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

Your Ref:

Our Ref: EN010127

Date: 13 April 2023

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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 and 13**

### **Application by Mallard Pass Solar Farm Limited for an Order Granting Development Consent for the Mallard Pass Solar Project**

### **Appointment of the Examining Authority and invitation to the Preliminary Meeting and Notification of Hearings**

Following my appointment by the Secretary of State as the lead member of the Examining Authority (ExA) to carry out an Examination of the above application I am writing to introduce myself and the other member of the ExA. My name is David Cliff and the other member of the ExA is Mark James. A copy of the appointment notices can be viewed under the [Documents tab](#) on the [project webpage](#) of the National Infrastructure Planning website.

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

### **Invitation to the Preliminary Meeting**

As a recipient of this letter you are invited to the Preliminary Meeting to discuss **the procedure** for the Examination of the above application.



Date	Start time	Venue and joining details
Tuesday 16 May 2023	<b>Seating available at venue from:</b> <b>9:00am</b> <b>Virtual Arrangements Conference from:</b> <b>9:15am</b> <b>Preliminary Meeting starts:</b> <b>10:00am</b>	<b>East of England Showground, Peterborough, PE2 6XE</b> and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p><b>IMPORTANT:</b> The Preliminary Meeting is likely to be completed by lunchtime on Tuesday 16 May 2023. However, parties are encouraged to keep the whole day free in case the meeting overruns or there is a technical problem that requires the meeting to be adjourned or resumed later in the day.</p>		

**You must register through the [online questionnaire](#) by Wednesday 3 May 2023 if you intend to participate in the Preliminary Meeting and provide all the information requested.**

If you simply wish to observe the Preliminary Meeting's livestream of the event then you do not need to register as you will be able to view the event online. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin. A recording of the event will also be published on the [project webpage](#) shortly after the event has finished.

### **Purpose of the Preliminary Meeting**

The purpose of the Preliminary Meeting is to enable views to be put to the ExA about how the application should be examined. The ExA will therefore limit the scope of the Preliminary Meeting to consideration of **how the application will be examined**. See **Annex B** to this letter and the Planning Inspectorate's [Advice Note 8.3 - Influencing how an application is Examined: the Preliminary Meeting](#) for more information.

The Preliminary Meeting is **not an opportunity for you to give your views** about what you like or don't like about the application. The merits or disadvantages of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed. All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Energy Security and Net Zero, who will take the final decision in this case.

The agenda for the meeting is at **Annex A** to this letter. This has been set following our Initial Assessment of Principal Issues arising from our reading of the application



documents and the Relevant Representations received. The Initial Assessment of Principal Issues is set out in **Annex C** to this letter.

### Written submissions about how the application should be examined

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

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

- You consider changes need to be made to the draft Examination Timetable set out at **Annex D** to this letter; and/or
- you wish to comment about the arrangements for future Examination hearings.

You are invited to make a written submission about how the application is to be examined by **Procedural Deadline A, 3 May 2023** (see **Annex D** to this letter).

We request that all submissions are made using the [Make a submission tab](#) on the project webpage on or before **Procedural Deadline A, Annex H** to this letter provides further information about using the [Make a submission tab](#).

### Requests to participate at the Preliminary Meeting

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

If you wish to participate at the Preliminary Meeting you are required to notify the ExA in writing on or before **3 May 2023** (see **Procedural Deadline A**).

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

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



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

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

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

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

The Examination of the application will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

The ExA currently anticipates that for this case, any hearings will be blended, meaning that participation can be via in-person or virtual attendance. We will confirm the format of any hearings to be held during the Examination Stage when we provide formal notification of each hearing at least 21 days in advance of it taking place.

As such we are providing formal notification that the **Preliminary Meeting will be a blended event and that Open Floor Hearings 1 and 2 referred to in Annex E to this letter will also be blended events.**

### **After the Preliminary Meeting**

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

### **Notification of initial hearings**

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

- **Open Floor Hearing 1 (OFH1)** at 10:00am on Wednesday 17 May 2023 (Blended event)
- **Open Floor Hearing 2 (OFH2)** at 7:00pm on Wednesday 17 May 2023 (Blended event)

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

### **Other Procedural Decisions made by the Examining Authority**



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

1. Statements of Common Ground and Statement of Commonality
2. Advance notice of the deadline for submission of Local Impact Reports
3. Site inspections, including invitation to submit suggestion locations
4. Acceptance of Additional Submissions into the Examination
5. Compulsory Acquisition updates
6. Request for updated Guide to the Application
7. Request for updated Policy Tracker (Policy Accordance Tables)
8. Request for updated versions of draft Development Consent Order and Book or Reference (including required format)

### **Managing Examination correspondence**

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

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

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

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

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

### **Your status in the Examination**

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

If your reference number begins with '2003', 'MPSP-AFP', 'MPSP-S57' 'MSPS-APL' you are in Group A. If your reference number begins with 'MPSP-SP' you are in Group B. If your reference number begins with 'MPSP-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.



## Awards of costs

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).

