](#)]
- Draft DCO Revision 1 (Clean) [[AS-006](#)]
- Draft DCO Revision 1 (tracked) [[AS-007](#)]
- North Lincolnshire validation report [[AS-008](#)]
- Work Plans A Revision 1 [[AS-009](#)]
- Plans showing statutory and non-statutory historic or scheduled monument sites or features of the historic environment [[AS-010](#)]

- Code of Construction Practice Revision 1 [[AS-011](#)].

The ExA has also decided to accept a late Relevant Representation from

- Network Rail Infrastructure Limited [[AS-001](#)].

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. Please note that you will need to bring a form of identification and register as a member/library member in order to use a computer at these locations.

The opening hours and availability of information technology set out in the table below may be subject to change. You may wish to contact the venue prior to attending to confirm opening times.

Local authority	Venue/address	Opening hours	Printing costs
Scunthorpe Central Library	Carlton Street, Scunthorpe, DN15 6TX	Monday: 9am– 12:30pm, 1–5pm Tuesday: 9am– 12:30pm, 1–5pm Wednesday: 9am–12:30pm, 1- 5pm Thursday: 9am– 12:30pm, 1–5pm Friday: 9am– 12:30pm, 1–5pm Saturday: 9am – 1pm Sunday: Closed	Black and white per sheet A4 = £0.15 A3 = £0.30 Colour per sheet A4 = £0.50 A3 = £0.85
Local authority	Venue/address	Opening hours	Printing Costs
Crowle Community Hub (Library)	The Market Hall, Market Pl, Crowle, Scunthorpe DN17 4LA	Monday: 9am– 12:30pm, 1–5pm Tuesday: 9am- 12:30pm, 1-5pm Wednesday: 9am–12:30pm, 1- 5pm Thursday: 9am- 12:30pm, 1-5pm Friday: 9am– 12:30pm, 1–5pm Saturday: 9am – 12pm Sunday: Closed	Black and white per sheet A4 = £0.15 Colour per sheet A4 = £0.50
Winterton Library	54 West St, Winterton, Scunthorpe DN15 9QF	Monday: 9am– 4pm, 4:30–7pm Tuesday: Closed Wednesday: 9am–4pm, 4:30– 7pm Thursday: 9am– 4pm, 4:30–7pm	Black and white per sheet A4= £0.15 Colour per sheet

Annex G

		Friday: 9am–4pm, 4:30–7pm Saturday: Closed Sunday: 9am- 12pm	A4= £0.50
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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 reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2003 or NLGE. 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 Note 8.4: The Examination](#) 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 [Make a submission tab](#) please contact the Case Team using the contact details at the top of this letter and they will assist.

Agenda for the Issue Specific Hearing into the scope of the Proposed Development (ISH1)

This document sets out the agenda for the Issue Specific Hearing into the scope of the Proposed Development as notified by the Examining Authority (ExA) in **Annex E**.

Date: Wednesday 16 November 2022

Time: 9:00am, room opens / Arrangements Conference from 9:30am

Venue: Virtual Event (Microsoft Teams) and the Forest Pines Spa and Golf Resort, Ermine Street, Broughton, Brigg, DN20 0AQ

Access and Parking: Free on-site parking, registration to be given at reception.

Background

This early hearing on the scope of the Proposed Development is being held to address matters, issues and questions identified by the ExA during the Initial Assessment of Principal Issues as listed in **Annex C**. The ExA will not examine matters arising from the content of individual Relevant Representations (RRs) at this hearing. These are matters that will be the subject of consideration as the examination progresses, in writing or orally as required, following the submission of Written Representations (WRs).

The ExA considers that as the the Applicant has identified several components as the Principal¹ Development and several other components as the Associated² Development it is expedient to examine some matters, issues and questions orally at the outset of the Examination in order to ensure that matters arising from the Proposed Development are identified and considered as early as possible.

This hearing, and any subsequent hearings, will be held without prejudice to the ExA's consideration of the broader planning merits of the application. All IPs are invited to attend the hearing and each IP is entitled to make oral representations at the hearing.

