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Services:

email: GateBurtonSolar@planninginspectorate.gov.uk

All Interested Parties, Statutory Parties
invited to the Preliminary Meeting

Your Ref:

Our Ref: EN010131

Date: 31 May 2023

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 Gate Burton Energy Park Limited for an Order Granting Development Consent for the Gate Burton Energy Park

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 Examining Authority (ExA) to carry out an Examination of the above application I am writing to introduce myself. My name is Kenneth Stone. A copy of the appointment notice can be viewed under the [Documents tab](#) on the project webpage of the National Infrastructure Planning website ([project webpage](#)).

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

This letter covers a number of important procedural and other matters ahead of my Examination, setting out details and information under the following headings:

- Your invitation to the Preliminary Meeting
- The purpose of the Preliminary Meeting
- Written submissions about how the application should be examined
- Requests to participate at the Preliminary Meeting
- Format of Examination Events – Preliminary Meeting and Hearings
- After the Preliminary Meeting
- Notification of initial Hearings
- Other Procedural Decisions



- Examining Authority’s written questions
- Managing Examination Correspondence
- Your status in the Examination,
- Awards of costs, and
- The management of information

Before moving on to the matters identified above however I am conscious a number of the Relevant Representations have raised comment on other Nationally Significant Infrastructure Projects (NSIP) for solar projects in the Lincolnshire and Nottinghamshire area. Those applications are at varying stages of their application process and the Examinations of those will be conducted by other ExAs. Therefore, to ensure that I receive your submissions in relation to the Gate Burton Solar Project, please make sure you make your submissions in accordance with the specific procedures for this project, as set out in this letter, and as I subsequently notify. I will consider overlapping matters such as the cumulative effects of the other NSIP projects with the Gate Burton Solar Project during my Examination. The way that I intend to deal with the interrelationship with the other NSIP projects is set out in **Annex C** to this letter and will be discussed at the Preliminary Meeting.

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 4 July 2023	Virtual room opens from: 9.30am Seating available at venue from: 9.30am Virtual Arrangements Conference from: 9.45am Preliminary Meeting starts: 10.00am	Blended event at: DoubleTree Hilton, Brayford Wharf North Lincoln LN1 1YW and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p>IMPORTANT: The Preliminary Meeting should be completed before 1:00pm on 4 July 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 and resumed later in the day.</p>		



You must register by Procedural Deadline A, Wednesday 14 June 2023 if you intend to participate in the Preliminary Meeting and provide all the information requested (see below).

If you simply wish to observe the Preliminary Meeting then you do not need to register as you will be able to either:

1. Attend the physical event to observe the proceedings;
2. watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
3. watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to me about how the application should be examined. I 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 I 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 my Initial Assessment of Principal Issues arising from my reading of the application documents and the Relevant Representations received. The Initial Assessment of Principal Issues is set out in **Annex D** 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**.

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

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



You are invited to make a written submission about how the application is to be examined by **Procedural Deadline A** (Wednesday 14 June 2023) (see **Annex E** to this letter).

I request that all submissions are made using the [Make a submission tab](#) on the project webpage on or before **Procedural Deadline A**, Wednesday 14 June 2023. **Annex I** 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 Wednesday 14 June 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 I** to this letter provides further information about the [Make a submission tab](#).

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

Format of Examination Events – Preliminary Meeting and Hearings

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



The Planning Inspectorate delivers its Nationally Significant Infrastructure Project casework using both virtual and physical events, including blended (part in-person and part virtual) events.

I will therefore remain flexible and will confirm the format of any hearings to be held during the Examination Stage when I provide formal notification of each hearing at least 21 days in advance of it taking place.

After the Preliminary Meeting

After the Preliminary Meeting I 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

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

- Open Floor Hearing 1 (OFH1) on Wednesday 4 July 2023 (Blended event)
- Issue Specific Hearing 1 – on the draft DCO (ISH1) on Thursday 5 July 2023 (Blended event)

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

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

- Deadline 1 submissions
- Statements of Common Ground.
- Request for suggested locations for an Accompanied Site Inspection.
- Acceptance of Additional Submissions into the Examination.