## Management of information

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

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

Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

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

Yours faithfully

*David Cliff*

## Lead Member of the Examining Authority

### Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Draft Examination Timetable
- E** Notification of initial hearings
- F** Other Procedural Decisions made by the Examining Authority
- G** Availability of Examination Documents
- H** 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.



## Agenda for the Preliminary Meeting

You must register through the [online questionnaire](#) by Wednesday 3 May 2023 if you intend to participate in the Preliminary Meeting and provide all the information requested.

If you simply wish to observe the Preliminary Meeting's livestream of the event then you do not need to register as you will be able to view the event online. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin. A recording of the event will also be published on the [project webpage](#) shortly after the event has finished.

**Date:** 16 May 2023

**Arrangements Conference:** 9:15am

**Meeting start time:** 10.00am

**Venue:** Blended event at East of England Showground, Peterborough, PE2 6XE and by virtual means using Microsoft Teams

Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered

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

Agenda for the Preliminary Meeting	
9:00am	Seating available at venue for in-person attendees
9:15am	<p><b>Virtual Arrangements Conference</b></p> <p>Please arrive at 9:15am to enter the virtual lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted and given further instructions.</p> <p>The Arrangements Conference will commence at 9:30. This will be hosted by the Case Team and cover the housekeeping arrangements for the Preliminary Meeting and allow for any questions to be asked about how to take part.</p>
10.00am Item 1	<b>Preliminary Meeting</b>

<b>Agenda for the Preliminary Meeting</b>	
	The Preliminary Meeting will formally open at <b>10.00am</b> . The Examining Authority will join, welcome participants and lead introductions.
<b>Item 2</b>	The Examining Authority's remarks about the Examination process – <b>Annex B</b> of this letter
<b>Item 3</b>	Initial Assessment of Principal Issues – <b>Annex C</b> of this letter
<b>Item 4</b>	Draft Examination Timetable – <b>Annex D</b> of this letter Including: <ul style="list-style-type: none"> <li>• Deadlines including those for Local Impact Reports, Written Representations, responses to Written Questions, notifications and other submissions</li> <li>• Dates for Open Floor Hearings, Issue Specific Hearings and Compulsory Acquisition hearings</li> <li>• Dates for Site inspections</li> </ul>
<b>Item 5</b>	Procedural decisions taken by the ExA – <b>Annex F</b> of this letter Including: <ul style="list-style-type: none"> <li>• Statements of Common Ground</li> <li>• Arrangements for site inspections</li> </ul>
<b>Item 6</b>	Any other matter(s)
<b>Close of the Preliminary Meeting</b>	

Please be available from the start of the meeting and throughout the meeting. If you are participating using Microsoft Teams, please join the virtual lobby promptly using the instructions that will be sent to you. The event will start at **10.00am** irrespective of any late arrivals, for whom access may not be possible. It may take some time to admit participants from the virtual lobby, your patience whilst you are waiting is appreciated.

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

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

- Name and unique reference number (found at the top your letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;



- name and unique reference number of any person/organisation that you are representing (if applicable);
- confirmation of whether you will participate virtually or in-person;
- the agenda item on which you wish to speak and a list of the points you wish to make; and
- any special requirements you may have (e.g. disabled access or hearing loop).

## **Introduction to the Preliminary Meeting**

### **Background**

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

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

### **The Examining Authority and the Case Team**

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

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

[mallardpassolar@planninginspectorate.gov.uk](mailto:mallardpassolar@planninginspectorate.gov.uk)

### **The purpose of the Preliminary Meeting (PM)**

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

You will find information about the application and, in due course, documents produced for the Examination on the [project webpage](#) of the National Infrastructure Planning website. 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.

### **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:

- Sarah Gresty
- Jo Gresty

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

The ExA estimate that the PM will take approximately half a day to complete.

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

A digital recording of proceedings 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. For virtual attendees, if you prefer not to have your image recorded, you can switch off your camera at any point.

### **The Examination process**

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

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

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

- Local authorities can submit Local Impact Reports (LIR) if they wish. Whilst these are voluntary, the PA2008 provides that if they are provided, they must be considered by the SoS in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to the ExA, the SoS and their residents.

- IPs can make Written Representations (WRs) and comment on WRs made by other parties.
- IPs can respond to the ExA's written questions (ExQs) and comment on responses to these written questions provided by others.
- IPs may be asked to contribute to the making of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicant agrees, and if it would be useful for this to be clarified. The ExA also will require SoCGs to extend to catalogue matters that are not agreed or are outstanding and explain why there is disagreement.

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. There is no need to repeat points that have already been made. 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 (i.e. those whose land or rights over land are affected) have a right to request and be heard at a **Compulsory Acquisition Hearing** (CAH). If one or more APs request to be heard then a CAH must be held. Provisional dates for CAHs are included in the draft Examination Timetable along with Deadlines by which requests to be heard must be submitted.

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

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

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

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

At hearings it will not normally be necessary for parties to make long and detailed submissions that require (for example) PowerPoint presentations. Any supporting

detail/information can be provided in writing following the event by the relevant Deadline.

