



# Planning Inspectorate

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

Your Ref:

Our Ref: EN010125

Date: 17 December 2024

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Dear Sir/ Madam

## **Planning Act 2008 – Section 88 and 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 4, 6, 9, 13 and 17**

### **Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited for an Order Granting Development Consent for the Dogger Bank South Offshore Wind Farms**

#### **Adjournment and resumption of the Preliminary Meeting**

On the 22 October 2024, the Examining Authority made the decision to adjourn the Preliminary Meeting for the application for the Proposed Development [PD-005] due to concerns about the maturity of some fundamental elements of the application documentation. Over the intervening period, the Applicants have submitted a significant number of additional and updated documents [AS-017] to [AS-046] and [AS-051] to [AS-122]. The Examining Authority has now had the opportunity to review and assimilate that information.

Furthermore, the Examining Authority has also had regard to the submissions made by the Lincolnshire Wildlife Trust [AS-124], the Marine Management Organisation [AS-125], Natural England [AS-126], The Wildlife Trusts [AS-127] and the RSPB [AS-128] in response to the Examining Authority's Rule 17 letter dated 26 November 2024, which asked for comments on whether sufficient information has now been provided to address concerns outlined at the Preliminary Meeting, in some Relevant Representations and in the Examining Authority's letter of 22 October 2024 [PD-005].

The Examining Authority has considered the updated and new information in light of the relevant precedent that was discussed at the adjourned Preliminary Meeting [EV2-007] and relevant national policy, especially that provided by the 2024 National Policy Statement for renewable energy infrastructure (NPS EN-3). The Examining Authority has paid particular heed to paragraph 2.8.276, which states:



*“If...SNCBs indicate that proposed development is likely adversely to impact a protected site, the applicant should include with their application such information as may reasonably be required to assess potential derogations...”*

Furthermore, the last bullet of paragraph 2.8.269 requires that *“this information includes...appropriate securable environmental compensation...”*. Also of relevance are the further policy and guidance set out in paragraphs 2.8.273, 2.8.274 and 2.8.282 of NPS EN-3.

The Examining Authority is of the opinion that, on balance, there is now sufficient information to assess potential Habitats Regulations Assessment derogations and therefore for the Preliminary Meeting to be resumed. However, the Examining Authority is aware that there are some matters, notably in relation to the Habitats Regulations Assessment compensation for some potentially impacted qualifying features, where it is likely to be challenging to reach a final conclusion by the end of the Examination. For those matters, the Examining Authority has taken into account the likelihood of progress on project-specific compensation during the limited time available within the Examination and, where this is incomplete or insufficient, that there are strategic compensation approaches being progressed outside this individual Examination by the Government that may be available to the Secretary of State before any final decision on the application is made.

The remainder of this letter therefore sets out the Examining Authority’s proposal for the resumption of the Preliminary Meeting.

**Invitation to the resumed Preliminary Meeting and Notification of Hearings**

Following Day 1 of the Preliminary Meeting on 22 October 2024, I am writing to advise you that the Examining Authority will be resuming the Preliminary Meeting on Tuesday 14 January 2025 at 10:00am. This letter provides formal notification and an invitation to attend the resumed Preliminary Meeting, which will be a **virtual event**. The resumed Preliminary Meeting will discuss **the procedure** for the Examination of the above application.

Date	Start time	Joining details
<p><b>Tuesday 14 January 2025</b></p>	<p><b>Registration Process from: 09:45am</b></p> <p><b>Preliminary Meeting starts: 10:00am</b></p>	<p>This Preliminary Meeting will be held virtually using Microsoft Teams</p> <p>Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered</p>
<p><b>IMPORTANT:</b> The resumed Preliminary Meeting should be completed before 12:00pm on Tuesday 14 January 2025. However, a reserve period has been scheduled for 1:00pm 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</p>		



reserve period will not be required and confirmation of this will be provided by the Examining Authority at the end of the Preliminary Meeting and subsequently notified on the [project webpage](#).

## Purpose of the Preliminary Meeting

The purpose of the resumed Preliminary Meeting is to enable a discussion of the revised timetable.

The resumed 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 the Examining Authority makes its recommendation to the Secretary of State for Energy Security and Net Zero, who will take the final decision in this case.

The agenda for the meeting is at **Annex A** 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.**

On [Tuesday 22 October 2024](#) the Examining Authority wrote to notify all Interested Parties and others of its Procedural Decision to delay the start of the Examination. The reasons for this in summary related to concerns about the maturity of some of the fundamental elements of the application documentation and the Applicant's proposed schedule for progressing these.

The Examining Authority has prepared a revised draft Examination Timetable, set out at **Annex C** to this letter. Written submissions on this document are invited by **Pre-Examination Procedural Deadline C (Monday 6 January 2025)**. Written comments to **Pre-Examination Procedural Deadline C** should focus on the revised Examination Timetable only. There is no need to repeat submissions made to the **Pre-Examination Procedural Deadline (Procedural Deadline A)**.