Examining Authority's Written Questions

The First set of Written Questions will be published as soon as practicable following the Preliminary Meeting.

The deadline for responses to my first Written Questions is **Deadline 2, Tuesday 8 August 2023** (see **Annex E** to this letter). There will be an opportunity to discuss this proposed deadline at the Preliminary Meeting.



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 I** 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 '2002 or GABE-EAI, GABE-SP, GABE-ISP, GABE-APL, GABE-S57 you are in Group A. If your reference number begins with 'GABE-SP' you are in Group B. If your reference number begins with 'GABE-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 H** 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](#).

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

Yours faithfully

Kenneth Stone

Examining Authority

Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Interrelationship with Other Projects
- D** Initial Assessment of Principal Issues
- E** Draft Examination Timetable
- F** Notification of initial hearings
- G** Other Procedural Decisions made by the Examining Authority
- H** Availability of Examination Documents
- I** 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 by Procedural Deadline A, Tuesday 14 June 2023 if you intend to participate in the Preliminary Meeting and provide all the information requested (see below).

If you simply wish to observe the Preliminary Meeting then you do not need to register as you will be able to 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.

Date: Tuesday 4 July 2023

Arrangements Conference: 9.45am

Meeting start time: 10.00am

**Venue: Blended event at:
DoubleTree Hilton,
Brayford Wharf North
Lincoln
LN1 1YW**

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	<p>Virtual room opens from 9.30am</p> <p>Those participating virtually should arrive from 9.00am 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>Seating available at venue from 9.30am</p>
9.45am	<p>Virtual Arrangements Conference</p> <p>The Arrangements Conference will commence at 9.45am. This will be hosted by the Case Team and cover the housekeeping</p>

	arrangements for the Preliminary Meeting and allow for any questions to be asked about how to take part.
10.00am Item 1	Preliminary Meeting The Preliminary Meeting will formally open at 10.00am . The Examining Authority will join, welcome participants and lead introductions.
Item 2	The Examining Authority’s remarks about the Examination process
Item 3	Initial Assessment of Principal Issues (IAP) – Annex D to Rule 6 letter
Item 4	Draft Examination Timetable – Annex E to Rule 6 letter
Item 5	The interrelationship of Gate Burton Energy Park Project with other projects – refer to Annex C of this letter
Item 6	Procedural Decisions – Annex G of this letter
Item 7	Any other matters
Close of the Preliminary Meeting	

If you are participating using Microsoft Teams please join the virtual lobby promptly using the instructions that will be sent to you. The event will start at **10.00am** irrespective of any late arrivals, for whom access may not be possible.

It may take some time to admit participants from the virtual lobby, your patience whilst you are waiting is appreciated.

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

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

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

Introduction to the Preliminary Meeting

Background

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

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

The Examining Authority and the Case Team

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

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

GateBurtonSolar@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 Gate Burton Energy Park, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the PM and Examination as the 'Proposed Development'. The application has been made by Gate Burton Energy Park Limited, which will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for the Examination on the project webpage of the National Infrastructure Planning website ([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) and 15 of PA2008 given it includes the construction of an onshore generating station in England with a generating capacity of more than 50MW.

The Applicant has submitted that no designated National Policy Statements apply to this Examination and to decision-making relating to this application. In such circumstances the PA2008 makes it clear that, in making a decision, the relevant Secretary of State (SoS) “...*must have regard to—*

(a) any local impact report (within the meaning given by section 60(3)) submitted to the Secretary of State before the deadline specified in a notice under section 60(2),

(b) any matters prescribed in relation to development of the description to which the application relates, and

(c) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.”

(s105(2)).

