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Planning
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Customer
Services: 0303 444 5000
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All Interested Parties and Statutory Parties

Your Ref:

Our Ref: EN010120

Date: 24 January 2023

Dear Sir/ Madam

Planning Act 2008 – Section 89; and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 8, 9, 13 and 16

Application by Drax Power Limited for an Order Granting Development Consent for the Drax Bioenergy with Carbon Capture and Storage project

Examination Timetable and procedure, notification of hearings, and notification of Accompanied Site Inspection

This letter (the Rule 8 letter) provides important information about the examination of this application. The letter and annexes include the following:

- The Examination Timetable.
- An invitation to submit Written Representations.
- Details of the publication of the Examining Authority's written questions.
- Other Procedural Decisions made by the Examining Authority.
- Notification of hearings.
- Notification of an Accompanied Site Inspection.
- Information about the availability of Examination documents.
- Guidance on the use of the 'Make a submission' tab on the project webpage.

All documentation associated with this Examination, including a note of the Preliminary Meeting and the recording of that meeting, can be viewed under the ['Documents' tab](#) on the [project webpage](#)¹ of the National Infrastructure Planning website.

The Examination Timetable

We have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A** to this letter.

¹ <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/drax-bioenergy-with-carbon-capture-and-storage-project/>

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

Please note that the Examination Timetable contains a number of deadlines for receipt of information by the Planning Inspectorate. All deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

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

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

Written Representations

All Interested Parties are invited to submit Written Representations and any comments on the Relevant Representations already submitted. There is no need to amend or resubmit any comments on Relevant Representations that were previously submitted in response to the [Examining Authority’s Procedural Decision dated 14 October 2022](#) unless circumstances have changed. Comments on Relevant Representations should be submitted by **Deadline 1 (Thursday 2 February 2023)** in the Examination Timetable, and Written Representations should be submitted by **Deadline 2 (Wednesday 22 February 2023)**.

Written Representations can cover any relevant matter and are not restricted to the matters set out in our [Initial Assessment of Principal Issues](#) or to the content of our written questions (see next heading below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination (see paragraph 74 of [Planning Act 2008: Guidance for the examination of applications for development consent](#)²).

We have requested further types of written submissions at various points in the Examination (see **Annex A**).

Any Written Representations and any further written submissions requested during the Examination, that exceed 1500 words, should also be accompanied by a summary which

² <https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

Representations **must not include hyperlinks** to documents/ evidence hosted on third party websites. Please see the Planning Inspectorate's [Advice Note 8.4: The Examination](#)³ for further information about Written Representations.

Examining Authority's written questions

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

[Examining Authority's written questions \(ExQ1\)](#)

Responses to ExQ1 must be provided by **Deadline 2 (Wednesday 22 February 2023)** in the Examination Timetable.

If you require an editable Microsoft Word version of ExQ1, please contact the Case Team using the contact details at the top of this letter.

Other Procedural Decisions made by the Examining Authority

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

- Examination Timetable.
- Examining Authority's written questions.
- Statements of Common Ground.
- Changes to land interests.
- Additional Submissions.

Format of Examination events

It is expected that both blended (part in-person and part virtual) and fully virtual events will form part of the Planning Inspectorate's future operating model.

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

Notification of hearings and Accompanied Site Inspection

As explained in our Rule 6 letter and at the Preliminary Meeting, the Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented

³ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-4-the-examination/>

where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#)⁴ and [Advice Note 8.6: Virtual Examination events](#)⁵).

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

- **Issue Specific Hearing 3 (ISH3)** on environmental matters.
Blended event on Wednesday 22 March 2023.
- **Compulsory Acquisition Hearing 1 (CAH1)**.
Blended event on Thursday 23 March 2023.
- **Issue Specific Hearing 4 (ISH4)** on the draft Development Consent Order.
Blended event on Friday 24 March 2023.

Annex C provides details about what Interested Parties should include in a request to be heard at a hearing, and the procedure that will be followed at hearings.