The draft Examination Timetable includes a Deadline (**Tuesday 30 May 2023**) for participants to notify the ExA that they wish to speak at a future 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 proposals within the context of the evidence put forward. Notes of Unaccompanied Site Inspections (USIs) are published on the [project webpage](#).

Annex F contains further details of the ExA's proposed site inspection arrangements for this application, including the opportunity for Interested Parties to make suggestions on locations for the inspections.

## **Initial Assessment of Principal Issues**

This is the Initial Assessment of Principal Issues prepared as required under section 88(1) of the Planning Act 2008 (PA2008). It has been prepared by the Examining Authority (ExA) following its reading of:

- The application documents;
- the Relevant Representations received in respect of the application; and
- its consideration of any other important and relevant matters.

This initial assessment has guided the Examining Authority in forming a provisional view as to how the application is to be examined. It is not a comprehensive or exclusive list of the issues that will be subject to examination and inevitably some issues will overlap or interrelate. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Energy Security and Net Zero after the Examination has concluded.

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance. Several of the principal issues set out below overlap and this will be reflected in the Examination. Cumulative and in-combination effects will also be considered where relevant. The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not listed as main issues. The effects relating to construction, operational and decommissioning phases will be considered where relevant.

It should also be noted that:

- Whilst the effects of the proposal on, and proposed adaption to, climate change are not listed as Principal Issues; and
- Whilst the effects of the proposal in relation to human rights and equalities duties are not listed as main issues;

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

Similarly, the effectiveness of proposed mitigation measures (including relevant management plans) and the extent to which such measures would be secured through the DCO are considerations that will run throughout the Examination.

Any observations on the ExA's initial Assessment of Principal Issues can be made at the Preliminary Meeting (agenda item 3). Since the Preliminary Meeting is a procedural meeting, no discussion of the merits of the issues themselves will be permitted.



<b>Principal issue</b>	<b>Brief amplification to include but not necessarily limited to</b>
<b>1. Air Quality</b>	<ul style="list-style-type: none"> <li>• Construction and decommissioning effects on human and ecological receptors.</li> </ul>
<b>2. Compulsory Acquisition</b>	<ul style="list-style-type: none"> <li>• The case and justification for the compulsory acquisition of land and rights and for the Temporary Possession of land,</li> <li>• Effects on Statutory Undertakers land, activities and apparatus,</li> <li>• Financial arrangements including project funding and guarantees for compensation,</li> <li>• Human Rights implications,</li> <li>• The Book of Reference.</li> </ul>
<b>3. Draft Development Consent Order (dDCO)</b>	<ul style="list-style-type: none"> <li>• Adequacy of definitions,</li> <li>• The appropriateness of the dDCO, including drafting of definitions, proposed Articles, Requirements and Protective Provisions,</li> <li>• Application and modification of legislative provisions,</li> <li>• Whether it is necessary to impose an upper limit on gross electrical output,</li> <li>• Whether the period of operation should be time limited,</li> <li>• Arrangements for decommissioning and site restoration.</li> </ul>
<b>4. Ecology and biodiversity</b>	<ul style="list-style-type: none"> <li>• Implications for statutorily and locally protected sites,</li> <li>• Effects on specific species and their habitats (including European protected species),</li> <li>• Effects on woodland, trees and hedgerows,</li> </ul>

<b>Principal issue</b>	<b>Brief amplification to include but not necessarily limited to</b>
	<ul style="list-style-type: none"> <li>• Effects on roadside verges during construction,</li> <li>• Habitat creation/enhancement and biodiversity net gain.</li> </ul>
<b>5. General matters</b>	<ul style="list-style-type: none"> <li>• Consideration of design flexibility, design parameters and design guidance,</li> <li>• Approach to site selection and alternatives,</li> <li>• Effects of size and scale of the proposed development,</li> <li>• Consideration of the benefits of the proposal.</li> </ul>
<b>6. Historic environment</b>	<ul style="list-style-type: none"> <li>• The effect on the significance of designated and non-designated heritage assets, including the settings of scheduled monuments, listed buildings and conservation areas,</li> <li>• The effect on archaeology including the adequacy of archaeological evaluation and any written scheme of investigation.</li> </ul>
<b>7. Landscape and visual</b>	<ul style="list-style-type: none"> <li>• Effects on landscape character and the setting of existing settlements,</li> <li>• Visual effects, including from public rights of way,</li> <li>• Glint and glare effects,</li> <li>• Design and visual appearance of on-site structures including the onsite substation</li> </ul>
<b>8. Land use and soils</b>	<ul style="list-style-type: none"> <li>• Effects on agricultural land (including best and most versatile agricultural land) and farming operations,</li> </ul>

