



The Planning Inspectorate

Application by Ecotricity (Heck Fen Solar) Limited for an Order Granting Development Consent for the Heckington Fen Solar Project

Agenda for Issue Specific Hearing 1 into the Draft Development Consent Order

Hearing	Date and Time	Location
Issue Specific Hearing 1 (ISH1)	Tuesday 19 September 2023	Boston United Football Ground
Draft Development Consent Order (dDCO)	Hearing Starts at 2pm Registration and seating available at venue from 1.30pm For those participating via Microsoft Teams arrive at 1.30pm to enter the virtual lobby.	Pilgrim Way, PE21 7NE and By virtual means using Microsoft Teams

Attendees

The Examining Authority (ExA) would be assisted by the attendance of representatives of the following parties:

- **Ecotricity (Heck Fen Solar) Limited (the Applicants)**
- **North Kesteven Borough Council**
- **Boston Borough Council**
- **Lincolnshire County Council**
- **Statutory Undertakers** and
- **Any other Interested Parties (IPs)** – with an interest in the drafting of the dDCO, the implementation or discharge of proposed articles, requirements or other provisions, particularly protective provisions.

Registration Process

Parties who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **2pm** those attending virtually should join promptly at **1.30pm** to ensure that all virtual attendees can complete the Registration Process in good time. Please confirm your attendance as soon as possible by contacting the Case Team:

heckingtonfensolar@planninginspectorate.gov.uk

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage of the National Infrastructure Planning website](#) closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Notes

The Agenda references Revision 2 of the dDCO [AS-008] and Explanatory Memorandum [AS-010] as these are the most recently accepted documents.

A Change Application was received by the ExA on 25 August 2023. At the time of the issue of this Agenda the related plans and documents had not been published to the project webpage, but will be available to view as soon as possible. The ExA expects to publish its decision on whether to accept the Change Application with the Rule 8 letter shortly following the Hearings.

Part 5 Articles 18 to 31 Powers of Acquisition, Article 43 Compensation and Article 44 Crown Rights, and Schedules 8 and 9 (New rights) will be covered in the ExA's first written questions scheduled for issue on 17 October 2023, and at the Compulsory Acquisition Hearing scheduled for week commencing 20 November 2023.

Procedure

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.

Agenda

Issue Specific Hearing 1 19 September 2023 Draft Development Consent Order	
Item 1	Welcome, introductions, arrangements for the Hearing
Item 2	Purpose of the Issue Specific Hearing
Item 3	Applicant's introduction to the draft Development Consent Order (dDCO) The Applicant to take up to 10 minutes to provide: <ul style="list-style-type: none">• A general overview of its approach to the dDCO• A brief description of the structure of the dDCO• A summary of engagement on the dDCO with relevant parties• A summary of amendments made to the dDCO as a result of the Change Application received 25 August 2023
Item 4	Part 1 Article 2: Interpretation Schedule 1: Authorised Development The ExA will ask questions and seek comments on a range of the definitions listed in Article 2 and Schedule 1.
Item 5	Part 3 Articles 8 to 13, and Schedules 4 to 7: Streets and Access The ExA will ask questions and seek comments from the Relevant Planning Authorities (RPAs) on the Schedules which relate to street works, public rights of way and access.
Item 6	Part 4 Article 14: Discharge of Water The ExA will ask questions and seek comments from the drainage authorities.
Item 7	Schedule 2: Requirements The ExA will ask questions and seek any comments on a range of the proposed Requirements, in particular from the RPAs.
Item 8	Schedule 3 (Article 6): Legislation to be disappplied The ExA will ask questions and seek any comments on the legislation listed at Schedule 3(1).
Item 9	Schedule 11 (Article 38): Documents and plans to be certified The ExA will ask questions and seek any comments relating to documents and plans to be certified, including whether the list is complete.

Item 10	<p>Schedule 13 (Article 40): Protective Provisions</p> <p>The Applicant is to provide an update on the negotiation of Protective Provisions, an explanation of any important differences of view, and a timescale for resolution.</p> <p>The Applicant is to clarify if any additional Protective Provisions are expected to be added.</p> <p>The ExA will seek comments on the Protective Provisions from any relevant undertaker or Interested Party.</p>
Item 11	<p>Schedule 14 (Article 42): Procedure for Discharge</p> <p>The ExA will ask questions and seek any comments relating to the procedure for discharge, including the views of the RPAs on the time periods for approval.</p>
Item 12	<p>Statements of Common Ground</p> <p>The ExA will seek an update on the progress of statements of common ground relevant to the dDCO with the parties listed at Annexe G(2) of the Rule 6 letter issued on 21 July 2023 [PD-009].</p>
Item 13	<p>Review of Issues and Actions Arising</p>
Item 14	<p>Close</p>