The Examining Authority requests that all submissions are made using the '[Have your say](#)' page on the project webpage on or before **Pre-Examination Procedural Deadline C**. [Annex H](#) of the Examining Authority's Rule 6 letter issued on Tuesday 24 September 2024 [[PD-002](#)] provides further information about using the '[Have your say](#)' page.

## Requests to participate at the resumed Preliminary Meeting



Please note that **you are not required to attend, or make written submissions to, the resumed 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 and speak at the resumed Preliminary Meeting you are required to notify the Examining Authority via the [‘Have your say’](#) page on or before **Monday 6 January 2025** (see **Pre- Examination Procedural Deadline C**).

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

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

### **Format of Examination Events – Preliminary Meeting and Hearings**

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

Both blended (part in-person and part virtual) and fully virtual events form part of the Planning Inspectorate’s operating model. The Examining Authority remains flexible and will confirm the format of any hearings to be held during the Examination Stage when formal notification of each hearing at least 21 days in advance of it taking place will be provided.

The Examining Authority is providing formal notification that the **Preliminary Meeting will be a virtual event and that the Compulsory Acquisition Hearing and Issue Specific Hearings referred to in Annex E to this letter will also be held as virtual events.**

### **After the Preliminary Meeting**



After the Preliminary Meeting the Examining Authority 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

The Examining Authority has made a Procedural Decision to hold the following initial hearings:

- Compulsory Acquisition Hearing (CAH1) on Tuesday 14 January 2025 (Virtual event)
- Issue Specific Hearing 1 (ISH1) on the Applicants' draft Development Consent Order (DCO) on Wednesday 15 January 2025 (am) (Virtual event)
- ISH2 on the scope of the Proposed Development, including construction activities, on Wednesday 15 January 2025 (pm) continued on Thursday 16 January 2025 (if required) (Virtual event)

Important information about these hearings is contained in **Annex D** 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

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

- To accept Additional Submissions from the Applicants, Natural England and the RSPB, which were submitted at the request of the Examining Authority in letters dated 22 October 2024 [[PD-005](#)], 24 October 2024 [[PD-006](#)] and 15 October 2024 [[PD-007](#)].
- To accept Additional Submissions from the Applicants dated 7 November 2024 [[AS-017](#)] to [[AS-025](#)], 8 November 2024 [[AS-026](#)] to [[AS-040](#)], 13 November 2024 [[AS-041](#)] to [[AS-046](#)], 22 November 2024 [[AS-051](#)] to [[AS-083](#)], 25 November 2024 [[AS-084](#)] to [[AS-090](#)], 26 November 2024 [[AS-091](#)], 28 November 2024 [[AS-092](#)] to [[AS-105](#)] 3 December 2024 [[AS-106](#)], 6 December 2024 [[AS-107](#)] to [[AS-118](#)] and 7 December 2024 [[AS-119](#)] to [[AS-122](#)].
- To accept Additional Submissions by The Wildlife Trusts [[AS-047](#)] and the National Trust [[AS-050](#)].
- To accept the withdrawal of a Relevant Representation by National Grid Interconnector Holdings Ltd [[AS-049](#)].
- To accept the Applicants' response to Natural England's Relevant Representation (Revision 010) [[AS-048](#)].
- To accept a submission from the Beverley and North Holderness Internal Drainage Board [[AS-123](#)].
- To accept responses from The Lincolnshire Wildlife Trust [[AS-124](#)], the Marine Management Organisation [[AS-125](#)], Natural England [[AS-126](#)], The



Wildlife Trusts [\[AS-127\]](#) and the RSPB [\[AS-128\]](#) in response to the Examining Authority's Rule 17 letter of 26 November 2024 [\[PD-008\]](#).

- To request Statements of Common Ground from Ørsted Hornsea Project Three (UK) Limited, Ørsted Hornsea Four Limited, DBA Projco, DBB Projco and DBC Projco.
- To set deadlines for the submission of Written Representations and Local Impact Reports.
- To request the Applicants' submit a draft itinerary for an Accompanied Site Inspection (if one is deemed to be required).
- To request further information.

## Change to the Examining Authority

On 11 September 2024 the Planning Inspectorate on behalf of the Secretary of State for Housing, Communities and Local Government appointed Andrew Mahon as a member of the Examining Authority [\[PD-001\]](#). Unfortunately, for health reasons, Mr Mahon is no longer able to continue in his role as a member of the Examining Authority and has submitted his resignation under s66(3) of the Planning Act 2008.

The Planning Inspectorate has considered the skill sets required for the Examining Authority and decided on behalf of the Secretary of State under delegated powers to appoint Claire Beloe as a replacement member of the Examining Authority with effect from 17 December 2024 [\[PD-009\]](#).

I would like to take this opportunity to thank Mr Mahon for all his work on the project and wish him a speedy recovery.

## Managing Examination correspondence

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, the Planning Inspectorate aims 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 '[Have your say](#)' page is available on the website which provides a portal through which parties should make written submissions at relevant deadlines during the Examination. Further information about the 'Make a submission' portal is provided at [Annex H](#) to the Examining Authority's Rule 6 letter dated 24 September 2024 [\[PD-002\]](#).