<b>Principal issue</b>	<b>Brief amplification to include but not necessarily limited to</b>
	<ul style="list-style-type: none"> <li>• Effects on soil quality and adequacy of site restoration following decommissioning.</li> </ul>
<b>9. Noise</b>	<ul style="list-style-type: none"> <li>• Noise effects on sensitive receptors during construction, operation and decommissioning.</li> </ul>
<b>10. Socio-economics</b>	<ul style="list-style-type: none"> <li>• Economic, employment and procurement implications,</li> <li>• Effects on the users of public rights of way, including proposed permissive rights of way,</li> <li>• Effects on local residents and communities, including recreation, health and wellbeing,</li> <li>• Effects on living conditions of the occupiers of residential properties,</li> <li>• Effects on tourism.</li> </ul>
<b>11. Traffic and transportation</b>	<ul style="list-style-type: none"> <li>• Construction effects on the surrounding highway network and sensitive receptors, including HGV delivery route and affected Trunk roads,</li> <li>• Acceptability of proposed highways works including access points,</li> <li>• Effects on non-motorised users.</li> </ul>
<b>12. Water and flood risk</b>	<ul style="list-style-type: none"> <li>• Adequacy of Flood Risk Assessment,</li> <li>• Surface water run-off implications.</li> </ul>

## 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.

<b>Item</b>	<b>Matters</b>	<b>Date</b>
<b>1.</b>	<b>Procedural Deadline A</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Written submissions on the Examination Procedure</li> <li>• Requests to be heard orally at the Preliminary Meeting</li> <li>• Request to be heard at Open Floor Hearing (OFH) 1 or OFH 2</li> <li>• Applicant's updated draft Development Consent Order in clean and tracked versions and accompanying schedule of changes</li> </ul>	<b>Wednesday 3 May 2023</b>
<b>2.</b>	<b>Preliminary Meeting</b>	<b>Tuesday 16 May 2023 10:00am</b>
<b>3.</b>	<b>Open Floor Hearing 1 (OFH1)</b>	<b>Wednesday 17 May 2023 10:00am</b>
<b>4.</b>	<b>Open Floor Hearing 2 (OFH2)</b>	<b>Wednesday 17 May 2023 7:00pm</b>
<b>5.</b>	<b>Issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul> <b>Publication of:</b> <ul style="list-style-type: none"> <li>• The ExA's Written Questions (ExQ1)</li> </ul>	<b>As soon as practical following the Preliminary Meeting</b>
<b>6.</b>	<b>Deadline 1 (D1)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on Relevant Representations (RR)</li> <li>• Summaries of any RR exceeding 1500 words</li> </ul>	<b>Tuesday 30 May 2023</b>

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• Local Impact Reports (LIRs) from any Local Authority (See Annex F)</li> <li>• Written summaries of oral case at Open Floor Hearings</li> <li>• Notification of wish to speak at a further Open Floor Hearing</li> <li>• Notification of wish to speak at a Compulsory Acquisition Hearing (CAH)</li> <li>• Notification of wish to attend an Accompanied Site Inspection (ASI)</li> <li>• Notification of Statutory Parties of their wish to be considered an IP by the ExA</li> <li>• Notification of wish to have future correspondence received electronically</li> <li>• Suggested locations for site inspections, including justification</li> </ul>	
7.	<p><b>Deadline 2 (D2)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written Representations</li> <li>• Summaries of all Written Representations exceeding 1500 words</li> <li>• Responses to ExA's First Written Questions (ExQ1)</li> <li>• Comments on the LIR(s)</li> <li>• Comments on any other submission received at Deadline 1</li> <li>• Statements of Common Ground (SoCG) requested by the ExA (See Annex F)</li> <li>• Statement of Commonality of SoCG</li> <li>• The Compulsory Acquisition (CA) and Temporary Possession (TP) Schedule</li> <li>• Applicant's draft itinerary for ExA site inspection</li> <li>• Any further information requested by the ExA for this deadline</li> </ul>	<b>Thursday 15 June 2023</b>
8.	<b>Deadline 3 (D3)</b>	<b>Thursday 29 June 2023</b>

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• Comments on WRs</li> <li>• Comments on responses to ExA's First Written Questions</li> <li>• Comments on any other submission received at Deadline 2</li> <li>• Updated draft Development Consent Order (clean and tracked versions) and accompanying schedule of changes</li> <li>• Progress versions of any SoCG and an update on Statement of Commonality of SoCG</li> <li>• An updated CA and TP Schedule in clean and tracked versions)</li> <li>• Applicant's updated Guide to the Application.</li> <li>• Comments on the Applicant's draft itinerary for ExA site inspection</li> <li>• Any further information requested by the ExA</li> </ul>	
<p><b>9.</b></p>	<p><b>Hearings</b></p> <p>Dates reserved for any:</p> <ul style="list-style-type: none"> <li>• Issue Specific Hearing(s)</li> <li>• Compulsory Acquisition Hearing(s) (if required)</li> <li>• Further Open Floor Hearing(s) (if required).</li> <li>• Accompanied Site Inspection (if required).</li> </ul>	<p><b>w/c 10 July 2023</b></p>
<p><b>10.</b></p>	<p><b>Deadline 4 (D4)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearing submission including written summaries of oral case put at any of the hearings during w/c 10 July 2023</li> <li>• Progressed versions of any SoCG and an updated Statement of Commonality of SoCG (if required)</li> <li>• An updated Guide to the Application</li> </ul>	<p><b>Tuesday 25 July 2023</b></p>