The ExA requests that the following attendees participate in ISH1 into the scope of the Proposed Development:

- North Lincolnshire Green Energy Park Limited (the Applicant);
- North Lincolnshire Council;
- Environment Agency;
- Associated British Ports;
- Flixborough Wharf Limited;

¹ As described in the Application -2.2 Explanatory Memorandum [APP-009] at 3.3

² As described in the Application -2.2 Explanatory Memorandum [APP-009] at 3.7

- The Office of Rail and Road;
- HSE;
- Vossloh Coggifer UK Limited;
- Network Rail;
- National Grid Carbon Limited;
- Cadent Gas Limited;
- Any other Interested Parties (IPs) – with an interest in the scope of the Proposed Development.

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required.

Guidance under the Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

The following agenda is indicative and may be amended by the ExA at the start of the hearing session. Furthermore, the ExA may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussion which are not on the agenda.

The purpose of ISH1 is to enable the ExA to seek an understanding of:

- The need for the Principal Development
- The relationship between the components of the Principal Development and the Associated Development;
- The composition of the waste to be used as fuel, the different terms used and its source;
- The use of river and rail to deliver and export from the site during construction and operation;
- The use of existing, new or modified pipelines to transport CO₂ and H₂ from the Proposed Development.

All Examination documents are provided with a unique identification number for referencing purposes shown in square brackets [].

Agenda

- 1. Welcome, introductions, and arrangements for the Issue Specific Hearing.**
- 2. Purpose of the Hearing.**
- 3. The Need for the Principal Development.**
 - The ExA will ask the Applicant about the need for the Proposed Development in the context of Government Policy and emerging Government Policy.
- 4. The components of the North Lincolnshire Green Energy Park Project.**
 - The Applicant will be asked to provide an overview of the project as a whole, explaining each of the different elements of the project, their dependencies, their timing and why they are included within the DCO application.
- 5. The composition of the waste to be used as fuel, the different terms used and its source.**
 - The Applicant will be asked to provide an overview about the composition of the waste to be used as fuel and where it will be sourced from,
 - What control will be in place to manage the content of the fuel,
 - How the composition and sources might be expected to change over time.
- 6. The use of river and rail to deliver and export from the site during construction and operation.**
 - The Applicant will be asked to provide an overview about how the River Trent and Flixborough Wharf will be used for the delivery of materials including waste for fuel to and from the site during construction and operation,
 - The Applicant will be asked to provide an overview about how the Dragonby sidings, the reinstated Dragonby to Flixborough branch line and the new railhead at Flixborough Wharf will be used for the delivery of materials, including waste for fuel to and from the site during construction and operation
- 7. The use of existing, new or modified pipelines to transport CO₂ and H₂ from the Proposed Development.**
 - The ExA will ask the Applicant about the relationship to the proposed Zero Carbon Humber pipeline project,
 - The ExA will ask the Applicant about the relationship to the local gas distribution network for the transport of H₂,

- The ExA will ask the Applicant about the relationship to the future East Coast Cluster dedicated hydrogen network.

8. Review of issues and actions arising.

9. Any other business.

10. Closure of the Hearing.

Agenda for the Issue Specific Hearing into the draft Development consent Order (dDCO) (ISH2)

This document sets out the agenda for the Issue Specific Hearing into the draft Development Consent Order (dDCO) as notified by the Examining Authority (ExA) in **Annex E**.

Date: Thursday 17 November 2022

Time: 9:00am, room opens / Arrangements Conference from 9:30am

Venue: Virtual Event (Microsoft Teams) and the Forest Pines Spa and Golf Resort, Ermine Street, Broughton, Brigg, DN20 0AQ

Access and Parking: Free on-site parking, registration to be given at reception.

Background

This early hearing on the dDCO is being held to address matters, issues and questions identified by the ExA during the Initial Assessment of Principal Issues as listed in **Annex C**. The ExA will not examine matters arising from the content of individual Relevant Representations (RRs) at this hearing. These are matters that will be the subject of consideration as the examination progresses, in writing or orally as required, following the submission of Written Representations (WRs).

The ExA considers that it is expedient to examine some matters, issues and questions orally at the outset of the Examination in order to ensure that technical and legal matters arising from the dDCO are identified and considered as early as possible. This hearing, and any subsequent hearings, will be held without prejudice to the ExA's consideration of the broader planning merits of the application. All IPs are invited to attend the hearing and each IP is entitled to make oral representations at the hearing.