There is also a function on the left-hand side of the project webpage called '[Get 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 are a person or organisation who is involved in the NSIP process. See the Planning Inspectorate's Advice for members of the public: [National Infrastructure Projects and the people and organisations involved in the process](#) for further details.

If, having read the advice, you are still unsure about how you are involved in the process 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 the Examining Authority's Rule 6 letter dated 24 September 2024 [[PD-002](#)].

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 the planning Inspectorate handles your personal information please view the Planning Inspectorates [Privacy Notice](#).

The Examining Authority looks forward to working with all parties in the Examination of this application.

Yours faithfully

*Jo Dowling*

**Lead Member of the Examining Authority**





## Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Revised draft Examination Timetable
- D** Notification of initial hearings and agendas
- E** Other Procedural Decisions made by the Examining Authority

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 completing the [Event Participation Form](#) by 6 January 2025 if you intend to participate in the Preliminary Meeting and provide all the information requested (see below).**

Please note that by speaking at the event you are agreeing to be filmed for the purposes of the online livestream of the event and the recording of the event, which will be published on the [project webpage](#). A transcript of the event will also be published on the project page of our website after the event.

If you simply wish to observe the Preliminary Meeting, then you do not need to register as you will be able to 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. You will also be able to watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.

<b>Date:</b>	<b>Tuesday 14 January 2025</b>
<b>Registration Process:</b>	<b>09.45am</b>
<b>Meeting start time:</b>	<b>10.00am</b>
<b>Venue:</b>	<b>Virtual event (Microsoft Teams)</b> Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered
<b>Attendees:</b>	<b>Invited parties who have pre-registered</b>

<b>Agenda for the Preliminary Meeting</b>	
<b>09.45am</b>	<p><b>Virtual Registration Process</b></p> <p>Please arrive at <b>09.45am</b> to enter the virtual lobby. From here you will be admitted to the virtual meeting by the Case Team, greeted and given further instructions.</p> <p>The Registration Process will commence at 09.45am. 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>
<b>10.00am</b> <b>Item 1</b>	<p><b>Preliminary Meeting</b></p> <p>The Preliminary Meeting will formally resume at <b>10.00am</b>. The Examining Authority will join, welcome participants and lead introductions. The public livestream and recording will start.</p>

<b>Item 2</b>	Draft Examination Timetable – <b>Annex C</b> to the Rule 6 letter
<b>Item 3</b>	Any other matters <ul style="list-style-type: none"> <li>• Accompanied Site Inspection</li> </ul>
<b>Close of the Preliminary Meeting</b>	

**If you are joining as an active participant of the Preliminary Meeting, please join the event lobby promptly by using the instructions that are sent to you. In common with Preliminary Meetings held in physical locations, 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 and be made on the [Event Participation Form](#):

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

## **Introduction to the Preliminary Meeting**

### **Background**

The Preliminary Meeting (PM) will take place 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 Registration Process, a member of the Case Team will welcome and admit participants from the virtual lobby, and will be available to answer questions by email before and after the PM. The contact email address is:

[DoggerBankSouth@planninginspectorate.gov.uk](mailto:DoggerBankSouth@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 Dogger Bank South Wind Farms, 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 RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited, who will be referred to as 'the Applicants'.

The PM for the Proposed Development was initially held on 22 October 2024. For the reasons set out in the ExA's letter of 22 October 2024 [[PD-005](#)], the PM was adjourned. Following the submission of additional and updated documentation by the Applicants and consultation with a number of Interested Parties, the ExA proposes to re-open the PM to discuss the amended draft Examination Timetable and any other matters.

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

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

The main purpose of the PM is to discuss the arrangements for the Examination of the application. It focuses on the process only, and it will not be looking at the substance of the proposals: questions, discussions and representations about the merits or disadvantages of the Proposed Development are for the Examination itself, which will begin 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) as a consequence of sections 14(1)(a) and 15(3) as the application is for the construction, operation and maintenance of an offshore wind farm together with associated offshore and onshore infrastructure and all associated development. The designated National Policy Statement(s) (NPSs) for Energy Infrastructure, specifically the overarching NPS for energy (NPS EN-1), renewable energy infrastructure (NPS EN-3) and electricity networks infrastructure (NPS EN-5) apply to this Examination and to decision-making relating to this application.

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

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

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

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

- the positions and representations of all Interested Parties (IPs);
- any Local Impact Reports (LIRs) prepared and provided by relevant local authorities;

- other prescribed matters; and
- any other matters that appear to be both relevant and important to the relevant SoS's decision.

### **Preliminary Meeting invitees**

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

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

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

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

- Federal Maritime and Hydrographic Agency / Bundesamt für Seeschifffahrt und Hydrographie on behalf of the Federal Republic of Germany.
- Environmental Protection Agency, Ministry of Environment of Denmark on behalf of the Kingdom of Denmark.

### **Conduct of the Preliminary Meeting**

The ExA estimates that the resumed PM will take approximately an hour 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 is 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 (SoCGs) 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 the relevant Deadline 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 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 or information can be provided in writing following the event by the relevant Deadline.

The draft Examination Timetable includes a Deadline (**29 January 2025**) for participants to notify the ExA that they wish to speak at an OFH or a CAH.