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• An updated version of the dDCO in clean and tracked versions and accompanying schedule of changes</li> <li>• Comments on any submission received at deadline 3</li> <li>• Any further information requested by the ExA</li> </ul>	
11.	<b>Issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• Further written questions (ExQ2) (if required)</li> </ul>	<b>Tuesday 15 August 2023</b>
12.	<b>Deadline 5 (D5)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Response to ExA's Further Written Questions (ExQ2) (If required)</li> <li>• Progressed versions of any SoCG and an updated Statement of Commonality of SoCG</li> <li>• An updated Guide to the Application</li> <li>• An updated version of the dDCO in clean and tracked versions and accompanying schedule of changes</li> <li>• An updated CA and TP Schedule in clean and tracked versions (if required as a result of ExQ2)</li> <li>• Comments on any submission received at deadline 4</li> <li>• Any further information requested by the ExA</li> </ul>	<b>Tuesday 5 September 2023</b>
13.	<b>Deadline 6 (D6)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on responses to ExA's further Written Questions (if required)</li> <li>• Comments on any submission received at Deadline 5</li> <li>• Any further information requested by the ExA</li> </ul>	<b>Tuesday 19 September 2023</b>
14.	<b>Hearings</b>	<b>w/c 25 September 2023</b>

Item	Matters	Date
	<p>Dates reserved for any:</p> <ul style="list-style-type: none"> <li>• Further Issue Specific Hearing(s) (if required)</li> <li>• Further Open Floor Hearing(s) (if required).</li> <li>• Further Compulsory Acquisition Hearing(s) (if required)</li> <li>• Further Accompanied Site Inspection (if required)</li> </ul>	
15.	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• The Report on the Implications for European Sites (if required) and any associated questions</li> <li>• The Examining Authority's proposed schedule of changes to the draft Development Consent Order (if required)</li> </ul>	<b>Friday 6 October 2023</b>
16.	<p><b>Deadline 7 (D7)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearing submission including written summaries of oral case put at any of the hearings during w/c 25 September 2023</li> <li>• Progressed versions of any SoCG and an updated Statement of Commonality of SoCG (if required)</li> <li>• Comments on any submission received at deadline 6</li> <li>• Any further information requested by the ExA</li> </ul>	<b>Tuesday 10 October 2023</b>
17.	<p><b>Deadline 8 (D8)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the ExA's proposed schedule of changes to the dDCO (if required)</li> <li>• Final DCO in the SI template with the SI template validation report</li> <li>• Final BoR and schedule of changes to BoR</li> <li>• Final SoCG</li> <li>• Final Statement of Commonality of SoCG</li> </ul>	<b>Tuesday 24 October 2023</b>



Item	Matters	Date
	<ul style="list-style-type: none"> <li>• Final Guide to the application</li> <li>• Final CA and TP Schedule</li> <li>• Final status of Negotiations with Statutory Undertakers</li> <li>• Final Policy Tracker</li> <li>• Comments on the RIES and responses to any associated questions (if issued)</li> <li>• Comments on any additional information/submissions received by Deadline 7</li> <li>• Any further information requested by the ExA</li> </ul>	
18.	<p><b>Deadline 9 (D9)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Any further information requested by the ExA for this deadline</li> </ul>	<b>Friday 10 November 2023</b>
19.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	<b>Thursday 16 November 2023</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 its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

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

## Notification of initial hearings

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

Date	Hearing	Start time	Venue and Joining details
17 May 2023	Open Floor Hearing 1 (OFH1)	<b>Seating available at venue from:</b> <b>9:30am</b> <b>Virtual Arrangements Conference from:</b> <b>9:30am</b> <b>Hearing starts:</b> <b>10:00am</b>	East of England Showground, Peterborough, PE2 6XE and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
17 May 2023	Open Floor Hearing 2 (OFH2)	<b>Seating available at venue from:</b> <b>6:30pm</b> <b>Virtual Arrangements Conference from:</b> <b>6:30pm</b> <b>Hearing starts:</b> <b>7pm</b>	East of England Showground, Peterborough, PE2 6XE and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p><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 through the [online questionnaire](#) by Wednesday 3 May 2023 if you intend to participate in the hearings and provide all the information requested.**

If you simply wish to observe the hearings' livestream of the event then you do not need to register as you will be able to view the event online. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin. A recording of the event will also be published on the [project webpage](#) shortly after the event has finished.

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

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

It is important that notifications from Interested Parties to participate in hearings is submitted separately from any other written submission. Please select the appropriate Deadline and Submission Item under the [Make a submission tab](#) and ensure the submission is titled appropriately to allow us to quickly identify which event the notification relates to. **Annex H** provides further information about the [Make a submission tab](#). Please contact the Case Team using the contact details at the top of this letter if you require any support to attend a hearing.

### **Purpose of Open Floor Hearings**

The purpose of the Open Floor Hearings is to enable any Interested Party to make spoken representations about the application directly to the Examining Authority. Following each submission, the ExA may wish to ask the speaker questions about matters arising from their oral submission. The Applicant will attend to primarily listen to the submissions and to provide any point of clarification requested by the ExA.