The ExA requests that the following attendees participate in ISH2 into the dDCO:

- North Lincolnshire Green Energy Park Limited (the Applicant);
- North Lincolnshire Council;
- Environment Agency;
- Natural England;
- Any other Interested Parties (IPs) – with an interest in the scope of the Proposed Development.

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required.

Guidance under the Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons

making oral representations at hearings. Questioning at the hearing will be led by the ExA.

The following agenda is indicative and may be amended by the ExA at the start of the hearing session. Furthermore, the ExA may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussion which are not on the agenda.

Purpose of the Issue Specific Hearing

The ExA will consider:

- Issues around how the draft DCO is intended to work – what would be consented, the extent of the powers and what requirements and agreements are proposed;
- Any possible issues of prevention, mitigation or compensation which are not covered by the DCO as currently drafted;
- The justification for any changes from established practice;
- The need for changes to other legislative provisions;
- The need for protective provisions and their scope; and
- The initial views of other Interested Parties as to the appropriateness, proportionality or efficacy of the proposals.

This hearing will not examine the detailed content of provisions relating to the compulsory acquisition of land or rights or temporary possession of land. The draft Examination timetable proposes separate Compulsory Acquisition Hearings on these topics and they may also be returned to in subsequent DCO ISHs.

All Examination documents are provided with a unique identification number for referencing purposes shown in square brackets []. The application version of the dDCO (Revision 1) has the reference [[AS-006](#)].

Agenda

- 1. Welcome, introductions, and arrangements for the Issue Specific Hearing.**
- 2. Purpose of the Hearing.**
- 3. Articles and Schedules of the dDCO (excluding Articles 42, 43 and 44, Schedules 2 and 14)**
 - The Applicant will be asked to provide a very brief overview of each part of the DCO. The ExA will then ask questions in respect of DCO powers, seeking responses where appropriate from the Applicants, North Lincolnshire Council (NLC), the Environment Agency (EA), Natural England (NE) and other Interested Parties (IPs). IPs will also be invited to ask questions of clarification in relation to the DCO Articles and Schedules.
- 4. Article 42 of the dDCO – Operational Land**
 - The Applicant will be asked to provide an overview of the Article. The ExA will then ask questions, seeking responses where appropriate from the Applicants, NLC and other IPs. IPs will also be invited to ask questions of clarification in relation to this Article.
- 5. Article 43 of the dDCO – Defence to Proceedings in respect of Statutory Nuisance**
 - The Applicant will be asked to provide an overview of the Article. The ExA will then ask questions, seeking responses where appropriate from the Applicants, NLC and other IPs. IPs will also be invited to ask questions of clarification in relation to this Article.
- 6. Article 44 of the dDCO – Documents and Plans to be Certified**
 - To review the documents to be certified and seek views as to whether the list is complete and if not, what additional documents would need to be included.
- 7. Schedule 2 of the dDCO – Requirements and Procedure for Discharge of Requirements**
 - The Applicant will be asked to provide an overview of the Requirements. The ExA will then ask questions, seeking responses where appropriate from the Applicants, NLC, the EA, NE and other IPs. IPs will also be invited to ask questions of clarification in relation to DCO Requirements.
 - The ExA will ask IPs and particularly NLC whether the relevant planning authority have any concerns in principle with the proposed

approaches taken to the discharge of requirements, or for managing appeals or disputes under the dDCO.

8. Schedule 14 of the dDCO – Protective Provisions

- To understand the need to obtain an update on progress between parties regarding protective provisions; an explanation of any important differences of view and a timescale for resolution (Schedule 14).

9. Consents, Licences and Other Agreements

- The Applicant will be asked to provide an update of progress and timescales for completion. The ExA will then ask questions, including discussing whether any need for and progress on any planning obligations and/or side agreements and if there is an indicative timescale for finalising them.

10. Statements of Common Ground relevant to the DC

- The ExA will ask the Applicant to provide an update on Statements of Common Ground relevant to the DCO.

11. Review of issues and actions arising.

12. Any other business.

13. Closure of the Hearing.