### **Site inspections**

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

The purpose of these is for the ExA to see features of the Proposed Development in the context of the evidence put forward. The ExA has already undertaken a number of USI details of which can be found 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 and ARSIs as well as possible ASIs.

## 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><b>Pre-Examination Procedural Deadline A</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the Rule 6 letter <a href="#">[PD-002]</a> including any written submissions on the Examination Procedure and draft Examination Timetable, including any submissions about the use of virtual methods.</li> <li>• Requests to be heard orally at the Preliminary Meeting including which agenda items you wish to speak on, points you want to make and why these need to be made orally rather than in writing.</li> <li>• Responses to Relevant Representations (RRs) (please read PD7 of Annex F of <a href="#">[PD-002]</a>).</li> <li>• Summaries of all RR exceeding 1500 words.</li> <li>• Request to participate in the Compulsory Acquisition Hearing on 22 October 2024 (please read Annex E of <a href="#">[PD-002]</a>).</li> <li>• Request to participate in Issue Specific Hearing 1 on 23 October 2024 (please see Annex E of <a href="#">[PD-002]</a>).</li> <li>• Suggested locations for an Accompanied Site Inspection (ASI), including the reason for the nomination, issues to be observed there and whether the locations require access to private land (please see PD6 of Annex F of <a href="#">[PD-002]</a>).</li> </ul>	8 October 2024
2.	<p><b>Deadline for submissions requested by Rule 17 letter dated 10 October 2024 <a href="#">[PD-003]</a></b></p> <p>Deadline for receipt by the Examining Authority (ExA) of:</p> <ul style="list-style-type: none"> <li>• Any information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> </ul>	14 October 2024

3.	<p><b>Deadline for submissions requested by Rule 17 letter dated 15 October 2024 [PD-004]</b></p> <p>Deadline for receipt by the Examining Authority (ExA) of:</p> <ul style="list-style-type: none"> <li>Any information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> </ul>	17 October 2024
4.	<p><b>Preliminary Meeting – Part 1</b></p>	22 October 2024
5.	<p><b>Pre-Examination Procedural Deadline B</b></p> <p>Deadline for receipt by the Examining Authority (ExA) of:</p> <ul style="list-style-type: none"> <li>Any information requested by the ExA in [PD-005] under Rules 9 and 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> </ul>	29 October 2024
6.	<p><b>Pre- Examination Procedural Deadline C</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Responses to the <b>updated Rule 6</b> letter including written submissions on the updated draft Examination Timetable.</li> <li>Requests to be heard orally at the resumed Preliminary Meeting including which agenda items you wish to speak on, points you wish to make and why these need to be made orally rather than in writing.</li> <li>Requests to participate in Compulsory Acquisition Hearing 1 on Tuesday 14 January 2025 (please read Annex D of this letter <b>and</b> respond even if you previously requested to be heard at the Compulsory Acquisition Hearing that was cancelled).</li> <li>Requests to participate in Issue Specific Hearing 1 (ISH1) on Wednesday 15 January 2025 (please read Annex D of this letter).</li> <li>Requests to participate in ISH2 on Wednesday 15 January 2025 and Thursday 16 January 2025 (please read Annex D of this letter).</li> <li>Applicants' suggested draft itinerary for an ASI (please see PD5 of Annex E of this letter).</li> <li>Local Impact Reports (LIRs) from Local Authorities (please see PD3 of Annex E of this letter).</li> </ul>	6 January 2025

7.	<b>Preliminary Meeting (Part 2)</b>	<b>14 January 2025 at 10.00am</b>
8.	<b>Compulsory Acquisition Hearing 1 (CAH1)</b>	<b>14 January 2025 at 02.00pm</b>
9.	<b>Issue Specific Hearing 1 (ISH1) on the draft Development Consent Order (DCO)</b>	<b>15 January 2025 at 10.00am</b>
10.	<b>ISH2 on the scope of the Proposed Development including construction activities</b>	<b>15 January 2025 at 02.00pm</b>
11.	<b>Continuation of ISH2 on the scope of the Proposed Development including construction activities (if required)</b>	<b>16 January 2025 at 10.00am</b>
12.	Issue by the ExA of: <ul style="list-style-type: none"> <li>• <b>Examination Timetable.</b></li> </ul>	<b>As soon as possible following the Preliminary Meeting</b>
13.	<b>Deadline 1</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• <b>Written summaries of oral submissions made at CAH1, ISH1 and ISH2.</b></li> <li>• <b>Any post-Hearing submissions or other documents requested by the ExA at the Hearings.</b></li> <li>• <b>Any specific responses to points raised in oral submissions at the Hearings.</b></li> <li>• <b>Comments on any updates to application documents submitted by the Applicants and submissions by any other Interested Parties made while the Preliminary Meeting was adjourned.</b></li> <li>• <b>An updated draft DCO from the Applicants in clean and tracked versions.</b></li> <li>• <b>An updated Land Rights Tracker.</b></li> <li>• <b>An updated Guide to the Application.</b></li> <li>• <b>LIRs from Local Authorities (if not provided at Pre-Examination Procedural Deadline C).</b></li> </ul>	<b>29 January 2025</b>