### **Hearing Agendas**

For Open Floor Hearings, future Issue Specific Hearings and future Compulsory Acquisition Hearings the ExA will publish a 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.

### **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.

## Other Procedural Decisions made by the Examining Authority

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

### 1. Statements of Common Ground (SoCG) and Statement of Commonality

In relation to some of the Principal Issues identified in **Annex C** to this letter, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft Examination Timetable at **Annex D** to this letter therefore establishes **Deadline 2, Thursday 15 June 2023** for submission of SoCGs.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the Examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence.

A SoCG should also summarise where and why there may be disagreement on specific matters with the more detailed reasoning and justification provided separately in the evidence. The use of tables can be helpful in presenting the relevant information. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant Interested Party or parties, and submitted **by the Applicant**.

It is expected that the SoCGs with the Council's listed below (A) would be drafted separately rather than on a joint basis. However, a joint approach may be considered including for example, jointly agreed content on particular matters.

SoCGs are requested to be prepared between the Applicant and:

Other Parties to the SoCG	SoCG to include
<p><b>Lincolnshire County Council, Rutland County Council, South Kesteven District Council</b></p>	<ul style="list-style-type: none"> <li>• Relevant matters covered in the Environmental Statement, including scope, reports and assessments, methodology, baseline, embedded mitigation, likely significant effects; cumulative effects, in-combination effects, mitigation measures and management plans;</li> <li>• Need case, site selection and alternatives;</li> </ul>

Other Parties to the SoCG	SoCG to include
	<ul style="list-style-type: none"> <li>• Biodiversity Net Gain;</li> <li>• Planning policy context and compliance; and</li> <li>• The dDCO, including Articles and Requirements.</li> </ul>
<b>Environment Agency (EA)</b>	<ul style="list-style-type: none"> <li>• Assessment of effects (including survey areas, baseline data and methodology) relating to (i) ecology and biodiversity and (ii) water resources (including Flood Risk Assessment) and (iii) ground conditions;</li> <li>• Effects on EA operations (including the Gwash-Glen water transfer scheme);</li> <li>• Water Framework Directive;</li> <li>• Drafting of Outline Soil Management Plan and Outline Landscape and Ecology Management Plan;</li> <li>• The dDCO, including relevant Articles, Requirements and Protective Provisions; and</li> <li>• Relevant other agreements, consents, permits and licences.</li> </ul>
<b>Historic England</b>	<ul style="list-style-type: none"> <li>• Effect on setting of designated heritage assets (including adequacy of assessments, methodology and proposed mitigation);</li> <li>• Effect on archaeological remains; and</li> <li>• The dDCO including Requirements</li> </ul>
<b>Natural England</b>	<ul style="list-style-type: none"> <li>• Assessment of effects (including survey areas, baseline data and methodology) as relevant including (i) land use and soils</li> </ul>

Other Parties to the SoCG	SoCG to include
	<p>(including best and most versatile agricultural land) and (ii) ecology and biodiversity;</p> <ul style="list-style-type: none"> <li>• Effect on European site and features relevant to Habitats Regulations Assessment;</li> <li>• Effects on habitats, species and designated sites;</li> <li>• Mitigation and enhancement measures;</li> <li>• Biodiversity Net Gain;</li> <li>• Protected species licences;</li> <li>• Drafting of the dDCO, including relevant Articles, Requirements and Protective Provisions; and</li> <li>• Drafting of Outline Soil Management Plan and Outline Landscape and Ecology Management Plan.</li> </ul>
<b>Lincolnshire Wildlife Trust</b>	<ul style="list-style-type: none"> <li>• Assessment of relevant effects (including survey areas, baseline data and methodology) relating to ecology and biodiversity;</li> <li>• Effects on habitats, species and designated sites;</li> <li>• Mitigation and enhancement measures;</li> <li>• Drafting of relevant management plans including the Outline Landscape and Ecology Management Plan; and</li> <li>• Drafting of the dDCO including Articles and Requirements.</li> </ul>
<b>Anglian Water</b>	<ul style="list-style-type: none"> <li>• Effects on operations;</li> <li>• Effects on Rutland Water; and</li> <li>• Drafting of the dDCO including Requirements and Protective Provisions.</li> </ul>



Other Parties to the SoCG	SoCG to include
<b>Cadent Gas Limited</b>	<ul style="list-style-type: none"> <li>• Effects on assets and operations; and</li> <li>• Drafting of the dDCO including Protective Provisions.</li> </ul>
<b>National Gas Transmission Limited</b>	<ul style="list-style-type: none"> <li>• Effects on assets and operations; and</li> <li>• Drafting of the dDCO including Protective Provisions.</li> </ul>
<b>National Grid Electricity Transmission Plc</b>	<ul style="list-style-type: none"> <li>• Effects on assets and operations; and</li> <li>• Drafting of the dDCO including Protective Provisions.</li> </ul>
<b>Network Rail</b>	<ul style="list-style-type: none"> <li>• Effects on operations (including method for crossing the East Coast Main Line), and</li> <li>• Drafting of the dDCO including Schedule 3 and Protective Provisions</li> </ul>

Although not listed above, the ExA would like to hear views of the relevant parties on the possibility and benefits of an SoCG with Mallard Pass Action Group.