You must register by Monday 13 March 2023 if you intend to participate in any of the hearings and provide all the information requested in Annex C to this letter.

If you simply wish to observe a hearing 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.

The Examination Timetable at **Annex A** to this letter includes a period of time reserved for further hearings to be held during **w/c 5 June 2023**, and we will notify all Interested Parties of any further hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include a deadline for Interested Parties to inform the Planning Inspectorate if they wish to participate at the notified hearing(s).

We have also made a Procedural Decision to hold an Accompanied Site Inspection (ASI) on **Tuesday 21 March 2023**.

Important information about the ASI and attendance at the inspection is contained within **Annex C** to this letter.

We will consider each suggested site location, including those provided in the Applicant's draft itinerary, to determine if it could be viewed from public land on an unaccompanied basis or if it is necessary to view it on an accompanied basis. We will also consider if it

⁴ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-5-the-examination-hearings-and-site-inspections/>

⁵ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>

would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of an Unaccompanied Site Inspection on an access required basis.

Our final itinerary will be published **by Monday 13 March 2023**.

Managing Examination correspondence

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

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

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

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 E** to this letter.

There is also a function on the right-hand side of the project webpage called 'Email updates'. This provides you with an opportunity to register to receive automatic email updates at key stages during the Examination.

Your status in the Examination

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's Frequently Asked Questions (FAQ) document [What is My Status in the Examination?](#)⁶.

If your reference number begins with '2003', 'DXBX-0', 'DXBX-ISP', 'DXBX-AFP', 'DXBX-S57', or 'DXBX-APP' you are in Group A. If your reference number begins with 'DXBX-SP' you are in Group B. If your reference number begins with 'DXBX-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.

⁶ <https://infrastructure.planninginspectorate.gov.uk/application-process/frequently-asked-questions/status-in-examination-faq/>

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](#)⁷.

Management of information

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

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

Please note that in the interests 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](#)⁸.

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

Yours faithfully

Caroline Jones

Lead Member of the Examining Authority

Annexes

- A** Examination Timetable
- B** Other Procedural Decisions made by the Examining Authority
- C** Notification of hearings and Accompanied Site Inspection
- D** Availability of Examination documents
- E** Information about the 'Make a submission' tab

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

⁷ <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

⁸ <https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice/customer-privacy-notice>

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.	Issue by the Examining Authority of: <ul style="list-style-type: none"> • The Examination Timetable. Publication of: <ul style="list-style-type: none"> • The Examining Authority’s written questions (ExQ1). 	As soon as practicable following the Preliminary Meeting
2.	Deadline 1 For receipt by the Examining Authority of: <ul style="list-style-type: none"> • Post-hearing submissions, including written summaries of oral submissions to the hearings. • Local Impact Reports from any local authorities. • Summaries of Relevant Representations exceeding 1500 words. • Comments on Relevant Representations. • Comments on any Additional Submissions accepted at the discretion of the Examining Authority (see Annex B of this letter). • Notification by Statutory Parties of their wish to be considered an Interested Party by the Examining Authority. • Notification of wish to have future correspondence delivered electronically. • Applicant’s draft itinerary for an Accompanied Site Inspection. • Initial draft s106 Agreement(s) (if required). • Initial Statements of Common Ground requested by the Examining Authority (see Annex B of this letter). • Statement of Commonality for Statements of Common Ground. 	Thursday 2 February 2023

	<ul style="list-style-type: none"> • Applicant’s updated Application Guide in clean and tracked versions. • Applicant’s updated Application Document Tracker in clean and tracked versions. • Applicant’s updated Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant’s initial National Policy Statement tracker. • Applicant’s updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	
<p>3.</p>	<p>Deadline 2</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Responses to the Examining Authority’s written questions (ExQ1). • Written Representations. • Summaries of Written Representations exceeding 1500 words. • Comments on Local Impact Report(s). • Comments on initial Statements of Common Ground. • Comments on the Applicant’s draft itinerary for an Accompanied Site Inspection. • Responses to comments on Relevant Representations. • Comments on any other responses received by Deadline 1. • Requests by Interested Parties to participate in a further Open Floor Hearing. • Requests by Affected Persons⁹ to participate in a Compulsory Acquisition Hearing. • Requests by Interested Parties to attend an Accompanied Site Inspection. 	<p>Wednesday 22 February 2023</p>

⁹ Defined in section 59(4) of the Planning Act 2008.