The ExA will consider the Proposed Development in accordance with any applicable policy or considerations required by the PA2008 and which the ExA consider to be important and relevant, which may include Designated or draft National Policy Statements. Other important and relevant planning policies that the ExA may consider include the National Planning Policy Framework and Planning Practice Guidance and policies in the relevant local authorities' development plans, including Neighbourhood Plans.

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

- The positions and representations of all Interested Parties (IPs);
- any Local Impact Reports (LIR) prepared and provided by relevant local authorities;
- other prescribed matters; and
- any other matters that 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.

Conduct of the Preliminary Meeting

The ExA estimate that the PM will take no more than a half day to complete.

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

A digital recording of the PM will be made available on the [project webpage](#) as soon as practicable following the close of the PM. The recording allows any member of the public who is interested in the application and the Examination to find out what has been discussed at the PM. The making and publication of these recordings are a means by which the ExA meets the legal requirement to hold the PM (and any other hearings) in public. In this regard, **anyone speaking at the PM will need to introduce themselves each time they speak**, to ensure that someone listening to the recording after the event is clear who was speaking. A written note of the PM will be produced and published as soon as practicable following the close of the PM.

As the recordings are retained and published, they form a public record that can contain personal information to which the UK General Data Protection Regulation (UK GDPR) applies. Participants must do their best to avoid providing any

information which should otherwise be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the SoS's decision on the DCO. If you actively participate in the PM, it is important that you understand that you will be recorded and that the recording will be made available in the public domain. Please see our [Privacy Notice](#) for more information about how we handle your data.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the meeting in accordance with the agenda. If you are taking part via Microsoft Teams and would prefer not to have your image recorded, you can switch off your camera at any point.

The Examination process

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

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

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

- Local authorities can submit LIRs if they wish. Whilst these are voluntary, the PA2008 provides that if they are provided, they must be considered by the SoS in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to the ExA, the SoS and their residents.
- IPs can make Written Representations (WRs) and comment on WRs made by other parties.
- IPs can respond to the ExA's written questions (ExQs) and comment on responses to these written questions provided by others.
- IPs may be asked to contribute to the making of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicant agrees, and if it would be useful for this to be clarified. SoCGs most usefully extend to catalogue matters that are not agreed or are outstanding.

The draft Examination Timetable includes a series of numbered Deadlines for receipt of written submissions. Timely submissions received by the relevant Deadline and that address its purpose will be accepted. **Documents received after 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.

The Examination will have regard to and consideration of matters arising from the relationship of Gate Burton Energy Park with other NSIPs for Solar Projects in the area and the proposed approach to these interrelationships is set out in greater detail in **Annex C**

Hearings

The draft Examination Timetable in **Annex E** includes provision for hearings, at which the ExA takes oral evidence from the various parties.

Any registered IP may request an **Open Floor Hearing (OFH)** to make oral representations about the application if they believe this to be preferable to relying on their written representation, though both carry equal weight. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail and explanation to help inform the ExA. There should be no new or unexpected material in oral representations. A written summary note with any supporting evidence or references will be requested of each speaker following the hearing.

As with all Examination events, OFHs are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the Deadline shown in the Examination Timetable and in accordance with the instructions. It is common practice for the ExA to set a time limit for each speaker and speakers with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, so as to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role.

The Applicant's draft DCO provides for the Compulsory Acquisition of land and rights, and the Temporary Possession of land. Affected Persons (ie those whose land or rights over land are affected) have a right to request and be heard at a **Compulsory Acquisition Hearing (CAH)**. If one or more APs request to be heard then a CAH must be held. Provisional dates for CAHs are included in the draft Examination Timetable along with Deadlines by which requests to be heard must be submitted.

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

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

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

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

At hearings it will not normally be necessary for parties to make long and detailed submissions that require (for example) PowerPoint presentations. Any supporting detail/information can be provided in writing following the event by the relevant Deadline.