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

Where a particular SoCG cannot be agreed between the parties by **Deadline 2**, draft versions of that SoCG are requested to be submitted by the Applicant at that deadline. The position of the relevant Interested Parties should then be confirmed in the course of the Examination. The draft Examination Timetable makes provision for updated SoCGs to be submitted at various Deadlines with final versions by **Deadline 9**.

#### Statement of Commonality

At each point that the updated SoCGs are submitted to meet a deadline in the Examination Timetable, the Applicant is requested to submit an updated Statement of Commonality. This document should provide an overview of the position of each SoCG at the relevant deadline, for example noting where discussions are ongoing and where a final, signed SoCG has been submitted. It would also assist the ExA to have summaries of commonality in respect of the main topics in the Examination. This material should be presented in a tabular, colour coded format wherever possible.

### 2. Local Impact Reports

A local impact report (LIR) is a report giving details of the likely impact of a Proposed Development on a local authority area (or any part of that area). For more information about the importance and content of LIRs, see the Planning Inspectorate's Advice Note One: Local Impact Reports.

The ExA requests LIRs from the host local authorities, and welcomes LIR's from any other relevant local authorities defined in section 56A of the Planning Act 2008 who may wish to submit one. All LIRs should be submitted into the Examination no later than Deadline 1 (Tuesday 30 May 2023) in order to front-load the Examination and maximise the available time.

### 3. Site inspections

I carried out an [Unaccompanied Site Inspection](#) (USI) on 1,2 & 3 March 2023. A summary note of this can be found in the Examination Library [EV-001]. Further unaccompanied inspections from publicly assessable locations will be carried out by the ExA during the Examination. A summary note of any inspection will be published in the Examination Library.

In addition to this, the draft Examination Timetable at Annex D of this letter includes dates reserved for Accompanied Site Inspections (ASI), if required. The ExA's starting position is that ASIs will be used only when it is necessary to make an inspection in the company of an Interested Party, for example when 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 could be inspected as part of Unaccompanied Site Inspection on an 'access required' basis.

Interested Parties are invited to submit any suggested locations to be inspected by the ExA. These must be received by **Deadline 1, Tuesday 30 May 2023** and include sufficient information to identify the location and the reason for the suggestion. You should also indicate whether access to private land would be required and, if so, provide contact details for access. Please send these site inspection suggestions separately from any other written submission.

Interested Parties should be aware that ASI's are not an opportunity to make any oral representation to the ExA about the Proposed Development. However, participants may be invited by the ExA to indicate factual matters such as specific features of interest.

The Applicant is requested to prepare a draft itinerary for an ASI, to be submitted by **Deadline 2, Thursday 15 June 2023**. This should focus on private land to which access is required, taking account of:

- Locations referred to in the Relevant Representations;
- Any other locations at which the Applicant has predicted likely significant effects; and
- Locations suggested by Interested Parties by Deadline 1.

Interested Parties are invited to submit any comments on the Applicant's draft itinerary by **Deadline 3 Thursday 29 June 2023**

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

#### 4. Additional Submissions

In addition to the documentation submitted by **Procedural Deadline A**, the ExA has exercised its discretion and made a Procedural Decision to accept the Additional Submissions as set out below into the Examination.

- Environmental Statement (ES) Volume 2 Appendix 6.6 – LVIA Viewpoint Correspondence [AS-001]
- Applicant's letter of response dated 23 January 2023 (including Schedule of Errata) [AS-002] to section 51 advice [PD-003] issued on 21 December 2022, alongside the Planning Inspectorate's decision to accept the application for Examination. The following documents were submitted alongside this letter:
  - Updated Environmental Statement (ES) Chapter 5 'Project Description', clean [AS-010] and track change versions [AS-011] and Appendix 5.1 'Project Parameters', clean [AS-012] and track changes [AS013] – updated for consistency between documents;
  - Updated Works Plans [AS-003], Hedgerows Plans [AS-005], Location, Order Limits and Grid Coordinates Plans [AS-006] – updated to include previously missing areas outside of, but close to the Order Limits;
  - Updated Access and Rights of Way [AS-004] and Traffic Regulation Measures Plans [AS-007 & AS-008] – updated to show existing public footpaths;
  - ES Landscape and Visual Figure 6.8.9 [AS-014] – missing from original application submission;
  - Land Referencing Methodology [AS-015] – explanation of methodology used for identification of Category 3 persons; and

- Updated Statement of Reasons [AS-009) – updated to rectify formatting issues.

Interested Parties are able to submit any comments they may have on any of these documents by **Deadline 2 on Thursday 15 June 2023**.

## **5. Compulsory Acquisition**

The ExA would be assisted by regular updates throughout the Examination on the progress of negotiations and agreements of land required for the Proposed Development. This update should take the form of a pro-forma which will be issued with the ExA's First Written Questions shortly after the PM.