	<ul style="list-style-type: none"> • Applicant’s updated Application Guide in clean and tracked versions. • Applicant’s updated Application Document Tracker in clean and tracked versions. • Applicant’s updated draft Development Consent Order in clean and tracked versions. • Applicant’s Schedule of Changes to the draft Development Consent Order. • Applicant’s updated Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant’s updated National Policy Statement tracker (if required) in clean and tracked versions. • Applicant’s updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	
4.	<p>Deadline 3</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Comments on Written Representations. • Comments on responses to the Examining Authority’s written questions (ExQ1). • Comments on the Applicant’s updated draft Development Consent Order. • Comments on any other responses received by Deadline 2. • Progressed s106 Agreement(s) and/ or an update on progress (if required). • Progressed Statements of Common Ground. • Progressed Statement of Commonality for Statements of Common Ground. • Applicant’s updated Application Guide in clean and tracked versions. • Applicant’s updated Application Document Tracker in clean and tracked versions. • Applicant’s updated Schedule of Negotiations and Powers Sought in clean and tracked versions. 	<p>Friday 10 March 2023</p>

	<ul style="list-style-type: none"> • Applicant's updated National Policy Statement tracker (if required) in clean and tracked versions. • Applicant's updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	
5.	Accompanied Site Inspection (see Annex C of this letter).	Tuesday 21 March 2023 Meeting at 9:30am
6.	Issue Specific Hearing 3 (ISH3) on environmental matters (see Annex C of this letter).	Wednesday 22 March 2023 10:00am
7.	Compulsory Acquisition Hearing 1 (CAH1) (see Annex C of this letter).	Thursday 23 March 2023 10:00am
8.	Issue Specific Hearing 4 (ISH4) on the draft Development Consent Order (see Annex C of this letter).	Friday 24 March 2023 10:00am
9.	<p>Deadline 4</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Post-hearing submissions, including written summaries of oral submissions to the hearings. • Comments on progressed Statements of Common Ground (if any). • Comments on any other responses received by Deadline 3. • Applicant's updated Application Guide in clean and tracked versions. • Applicant's updated Application Document Tracker in clean and tracked versions. • Applicant's updated draft Development Consent Order in clean and tracked versions. • Applicant's Schedule of Changes to the draft Development Consent Order. 	Tuesday 28 March 2023

	<ul style="list-style-type: none"> • Applicant's updated Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant's updated National Policy Statement tracker (if required) in clean and tracked versions. • Applicant's updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	
10.	<p>Deadline 5</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Comments on the Applicant's updated draft Development Consent Order. • Comments on any other responses received by Deadline 4. • Progressed s106 Agreement(s) and/ or an update on progress (if required). • Progressed Statements of Common Ground. • Progressed Statement of Commonality for Statements of Common Ground. • Applicant's updated Application Guide in clean and tracked versions. • Applicant's updated Application Document Tracker in clean and tracked versions. • Applicant's updated Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant's updated National Policy Statement tracker (if required) in clean and tracked versions. • Applicant's updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	Wednesday 12 April 2023
11.	<p>Publication by the Examining Authority of:</p> <ul style="list-style-type: none"> • The Examining Authority's further written questions (ExQ2) (if required). 	Wednesday 19 April 2023