The draft Examination Timetable includes a Deadline (**Deadline 1, Tuesday 18 July 2023**) for participants to notify the ExA that they wish to speak at any further OFH (OFH1 has been scheduled for Tuesday 4 July following the PM, see **Annex F** Notification of Initial Hearings) or a CAH.

Site inspections

As part of the Examination process the ExA may undertake site inspections. These can be either unaccompanied or accompanied, though all would be subject to any public health restrictions in force at the time.

The purpose of these is for the ExA to see features of the proposals within the context of the evidence put forward. Notes of Unaccompanied Site Inspections (USIs) are published on the [project webpage](#).

Accompanied Site Inspections (ASI) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The purpose of ASIs is familiarisation only and no discussion of the merits of the Proposed Development will be entertained during an ASI.

The ExA may decide to hold USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material if this would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time-consuming to conduct (for example if public health restrictions are in place). The ExA may also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of a USI on an access required basis, referred to as Access Required Site Inspections (ARSI)

The draft Examination Timetable includes a deadline (**Procedural Deadline A Wednesday 14 June 2023**) for IPs to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform further USIs/ARSIs as well as possible ASIs.

Interrelationships with other Projects

The Applicants Environmental Statement (ES) at chapter 5 addresses the methodology employed in the preparation of the ES, and which includes consideration and assessment of cumulative effects. The cumulative effects are considered in the context of a number of other schemes, the process for identifying which is set out in chapter 5. Included within these schemes are a number of other solar Nationally Significant Infrastructure Projects including:

- [Cottam Solar Project - Pre-Examination Stage](#)
- [Tillbridge Solar Project - Pre Application Stage](#)
- [West Burton Solar Project - Pre Examination Stage](#)

Many of the Relevant Representations received have also drawn attention to and commented upon the potential interaction between these other solar NSIP schemes and the Gate Burton Energy Park.

Additionally, applications for Orders Granting Development Consent for other solar energy Nationally Significant Infrastructure Projects in Lincolnshire and/ or Nottinghamshire have been made recently. These include the following:

- [Heckington Fen Solar Park - Pre-Examination Stage](#)
- [Mallard Pass Solar Project - Examination Stage](#)

The Examining Authority

The Secretary of State for the Department of Energy Security and Net Zero, has appointed the Examining Authority (ExA) for the Gate Burton Energy Park Project for this project alone. The Examinations of the other projects will be conducted by other ExA, as separately appointed by the Secretary of State.

Therefore, the ExA for this Proposed Development will carry out the Examination for this Proposed Development and will have no responsibility for the Examination of those other projects. Similarly, the ExA for the other projects will have no responsibility for the Examination of the Gate Burton Energy Park application.

Examination documents, communications, and submissions

All documents, communications and submissions will be available through the [project webpage](#) and will be dealt with separately from those for the other projects.

Therefore, to ensure that I receive your submissions for this Proposed Development, please ensure you make them in accordance with the specific procedures for this project, as set out in this letter (see **Annex I**), and as subsequently notified by me.

Examination timetable

My draft Examination timetable is set out in **Annex E**.

I anticipate that several parties will also wish to participate in the Examination of one or more of the other projects, as well as this one. I am also aware that there is likely to be an overlap of the Examination stage of this project with that for one or more of the other projects. As such I recognise the potential for resource challenges for parties wishing to participate in more than one Examination at the same time.

I have developed the draft Examination Timetable as necessary for the Examination of this Proposed Development. Consistent with that, I have also sought to increase the opportunity for the Examination Timetables for other projects to be able to identify Deadlines and events that do not clash with those for this project and have sought to avoid clashes with significant Deadlines and events for other projects where their timetables are available. To do this I have sought to maximise the time between Deadlines and events by minimising the number of Deadlines and by having early Hearings and an early first Deadline.

If I decide to change the Examination Timetable, then I will consider the potential for clashes with the Examination Deadlines or events of other projects.