	<ul style="list-style-type: none"> <li>• <b>Comments on LIRs</b> (if LIR was provided at Pre-Examination Procedural Deadline C).</li> <li>• <b>Written Representations (WRs)</b> including summaries if exceeding 1500 words.</li> <li>• <b>Responses to the Applicants' Response to RRs</b> [<a href="#">PDA-013</a>] and [<a href="#">AS-048</a>].</li> <li>• <b>Notification by Statutory Parties of their wish to be considered as an Interested Party by the ExA.</b></li> <li>• <b>Requests to be heard at an OFH.</b> Fully reasoned requests by Interested Parties to be heard at an Open Floor Hearing (OFH).</li> <li>• <b>Requests to be heard at a CAH.</b> Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH).</li> <li>• <b>Comments on the Applicants' suggested draft itinerary for an ASI</b> (if held).</li> <li>• <b>Requests by Interested Parties to attend an ASI</b> (if held).</li> <li>• <b>Notification or wish to have future correspondence received electronically.</b></li> <li>• <b>Initial Statements of Common Ground (SoCG)</b> (see PD1 of Annex F of [<a href="#">PD-002</a>] and PD2 of Annex E of this letter).</li> <li>• <b>Statement of Commonality of SoCG</b> (see PD3 of Annex F of [<a href="#">PD-002</a>]).</li> <li>• <b>Any further information requested by ExA</b> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> <li>• <b>Comments on any further information/ submissions accepted by the ExA.</b></li> </ul>	
14.	<p><b>Deadline 2</b></p> <p>Receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>Comments on LIRs</b> (if not provided at Deadline 1) <b>or responses to comments on the LIRs</b> (if provided at Deadline 1).</li> <li>• <b>Comments on the WRs.</b></li> <li>• <b>Comments on the updated draft DCO.</b></li> <li>• <b>Any further information requested by the ExA.</b></li> </ul>	7 February 2025

	<p>Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</p> <ul style="list-style-type: none"> <li>• <b>Comments on any further information/submissions received by Deadline 1.</b></li> </ul>	
15.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>The ExA's First Written Questions (ExQ1).</b></li> </ul>	<b>21 February 2025</b>
16.	<p><b>Deadline 3</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>Responses to ExQ1.</b></li> <li>• <b>Responses to comments on the LIRs</b> (if comments submitted at Deadline 2).</li> <li>• <b>An updated Land Rights Tracker.</b></li> <li>• <b>An updated Guide to the Application.</b></li> <li>• <b>Any further information requested by the ExA.</b></li> <li>• <b>Comments on any further information/submissions received by Deadline 2.</b></li> </ul>	<b>19 March 2025</b>
17.	<p><b>Dates reserved (if required) for:</b></p> <ul style="list-style-type: none"> <li>• <b>Any Compulsory Acquisition Hearing.</b></li> <li>• <b>Any Issue Specific Hearing.</b></li> <li>• <b>Any Open Floor Hearing.</b></li> <li>• <b>Accompanied Site Inspection.</b></li> </ul>	<b>Week commencing 7 April 2025</b>
18.	<p><b>Deadline 4</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>Post-hearing submissions including written summaries of oral cases and other documents requested by the ExA at the Hearings</b> (if held).</li> <li>• <b>Any specific responses to points raised in oral submissions at the Hearings</b> (if held).</li> <li>• <b>Comments on the responses to ExQ1.</b></li> <li>• <b>The Applicants' updated draft DCO</b> (if required).</li> <li>• <b>An updated Land Rights Tracker.</b></li> <li>• <b>Updated Book of Reference and Schedule of Changes to the Book of Reference.</b></li> <li>• <b>Updated SoCGs.</b></li> </ul>	<b>25 April 2025</b>



	<ul style="list-style-type: none"> <li>• <b>Updated Statement of Commonality of the SoCGs.</b></li> <li>• <b>An updated Guide to the Application.</b></li> <li>• <b>Any further information requested by the ExA</b> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> <li>• <b>Comments on any further information/submissions received by Deadline 3.</b></li> </ul>	
<b>19.</b>	<b>Publication by the ExA (if required) of: Further Written Questions (ExQ2).</b>	<b>13 May 2025</b>
<b>20.</b>	<b>Deadline 5</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• <b>Responses to ExQ2</b> (if issued).</li> <li>• <b>The Applicants' updated draft DCO</b> (if required as a result of ExQ2).</li> <li>• <b>Any further information requested by the ExA</b> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> <li>• <b>Comments on any further information/submissions received by Deadline 4.</b></li> </ul>	<b>23 May 2025</b>
<b>21.</b>	<b>Dates reserved (if required) for:</b> <ul style="list-style-type: none"> <li>• <b>Any Compulsory Acquisition Hearing.</b></li> <li>• <b>Any Issue Specific Hearing.</b></li> <li>• <b>Any Open Floor Hearing.</b></li> </ul> To be held virtually.	<b>Week commencing 2 June 2025</b>
<b>22.</b>	Publication of: <ul style="list-style-type: none"> <li>• <b>The Report into the Implications for European Sites (RIES)</b> (if required).</li> <li>• <b>Any requests for information under Rule 17 of the Examination Procedure Rules</b> (if required).</li> </ul>	<b>6 June 2025</b>
<b>23.</b>	<b>Deadline 6</b> For receipt by the ExA of:	<b>13 June 2025</b>