<p>12.</p>	<p>Deadline 6</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Responses to the Examining Authority’s further written questions (ExQ2) (if issued). • Comments on progressed Statements of Common Ground (if any). • Comments on any other responses received by Deadline 5. • Applicant’s updated Application Guide in clean and tracked versions. • Applicant’s updated Application Document Tracker in clean and tracked versions. • Applicant’s updated draft Development Consent Order in clean and tracked versions. • Applicant’s Schedule of Changes to the draft Development Consent Order. • Applicant’s updated Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant’s updated National Policy Statement tracker (if required) in clean and tracked versions. • Applicant’s updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	<p>Tuesday 9 May 2023</p>
<p>13.</p>	<p>Deadline 7</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Comments on responses to the Examining Authority’s further written questions (ExQ2) (if issued). • Comments on the Applicant’s updated draft Development Consent Order. • Comments on any other responses received by Deadline 6. • Progressed s106 Agreement(s) and/ or an update on progress (if required). • Progressed Statements of Common Ground. 	<p>Wednesday 24 May 2023</p>

	<ul style="list-style-type: none"> • Progressed Statement of Commonality for Statements of Common Ground. • Applicant’s updated Application Guide in clean and tracked versions. • Applicant’s updated Application Document Tracker in clean and tracked versions. • Applicant’s updated Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant’s updated National Policy Statement tracker (if required) in clean and tracked versions. • Applicant’s updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	
14.	<p>Hearings</p> <p>Dates reserved for any:</p> <ul style="list-style-type: none"> • Issue Specific Hearing(s) (if required). • Open Floor Hearing(s) (if required). • Compulsory Acquisition Hearing(s) (if required). 	w/c 5 June 2023
15.	<p>Deadline 8</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Post-hearing submissions, including written summaries of oral submissions to the hearings (if held). • Comments on progressed Statements of Common Ground (if any). • Comments on any other responses received by Deadline 7. • Applicant’s updated Application Guide in clean and tracked versions. • Applicant’s updated Application Document Tracker in clean and tracked versions. • Applicant’s updated draft Development Consent Order in clean and tracked versions. • Applicant’s Schedule of Changes to the draft Development Consent Order. 	Tuesday 13 June 2023

	<ul style="list-style-type: none"> • Applicant's updated Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant's updated National Policy Statement tracker (if required) in clean and tracked versions. • Applicant's updated Book of Reference (BoR) and Schedule of Changes to the BoR (if required) in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	
16.	<p>Publication by the Examining Authority of:</p> <ul style="list-style-type: none"> • The Report on the Implications for European Sites (if required) and any associated questions. 	Wednesday 14 June 2023
17.	<p>Publication by the Examining Authority of:</p> <ul style="list-style-type: none"> • The Examining Authority's proposed schedule of changes to the draft Development Consent Order (if required). 	Wednesday 21 June 2023
18.	<p>Deadline 9</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Responses to the Report on the Implications for European Sites (if issued). • Responses to the Examining Authority's proposed schedule of changes to the draft Development Consent Order (if issued). • Comments on responses received by Deadline 8. • Signed and dated s106 Agreement(s) (if required). • Finalised Statements of Common Ground. • Finalised Statement of Commonality for Statements of Common Ground. • List of matters not agreed where any Statement of Common Ground could not be finalised. • Applicant's final Application Guide in clean and tracked versions. • Applicant's final Application Document Tracker in clean and tracked versions. 	Wednesday 5 July 2023

	<ul style="list-style-type: none"> • Applicant’s final Schedule of Negotiations and Powers Sought in clean and tracked versions. • Applicant’s final National Policy Statement tracker in clean and tracked versions. • Applicant’s final draft Development Consent Order (Microsoft Word) in clean and tracked versions. • Applicant’s final draft Development Consent Order (PDF) in clean and tracked versions. • Applicant’s final draft Development Consent Order (dDCO) to be submitted in the SI template with the SI template validation report. • Applicant’s finalised Schedule of Changes to the draft Development Consent Order. • Applicant’s final Book of Reference (BoR) and Schedule of Changes to the BoR in clean and tracked versions. • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	
19.	<p>Deadline 10</p> <p>For receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> • Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	Monday 17 July 2023
20.	The Examining Authority is under a duty to complete the examination of the application by the end of the period of six months.	Monday 17 July 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. The acceptance of documents received after the expiry of a deadline is subject to the exercise of discretion by the ExA.