## **6. Updated Guide to the Application**

The Applicant is requested to provide a regularly updated Guide to the Application document listing the most up to date documents that are before the ExA at each deadline. This should be in tabular format and include a column which states whether updates and new documents would form part of the Environmental Statement. Examination Library references should be added where available. A final version must be submitted by the end of the Examination.

## **7. Policy Tracker (Policy Accordance Tables)**

The ExA notes that Appendix 3 of the Applicant's Planning Statement [APP-203] includes 'Policy Accordance Tables' that signpost compliance with national and local planning policies. The ExA requests that these are updated regularly during the Examination to record any changes or additions to the Applicant's position. These should also keep track and be revised to take account of any further National Policy Statement (NPS) publications or designations that have occurred since the submission of the application (including the recently published draft NPSs) and during the course of the Examination.

## **8. Submissions of updated draft Development Consent Orders (dDCO) and Book of Reference (BoR) by the Applicant**

The draft Examination Timetable includes dates for the submission of updated versions of the dDCO. The ExA requests the submission of an updated draft DCO at Procedural Deadline A on 3 May 2023 in advance of the Preliminary Meeting in order for updates to be included to Schedule 15 (Protective Provisions) further to the Applicant's letter of 23 January 2023 [AS-002].

Where the Applicant submits an amended dDCO at any deadline, the submission is to be made in the following form:

- a new version number identifying that the submitted dDCO is an amended version;

- a document showing the amended dDCO without any mark-up (the 'clean version');
- a document showing the amended dDCO with tracked changes marking up all amendments since the last version number; and
- a consolidated schedule of changes listing all changes to the dDCO since the application version, when (including the version number) and for what purpose each change was introduced.

Where the Applicant submits an amended BoR at any deadline, the submission is to be made in the following form:

- a new version number identifying that the submitted BoR is an amended version;
- a document showing the amended BoR without any mark-up (the 'clean version');
- a document showing the amended BoR with tracked changes marking up all amendments since the last version number; and
- a consolidated table of changes listing all changes to the BoR since the application version, when (including the version number) and for what purpose each change was introduced.

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

## Availability of Examination Documents

The application documents and Relevant Representations are available on the [project webpage](#).

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

## The Examination Library

For ease of navigation, please refer to the [Examination Library](#) (EL) which is accessible by clicking the blue button under the Documents tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- Each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. **Please quote the unique reference number from the EL when referring to any Examination Documents in any future submissions that you make.**

## Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below. Please note that you will need to bring a form of identification and register as a library member in order to use a computer at Stamford Library. Oakham and Ryhall libraries can issue temporary log in details for non-library members.

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

Local authority	Venue/address	Opening hours	Printing costs
Lincolnshire	Stamford Library	Monday:	A4 BW 10p
	High Street	9:00am to 5:00pm	A4 COL 25p
	Stamford	Tuesday:	A3 BW 20p
	Lincolnshire	9:00am to 5:00pm	A3 COL 50p
	PE9 2BB	Wednesday:	
		9:00am to 5:00pm	

**Annex G**

		<p>Thursday: 9:00am to 6:00pm</p> <p>Friday: 9:00am to 5:00pm</p> <p>Saturday: 9:00am to 4:00pm</p> <p>Sunday: Closed</p>	
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Rutland	<p>Essendine Village Hall</p> <p>Bourne Road</p> <p>Essendine</p> <p>Stamford</p> <p>PE9 4LQ</p>	<a href="#"><u>By appointment only.</u></a>	A4 BW 10p
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Rutland	<p>Oakham Library</p> <p>Catmos Street</p> <p>Oakham</p> <p>Rutland</p> <p>LE15 6HW</p>	<p>Monday: 9:00am to 5:00pm</p> <p>Tuesday: 9:00am to 5:00pm</p> <p>Wednesday: 9:00am to 5:00pm</p> <p>Thursday: 9:00am to 5:00pm</p> <p>Friday: 9:00am to 5:00pm</p> <p>Saturday: 9:00am to 1:00pm</p> <p>Sunday: Closed</p>	<p>A4 BW 20p</p> <p>A4 COL £1.20</p> <p>A3 BW 40p</p> <p>A3 COL £2</p>
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Rutland	<p>Ryhall Library</p> <p>Coppice Road</p> <p>Ryhall</p>	<p>Monday:</p>	<p>A4 BW 20p</p> <p>A4 COL £1.20</p>

**Annex G**

	Rutland PE9 4HY	9:00am to 1:00pm and 1:30pm to 5:00pm Tuesday: Closed Wednesday: Closed Thursday: 9:00am to 1:00pm and 1:30pm to 5:00pm Friday: Closed Saturday: 9:00am to 1:00pm Sunday: Closed	A3 BW 40p A3 COL £2
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## Information about the Make a submission tab

The [Make a submission tab](#) is available on the project webpage.

You will need to enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2003 or MPSP. If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant Deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website eg technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about making written submissions. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

You should select the relevant Deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Annex D** to this letter. Please ensure you make a separate submission for each Submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the Submission items then please select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the [Make a submission tab](#) please contact the Case Team using the contact details at the top of this letter and they will assist.