	<ul style="list-style-type: none"> <li>• <b>Post-hearing submissions including written summaries of oral cases and other documents requested by the ExA at the Hearings</b> (if held).</li> <li>• <b>Any specific responses to points raised in oral submissions at the Hearings</b> (if held).</li> <li>• <b>Comments on the responses to ExQ2</b> (if issued).</li> <li>• <b>The Applicants' updated draft DCO</b> (if required).</li> <li>• <b>An updated Land Rights Tracker</b> (if required).</li> <li>• <b>An updated Guide to the Application</b> (if required).</li> <li>• <b>Any further information requested by the ExA</b> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> <li>• <b>Comments on any further information/submissions received by Deadline 5.</b></li> </ul>	
<b>24.</b>	<p>Publication of:</p> <ul style="list-style-type: none"> <li>• <b>The ExA's preferred draft DCO, proposed schedule of change, or commentary on the draft DCO</b> (if required).</li> <li>• <b>Any requests for information under Rule 17 of the Examination Procedure Rules</b> (if required).</li> </ul>	<b>19 June 2025</b>
<b>25.</b>	<p><b>Deadline 7</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>Comments on the RIES and responses to any associated questions</b> (if issued).</li> <li>• <b>Comments on the ExA's preferred draft DCO, proposed schedule of changes to the draft DCO</b> (if issued).</li> <li>• <b>Comments in the responses to ExQ2</b> (if issued).</li> <li>• <b>An updated Land Rights Tracker.</b></li> <li>• <b>An updated Guide to the Application.</b></li> <li>• <b>Any further information requested by the ExA.</b></li> </ul> <p>Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</p> <ul style="list-style-type: none"> <li>• <b>Comments on any further information/submissions received by Deadline 6.</b></li> </ul>	<b>26 June 2025</b>
<b>26.</b>	<b>Deadline 8</b>	<b>3 July 2025</b>

	<p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>Final DCO.</b> Final DCO to be submitted by the Applicants in the SI template. Applicants to provide the email notification from <a href="https://publishing.legislation.gov.uk/validation">https://publishing.legislation.gov.uk/validation</a> confirming the document has successfully passed validation, and the PDF version of the SI validation report obtained from the link in the notification email. The Applicants should also provide a clean (all tracking removed) standalone MS Word version of the dDCO, with no header or cover page.</li> <li>• <b>Final updated BoR.</b> Final BoR and schedule of changes to BoR.</li> <li>• <b>Final SoCGs.</b></li> <li>• <b>Final Statement of Commonality of SoCGs.</b></li> <li>• <b>List of matters not agreed where SoCG could not be finalised.</b></li> <li>• <b>Final Guide to the Application.</b></li> <li>• <b>Final Examination Progress Tracker.</b></li> <li>• <b>Final Land Rights Tracker.</b></li> <li>• <b>Final signed and dated section 106</b> (if required).</li> <li>• <b>Closing Statements</b> (see PD11 of Annex F of <a href="#">[PD-002]</a>).</li> <li>• <b>Comments on any further information received</b> Comments on any additional information/submissions received by <b>Deadline 7</b>.</li> <li>• <b>Any further information requested by ExA</b> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> </ul>	
<b>27.</b>	<p><b>Deadline 9</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>Comments on any further information/submissions received. At Deadline 8.</b></li> <li>• <b>Any further information requested by ExA.</b> Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</li> </ul>	<b>10 July 2025</b>
<b>28.</b>	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of six months.</p>	<b>14 July 2025</b>

### **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.

### **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 a 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 the obligations under Regulation 63(3) of The Habitats Regulations 2017 and Regulation 28 of The Offshore Marine Regulations.

## Notification of initial hearings

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

<b>Date</b>	<b>Hearing</b>	<b>Start time</b>	<b>Joining details</b>
<b>Tuesday 14 January 2025</b>	<b>Compulsory Acquisition Hearing 1 (CAH1)</b>	<b>Registration Process from: 01.45pm Hearing starts: 02.00pm</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>Wednesday 15 January 2025</b>	<b>Issue Specific Hearing 1 (ISH1) on the draft Development Consent Order (DCO)</b>	<b>Registration Process from: 09.45am Hearing starts: 10.00am</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>Wednesday 15 January 2025</b>	<b>Issue Specific Hearing 2 (ISH2) on the scope of the Proposed Development including construction activities</b>	<b>Registration Process from: 01.45pm Hearing starts: 02.00pm</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>Thursday 16 January 2025</b>	<b>Continuation of ISH2 on the scope of the Proposed Development including construction</b>	<b>Registration Process from: 09.45am Hearing starts: 10.00am</b>	This hearing will be held virtually using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to

Date	Hearing	Start time	Joining details
	activities (if required)		those who have pre-registered
<p><b>NOTE:</b> 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 <a href="#">project webpage</a>, providing reasonable notice to Interested Parties of the decision to cancel them.</p>			

**You must register by completing the [Event Participation Form](#) by 6 January 2025 if you intend to participate in any of the hearings and provide all the information requested (see below).**

If you simply wish to observe the hearings, then you do not need to register as you will be able to watch a livestream of the events. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin. You will also be able to watch the recording of the events, which will be published on the project webpage shortly after the events have 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.