Publication dates

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

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake their 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 Secretary of State may rely on the consultation on the RIES to meet their obligations under Regulation 63(3) of The Habitats Regulations 2017 and/ or Regulation 28 of The Offshore Marine Regulations.

Other Procedural Decisions made by the Examining Authority (ExA)

We have made a number of Procedural Decisions following the Preliminary Meeting:

1. Examination Timetable

We are grateful for and have carefully considered comments made at the Preliminary Meeting and representations at Procedural Deadline A. The ExA has made the following amendments to the Examination Timetable:

- The date for Deadline 2 has been corrected to “*Wednesday 22 February 2023*”, instead of “*Tuesday 22 February 2023*” as was stated in the draft Examination Timetable in the Rule 6 letter.
- The request for an updated National Policy Statement tracker at Deadlines 2 to 8 has been amended to include the wording “*(if required)*”.
- The Applicant’s updated draft Development Consent Order (clean and tracked) and the Applicant’s Schedule of Changes to the draft Development Consent Order should now be received at Deadlines 2, 4, 6 and 8.
- Comments on the Applicant’s updated draft Development Consent Order should now be received at Deadlines 3, 5 and 7.
- The date for publication by the Examining Authority of the proposed schedule of changes to the draft Development Consent Order (if required) is now Wednesday 21 June 2023.

2. Examining Authority’s written questions

Our [written questions \(ExQ1\)](#) have been published alongside this Rule 8 letter. Whilst most of our written questions are directed at specific parties, no other party should feel inhibited or restricted in responding to any question we ask, even if it is directed elsewhere.

Some of our questions are directed to specific Statutory Parties which have not, at the time of writing, confirmed that they wish to become Interested Parties for the purposes of the Examination of the application.

All relevant Statutory Parties are requested to check our written questions carefully in order that they may identify and respond to any questions posed to them.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to [The Infrastructure Planning \(Interested Parties and Miscellaneous Prescribed Provisions\) Regulations 2015](#)¹⁰. Statutory Parties, including relevant local authorities, that have not already registered to become an Interested Party should consider notifying the ExA of their wish to be considered as an Interested Party, under Section 89(2A)(b) of the Planning Act 2008 as soon as possible.

¹⁰ <https://www.legislation.gov.uk/uksi/2015/462/contents/made>

3. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their production. We set out in Annex I of our [Rule 6 letter](#) the SoCGs we request are submitted during the Examination of this application.

In the Applicant's response to the Rule 6 letter [[PDA-001](#)] and subsequently at the Preliminary Meeting, the Applicant confirmed that after liaising with the Health and Safety Executive (HSE), the HSE did not consider a SoCG to be necessary. At Issue Specific Hearing 2 (ISH2), the Applicant indicated that it was preparing an additional SoCG with Goole and Airmyn Internal Drainage Board, following the acceptance of the change request into the Examination. The below list has been amended accordingly. Final signed versions of the SoCGs between the Applicant and the parties listed below are requested to be submitted **by the Applicant to Deadline 9 (Wednesday 5 July 2023)**:

1. Selby District Council and North Yorkshire County Council.
2. East Riding of Yorkshire Council.
3. Environment Agency.
4. Natural England.
5. Historic England.
6. National Highways.
7. Selby Area Internal Drainage Board.
8. Goole and Airmyn Internal Drainage Board.
9. National Grid Carbon Limited.
10. National Grid Electricity System Operator.
11. National Grid Electricity Transmission.

All of the SoCGs listed above should cover the Articles and Requirements in the draft Development Consent Order. Any Interested Party seeking that an Article or Requirement is reworded should provide the form of words which are being sought.