Overlapping issues

Given the proximity of some of these projects to the Gate Burton Energy Park Project, I have included matters related to cumulative effects within my Initial Assessment of Principal Issues as set out in **Annex D**. In this context I will wish to Examine:

- The adequacy of Development Consent Order provisions required for the Proposed Development to be implemented satisfactorily, including in relation to other Nationally Significant Infrastructure Projects.
- Consideration of the assessment of cumulative effects and the other plans and projects, including other Nationally Significant Infrastructure Projects in relation to each of the environmental topic areas and the overall cumulative impact assessment. This will include whether an appropriate level of detail has been considered for the other plans and projects and whether there are any changes to the information available on those other plans and projects during the Examination.
- Consideration of the works within the Grid Connection Corridor to include potential shared works with other plans and projects, including crossing the River Trent and how these are to be secured, managed and implemented.
- Consideration of whether the mitigation measures, including any that are shared with other Nationally Significant Infrastructure Projects, are adequately secured and are likely to result in the identified residual impacts, consistent with the Environmental Statement.
- The implications of any changes to the information on other projects, including other Nationally Significant Infrastructure Projects, during the Examination.

Recognising the potential for the information available on other National Infrastructure Projects to change during the Examination, the draft Examination Timetable Examination in **Annex E** sets out a request for the Applicant to provide a **'Report on the interrelationship with other National Infrastructure projects'** that is updated during the Examination. The content of this report is to include the matters set out in item 1 in **Annex G – Other Procedural Decisions** under the heading of 'Report on the interrelationship with other National Infrastructure projects'.

I note that the Applicant has submitted a number of Statements of Common Ground it has sought to enter with Local Authorities and other Statutory bodies, however the I would also like to receive Statements of Common Ground that record matters that have been agreed, and where any differences lie, between the Applicant and the representatives of the other solar Nationally Significant Infrastructure Projects in relation to overlapping issues that are relevant to the Proposed Development. The content of these Statements of Common Ground is set out in Item 2 in **Annex G**.

Initial Assessment of Principal Issues

This is the Initial Assessment of Principal Issues prepared under s88(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.

It is not a comprehensive or exclusive list of all the issues that will be subject to examination and inevitably some issues will overlap or interrelate. I will have regard to all important and relevant matters during the Examination and when I write my 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.

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

It should also be noted that:

- whilst the effects of the proposal on the achievement of sustainable development is not listed as a specific Principal Issue; and
- whilst the effects of the proposal in relation to human rights and equalities duties are not listed as specific Principal Issues;

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

Principal Issues	Including (but not limited to) issues relating to:
1. General matters, principle and nature of development	1.1 General and cross topic questions; 1.2 Legislative and policy matters including the Planning Act 2008 and any other applicable legislation, National Policy Statements (including drafts) and all 'important and relevant' national and local policy and other matters for the purposes of the PA2008; 1.3 Any relevant National Infrastructure decisions or High Court challenges

	<p>1.4 Need case, including the weight to be given and support for ;</p> <p>1.5 Intended generating capacity and relationship between generating capacity, BESS and capacity of grid connection secured;</p> <p>1.6 Relationship between Development Consent Order, Works Plans, Indicative Site Layout Plan and Outline Design Principles;</p> <p>1.7 The extent of the Rochdale envelope, understanding the worst case scenario and the flexibility sought for the detailed design construction and operational phases; and</p> <p>1.8 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality</p>
<p>2. Air Quality</p>	<p>2.1 Construction and decommissioning effects, including dust;</p> <p>2.2 Effectiveness of proposed embedded and additional mitigation; and</p> <p>2.3 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality</p>
<p>3. Biodiversity, Ecology and Natural Environment</p>	<p>3.1 Effects on legally protected species, including those subject to European site designations;</p> <p>3.2 Effects on woodland (including ancient woodland), trees and hedgerows;</p> <p>3.3 Adequacy of assessments and effectiveness of embedded and additional mitigations measures;</p> <p>3.4 The extent to which the Proposed Development would deliver a biodiversity net gain and how that would be secured within the DCO; and</p>