Requests to participate should be made using the [Event Participation Form](#) on or before **Pre-Examination Procedural Deadline C**.

**Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend any of the hearings, either virtually or in person.**

## **Hearing agendas**

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.

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

## **Procedure at hearings**

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

The Planning Inspectorate's Advice for members of the public provides important information about hearing procedures:

- [What to expect at a Nationally Significant Infrastructure Project event](#)
- [Registering to speak at, or attend, a Nationally Significant Infrastructure Project event](#)

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.



## Other Procedural Decisions made by the Examining Authority

In Annex F to its Rule 6 letter of the 24 September 2024 [[PD-002](#)], the Examining Authority (ExA) made a number of Procedural Decisions under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010. These were confirmed at the Preliminary Meeting on the 22 October 2024 [[EV2-003](#)] before the meeting was adjourned. These Procedural Decisions covered:

- Production of Statements of Common Ground (SoCGs).
- Provision of a Statement of Commonality of SoCG.
- Provision of an Examination Tracker.
- Setting the deadline for the submission of Written Representations (WR) and Local Impact Reports (LIRs).
- Notification by statutory parties of their wish to be considered as an Interested Party (IP).
- Suggested locations of an Accompanied Site Inspection (ASI).
- Deadline for the submission of comments and summaries on Relevant Representations (RRs).
- A request for regular updated documents throughout the Examination.
- Submission of a Land Rights Tracker.
- Submission of a draft Development Consent Order (DCO).
- A request for the submission of closing statements.
- A number of clarifications and requests for further information from the Applicants.
- Acceptance of a number of additional submissions.

For expediency, these decisions have not been repeated here except where they would require an update due to the subsequent adjournment of the Preliminary Meeting. In addition to those Procedural Decisions, the ExA has made the following additional or amended Procedural Decisions.

### 1. Additional Submissions

In addition to the documentation submitted by **Pre-Examination Deadlines A and B** and those referred to in Annex F to the previous Rule 6 Letter [[PD-002](#)], the ExA has exercised its discretion and made a Procedural Decision to accept the following Additional Submissions:

- Submissions made by the Applicants on 7 November 2024 [[AS-017](#)] to [[AS-025](#)].
- Submissions made by the Applicants on 8 November 2024 [[AS-026](#)] to [[AS-040](#)].
- Submissions made by the Applicants on 13 November 2024 [[AS-041](#)] to [[AS-046](#)].
- Submission by the Wildlife Trusts in response to the ExA's Rule 9 and 17 letter dated 22 October 2024 [[AS-047](#)].

- Applicants’ response to Natural England’s Relevant Representation (Revision 01) [[AS-048](#)].
- Withdrawal of Relevant Representation by National Grid Interconnector Holdings Ltd [[AS-049](#)].
- Submission by National Trust [[AS-050](#)].
- Submissions made by the Applicants on 22 November 2024 [[AS-051](#)] to [[AS-083](#)].
- Submissions made by the Applicants on 25 November 2024 [[AS-084](#)] to [[AS-090](#)].
- Submission made by the Applicants in response to the ExA’s Rule 17 letter dated 26 November 2024 [[AS-091](#)].
- Submissions made by the Applicants on 28 November 2024 [[AS-092](#)] to [[AS-105](#)].
- Submission made by the Applicants on 3 December 2024 [[AS-106](#)].
- Submissions made by the Applicants on 6 December 2024 [[AS-107](#)] to [[AS-118](#)].
- Submissions made by the Applicants on 7 December 2024 [[AS-119](#)] to [[AS-122](#)].
- A submission from the Beverley and North Holderness Internal Drainage Board [[AS-123](#)].
- Responses from The Lincolnshire Wildlife Trust [[AS-124](#)], the Marine Management Organisation [[AS-125](#)], Natural England [[AS-126](#)], The Wildlife Trusts [[AS-127](#)] and the RSPB [[AS-128](#)] in response to the Examining Authority’s Rule 17 letter of 26 November 2024 [[PD-008](#)].