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

6. Changes to land interests

When the Applicant becomes aware that there has been a change in ownership or a new interest in relevant land, the Applicant is requested to make the relevant person aware that they can make a request to the ExA to become an Interested Party under section 102A of the PA2008 by completing the [form available on the project webpage](#)¹¹. The Examination Timetable includes various deadlines for the submission of an updated Book of Reference and schedule of changes to the Book

¹¹ <https://infrastructure.planninginspectorate.gov.uk/interested-party-form.php?project=EN010120>

of Reference, which should include confirmation that relevant persons have been informed of their rights under section 102A.

4. Additional Submissions

In addition to the documentation submitted by Procedural Deadline A, and the Additional Submissions listed in Annex I of the Rule 6 letter, we have exercised our discretion and made a Procedural Decision to accept the following Additional Submissions from the Applicant:

- 8.2.9 Cover Letter [[AS-067](#)].
- 1.4 Application Document Tracker – Rev 5 [[AS-068](#)].
- 1.7 Glossary (Clean) – Rev 2 [[AS-069](#)].
- 1.7 Glossary (Tracked) – Rev 2 [[AS-070](#)].
- 2.1 Site Location Plan – Rev 2 [[AS-071](#)].
- 2.2 Land Plans – Rev 2 [[AS-072](#)].
- 2.3 Works Plans – Rev 3 [[AS-073](#)].
- 2.4 Access and Rights of Way Plans – Rev 2 [[AS-074](#)].
- 2.6 Crown Land Plan – Rev 1 [[AS-075](#)].
- 3.1 Draft Development Consent Order (dDCO) (Clean) – Rev 4 [[AS-076](#)].
- 3.1 Draft Development Consent Order (dDCO) (Tracked) – Rev 4 [[AS-077](#)].
- 3.2 Explanatory Memorandum (Clean) – Rev 3 [[AS-078](#)].
- 3.2 Explanatory Memorandum (Tracked) – Rev 3 [[AS-079](#)].
- 4.1 Statement of Reasons (Clean) – Rev 3 [[AS-080](#)].
- 4.1 Statement of Reasons (Tracked) – Rev 3 [[AS-081](#)].
- 4.2 Funding Statement (Clean) – Rev 2 [[AS-082](#)].
- 4.2 Funding Statement (Tracked) – Rev 2 [[AS-083](#)].
- 4.3 Book of Reference (Clean) – Rev 3 [[AS-084](#)].
- 4.3 Book of Reference (Tracked) – Rev 3 [[AS-085](#)].
- 6.3.5.1 Environmental Statement - Volume 3 - Appendix 5.1: Outline Construction Traffic Management Plan (Clean) – Rev 3 [[AS-086](#)].
- 6.3.5.1 Environmental Statement - Volume 3 - Appendix 5.1: Outline Construction Traffic Management Plan (Tracked) – Rev 3 [[AS-087](#)].
- 6.3.12.1 Environmental Statement - Volume 3 - Appendix 12.1: Flood Risk Assessment (Clean) - Part 1 – Rev 2 [[AS-088](#)].
- 6.3.12.1 Environmental Statement - Volume 3 - Appendix 12.1: Flood Risk Assessment (Tracked) - Part 1 – Rev 2 [[AS-089](#)].
- 6.3.12.1 Environmental Statement - Volume 3 - Appendix 12.1: Flood Risk Assessment (Clean) - Part 2 – Rev 2 [[AS-090](#)].

- 6.3.12.1 Environmental Statement - Volume 3 - Appendix 12.1: Flood Risk Assessment (Tracked) - Part 2 – Rev 2 [[AS-091](#)].
- 6.5 Register of Environmental Actions and Commitments (Clean) – Rev 3 [[AS-092](#)].
- 6.5 Register of Environmental Actions and Commitments (Tracked) – Rev 3 [[AS-093](#)].
- 6.6.1 Outline Landscape and Biodiversity Strategy - Volume 1 - Main Text (Clean) – Rev 2 [[AS-094](#)].
- 6.6.1 Outline Landscape and Biodiversity Strategy - Volume 1 - Main Text (Tracked) – Rev 2 [[AS-095](#)].
- Presentation providing an overview of the technology and the proposed scheme [[AS-096](#)].

The Examination Timetable at **Annex A** to this letter therefore confirms **Deadline 1 (Thursday 2 February 2023)** as the deadline for submission of any comments from Interested Parties on the Additional Submissions notified above. This is with the exception of the documentation relating to Proposed Change 02 from the [Applicant's change request dated 5 December 2022](#), as parties will be notified of the opportunity to submit Written Representations on this change later in the Examination¹².

¹² Please refer to the Examining Authority's [Procedural Decision dated 13 December 2022](#) for further information.

Notification of hearings and Accompanied Site Inspection

Notice of hearings and requests to participate

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

Date	Hearing	Start time	Venue and joining details
Wednesday 22 March 2023	Issue Specific Hearing 3 (ISH3) Environmental matters	Seating available at venue from: 9:15am Virtual Arrangements Conference from: 9:15am Hearing starts: 10:00am	The Parsonage Hotel & Spa, Escrick, York YO19 6LF and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre- registered
Thursday 23 March 2023	Compulsory Acquisition Hearing 1 (CAH1)	Seating available at venue from: 9:15am Virtual Arrangements Conference from: 9:15am Hearing starts: 10:00am	The Parsonage Hotel & Spa, Escrick, York YO19 6LF 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
Friday 24 March 2023	Issue Specific Hearing 4 (ISH4) Draft Development Consent Order	Seating available at venue from: 9:15am Virtual Arrangements Conference from:	The Parsonage Hotel & Spa, Escrick, York YO19 6LF and By virtual means using Microsoft Teams

Date	Hearing	Start time	Venue and joining details
		9:15am 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 Monday 13 March 2023 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 Interested Party 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 Interested Party reference number of any person/ organisation that you are representing (if applicable).
- 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](#).
- The [Examination Library](#) reference number (with paragraph/ page number where appropriate) of any documents you wish to refer to.
- Confirmation of whether you will participate virtually or in-person.

- Any special requirements you may have (eg disabled access or hearing loop).

It is important that notifications from Interested Parties to participate in hearings are submitted separately from any other written submission. Please select the appropriate Examination deadline and deadline 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 E** 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

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.

Notice of Accompanied Site Inspection (ASI) and requests to attend

We confirm that we will hold an Accompanied Site Inspection (ASI) under Rule 16 of The Infrastructure Planning (Examination Procedure) Rules 2010 on the following date:

Date	Meeting place and parking	Time	Notes
Tuesday 21 March 2023	Drax Sports and Social Club, Main Road, Drax, Selby YO8 8PJ Free parking available.	Meeting time for compulsory safety briefing: 9:30am ASI start time: 10:00am	Further information about access and other arrangements will be confirmed in the ExA's final ASI itinerary.
<p>NOTE: If any part of the above site inspection is no longer required then a notification of this will be published as soon as practicable on the project webpage.</p>			

Annex I of our Rule 6 letter requested suggestions, including justification, for locations to be included in the ASI. The Applicant included some preliminary information regarding a possible ASI in its document '8.2.10 Response to ExA's Rule 6 Letter' [PDA-001], including some suggested locations for inspection. No other suggestions were submitted by Interested Parties at Procedural Deadline A.

We now request that the Applicant prepares a draft itinerary for the ASI that includes the suggested locations set out in [PDA-001].

The draft itinerary should be submitted by **Deadline 1 (Thursday 2 February 2023)**. Comments on the Applicant's draft itinerary should be submitted by **Deadline 2 (Wednesday 22 February 2023)**. We will then review the comments received and the draft itinerary and may make changes to it. Our final itinerary for the ASI will be published on the project webpage on or before **Monday 13 March 2023**.

Please note that for logistical and safety reasons it may be necessary to limit the numbers of persons who accompany us for the ASI.