**2. Statements of Common Ground (SoCGs)**

In addition to the SoCGs requested in the previous Rule 6 letter (Annex F of [[PD-002](#)]) the ExA requests that SoCGs be prepared between the Applicants and:

<b>Parties</b>	<b>Topic to include but not be limited to:</b>
Ørsted Hornsea Project Three (UK) Limited, Ørsted Hornsea Project Four Limited, DBA Projco, DBB Projco and DBC Projco	<ul style="list-style-type: none"> <li>• Whether potential wake loss and effects on annual energy production form a material consideration to the Examination of the Proposed Development, with reference to paragraphs 2.8.197 and 2.8.347 of NPS EN-3 (or any others deemed relevant).</li> <li>• What effects the Proposed Development would have on annual energy production of offshore wind farms owned by the Interested Parties from wake loss caused by the Proposed Development.</li> <li>• Whether any effects on annual energy production would affect the viability of operation of those wind farms.</li> <li>• Potential cumulative wake loss effects on annual energy production.</li> </ul>

Parties	Topic to include but not be limited to:
	<ul style="list-style-type: none"> <li>What types of mitigation could reduce any potential wake loss effects, or what other measures could be utilised to mitigate effects (such as Protective Provisions, Proximity Agreements or a requirement in the draft Development Consent Order).</li> </ul>

It would be acceptable to the ExA if Ørsted Hornsea Project Three (UK) Ltd and Ørsted Hornsea Project Four Limited or DBA Projco, DBB Projco and DBC Projco wished to prepare joint SoCG with the Applicants.

### 3. Deadline for the Submission of LIRs

To maximise the time available within the Examination, the ExA has made a procedural decision to request LIRs at **Deadline 1**. However, it would be very helpful to the ExA for the hearings that are timetabled to occur immediately after the Preliminary Meeting, if the LIRs could be submitted at **Pre-Examination Deadline C**.

### 4. Deadline for the submission of WRs

To maximise the time available within the Examination, the ExA has made a procedural decision to request WRs at **Deadline 1**.

For the purpose of Rule 10(2) of the Examination Procedure Rules 2010, the 'period of 21 days' within reference to which the ExA must provide notice for the submission of WRs commences on 17 December 2024. This is a date before the start of the Examination. However, as the deadline for submission of WRs is set at **Deadline 1** this provides more than the 21 days' notice and the ExA is satisfied that Interested Parties have been provided with sufficient time in which to draft and submit WRs.

### 5. Applicants' suggested draft itinerary for an Accompanied Site Inspection (ASI)

In order to maximise the time available within the Examination, the ExA requested in the previous Rule 6 letter (Annex F of [\[PD-002\]](#)) that Interested Parties submit suggested locations for the ExA to visit as part of an ASI by Pre-Examination Deadline A.

No requests were received.

As set out in the previous Rule 6 letter, the ExA's starting position is that ASIs will be used only when it is necessary to inspect a site in the company of an Interested Party, for example where access to private land is required. It may also be appropriate to make arrangements for access only to be provided to specific sites such that they can be inspected as part of an Unaccompanied Site Inspection on an 'access required' basis.

The Applicants are now requested to review whether there are any locations that they consider that the ExA should visit as part of an ASI and, if there are, produce a suggested draft itinerary to be submitted at **Pre-Examination Procedural Deadline C**. In considering locations that the Applicants would wish the ExA to visit, the Applicants are requested to take note of those locations that the ExA visited on an unaccompanied basis in September 2024 [EV-001] to [EV-003].

The ExA will consider each suggested site location 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.

If the ExA decides to hold an ASI, it will publish a final itinerary at least five working days before the date of the ASI.

## **6. Clarifications and requests for further information from the Applicants and Interested Parties**

### **Ground Level Tree Assessment - roosting bats**

Appendix 18-5, Ground Level Tree Assessment [APP-146], concluded that 61 trees were surveyed of which 48 had bat roost potential. Section 18.5, paragraph 140 and Section 18.6, paragraph 318 of ES Chapter 18 [APP-140] further confirm that of those 48 trees, 19 are located within the onshore development area. Two of these are considered to be of high potential to support roosting bats, nine are of moderate potential and eight are of low potential. Whilst data maps in appendices A, B and C (of Appendix 18-5 [APP-146]) are noted, they appear to show significantly more trees than referenced and have not specifically identified the trees that are considered to be of high, moderate or low bat roosting potential. Please could the Applicants provide updated plans clearly showing the trees of roost potential referenced in ES Chapter 18 [APP-140]. This information is to be submitted at **Pre-Examination Procedural Deadline C**.

### **Identification of 'no access verges'**

Paragraph 75 of ES Chapter 18 [APP-140] states that, *'For the habitat survey, all areas within the Onshore Development Area could be accessed to allow a thorough survey, with the exception of some sections of road verges'*. These areas are mapped as 'no access verge' in Appendix 18-2, Habitat Survey Report [APP-143]. However, whilst reference to 'no access verges' is included on the submitted plans (on the Habitat Survey Map in Appendix C of Appendix 18-2, Habitat Survey Report [APP-143]), due to a similarity in colour and various shades of green, it is not possible to identify the detailed location of the verges that could not be accessed. Please could the Applicants provide new maps using different colours to enable the verges to be easily identified. This information is to be submitted at **Pre-Examination Procedural Deadline C**.

**Lincolnshire Wildlife Trust detailed comments**

The Lincolnshire Wildlife Trust stated in its Relevant Representation [\[RR-028\]](#) that it has previously sent detailed representations directly to the Applicants regarding the Dogger Bank Special Area of Conservation but did not include these detailed comments in its Relevant Representation submitted into the Examination. The ExA requests that the Lincolnshire Wildlife Trust submits all comments it would like to be considered directly into the Examination as a Written Representation at **Deadline 1**.