Requests by Interested Parties to attend the ASI should be provided by **Deadline 2 (Wednesday 22 February 2023)**. The request must be submitted separately from any other written submission. Please select the appropriate Examination deadline and deadline item under the '[Make a submission](#)' tab. **Annex E** provides further information about the 'Make a submission' tab.

Please ensure that your request includes the following information:

- Full name.
- Unique Interested Party reference number.
- Name of any organisation you are representing (if applicable).
- Email address (if available) and contact telephone number for the day.

- Shoe size (for provision of appropriate footwear, should this be required).
- Confirmation of any special access requirements.

Interested Parties should note that the above information will be provided to the Applicant in order to arrange appropriate transport and security measures.

If any part of the ASI is not required, then the banner on the project webpage of the National Infrastructure Planning website will be updated to inform parties of this. In the unlikely event that the ASI is cancelled, we shall endeavour to contact attendees beforehand, but we ask that you regularly check the project webpage for any updates. We would also encourage attendees to sign up for email updates on the project webpage.

The Interested Parties attending the ASI will include representatives of the Applicant, together with other Interested Parties (or their representatives). Access onto private land is at all times by permission of the person controlling it.

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

Availability of Examination documents

The application documents and Relevant Representations are available to view 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 and submission made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference number 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 may need to bring a form of identification and register as a 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 changes or limitations to address public health requirements as a result of Coronavirus (COVID-19). Bearing in mind the availability of the documents on the National Infrastructure Planning website and the effect of possible public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend.

Local authority	Venue/ address	Opening hours	Printing costs
North Yorkshire County Council	Selby Library, 52 Micklegate, Selby, YO8 4EQ	Monday: 9:30am–7:30pm Tuesday: 9:30am–5:30pm Wednesday:	A4 B&W: 10p per side A4 Colour: 50p per side

		9:30am–5:30pm Thursday: 9:30am–12:30pm Friday: 9:30am–5:30pm Saturday: 9:30am–12:30pm Sunday: Closed	A3 B&W: 25p per side A3 Colour: £1 per side
Local authority	Venue/ address	Opening hours	Printing Costs
East Riding of Yorkshire Council	Goole Library, Carlisle Street, Goole, DN14 5DS	Monday: 9:30am–7:00pm Tuesday: 9:30am–5:00pm Wednesday: 9:30am–7:00pm Thursday: 9:30am–5:00pm Friday: 9:30am–5:00pm Saturday: 9:00am–4:00pm Sunday: Closed	A4 B&W: 20p per side A4 Colour: 50p per side A3 B&W: 80p per side A3 Colour: £1.50 per side
Local authority	Venue/ address	Opening hours	Printing Costs
East Riding of Yorkshire Council	Snaith Library, 27-29 Market Place, Snaith, DN14 9HE	Monday: Closed Tuesday: 2:00pm–6:00pm Wednesday: Closed Thursday: 10:00am–4:00pm Friday: Closed Saturday: 10:00am–12:00pm Sunday: Closed	A4 B&W: 20p per side A4 Colour: 50p per side

Information about the 'Make a submission' tab

The ['Make a submission' tab](#) is available on the project webpage. This will allow you to submit text representations, upload files, or both.

When using this service, you will need to:

- select the relevant Examination deadline for your submission;
- enter your unique Interested Party reference number¹³; and
- select the appropriate deadline item as described in the Examination Timetable at **Annex A** to this letter.

If you are making a submission on behalf of another person or organisation, and do not have your own unique Interested Party reference number, then you should enter the unique Interested Party reference number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

It is possible to upload multiple files for each individual deadline item, up to a maximum of 20 files. Each file should be clearly labelled with the subject title and not exceed 50MB. Please ensure you make a separate submission for each deadline item and **do not duplicate your submission**.

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.

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](#).

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.

¹³ 'Your ref' found at the top your postcard or email from the Planning Inspectorate, beginning '2003', 'DXBX-0', 'DXBX-ISP', 'DXBX-AFP', 'DXBX-S57', 'DXBX-APP', 'DXBX-SP', or 'DXBX-OP'.