	<p>3.5 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality</p>
<p>4. Climate Change</p>	<p>4.1 The total level of GHG emissions including imbedded carbon and Transportation etc of panels; and</p> <p>4.2 Likely potential Energy generated by the Proposed Development and the resultant overall benefit.</p>
<p>5. Compulsory acquisition</p>	<p>5.1 Whether the powers of compulsory acquisition included in the dDCO satisfy the conditions set out in the PA2008;</p> <p>5.2 Whether the temporary possession powers sought are justified and proportionate;</p> <p>5.3 Whether adequate consideration has been given to alternatives to compulsory acquisition;</p> <p>5.4 Whether there is a compelling case in the public interest for land to be acquired compulsorily;</p> <p>5.5 The effect of the Proposed Development on the assets and activities of Statutory Undertakers;</p> <p>5.6 Financial arrangements (including project funding and guarantees for compensation);</p> <p>5.7 Human rights considerations;</p> <p>5.8 Outstanding matters related to Crown land; and</p> <p>5.9 The book of reference.</p>
<p>6. draft Development Consent Order (dDCO)</p>	<p>6.1 The appropriateness of the Applicant's dDCO including its structure, scope, provisions, requirements, and protective provisions;</p> <p>6.2 Consistency between the dDCO and adequacy of the Explanatory Memorandum;</p> <p>6.3 Clarification of relevant definitions;</p>

	<p>6.4 Matters related to the description of the ‘principal development ‘ and associated development’ including whether all ‘associated development’ is necessary;</p> <p>6.5 Arrangements for decommissioning and restoration, including funding;</p> <p>6.6 Arrangements for the temporary stopping up of Public Rights of Way;</p> <p>6.7 Whether any consent should be time limited;</p> <p>6.8 Relationship between any powers that would be authorised through the DCO, the Outline Design Principles and the ‘indicative Site Layout’ that has been assessed;</p> <p>6.9 Application and modification of legislative provisions, including the applicability of the relevant provisions of the Neighbourhood Planning Act 2017; and</p> <p>6.10 Whether it is necessary to impose an upper or lower limit on gross electrical output and/or battery storage capacity within the dDCO.</p>
<p>7. Historic Environment</p>	<p>7.1 Effects on designated (including listed buildings and scheduled monuments) and non-designated heritage assets, and their settings;</p> <p>7.2 Effects on archaeology, including the appropriateness of the investigations carried out;</p> <p>7.3 Effectiveness of embed and additional mitigation; and</p> <p>7.4 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality</p>
<p>8. Human Health and Wellbeing</p>	<p>8.1 Impact on mental health and wellbeing;</p> <p>8.2 Electromagnetic field (EMF) effects; and</p>

	<p>8.3 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>9. Landscape and Visual</p>	<p>9.1 Suitability of the study area and the viewpoints used in the Landscape and Visual Impact Assessment, including the Zones of theoretical visibility;</p> <p>9.2 Landscape effect, including effect on the Area of Great Landscape Value (AGLV);</p> <p>9.3 Visual effects including on users of PRow, Residents and other sensitive receptors;</p> <p>9.4 Consideration of glint and glare effects;</p> <p>9.5 Effectiveness of embedded and additional mitigation;</p> <p>9.6 “Good design” with reference to the NPPF, Design Principles for National Infrastructure, and National Design Guidance documents, including consideration given to siting, design, landscaping, and materials for the mitigation of effects;</p> <p>9.7 The need for a ‘design guide’ or other design document to guide the detailed design of elements of the scheme and to include consultation and approval of the detailed design proposals; and</p> <p>9.8 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>10. Major accidents and disasters</p>	<p>10.1 Fire and safety hazard associated with battery storage technology and effectiveness of proposed mitigation.</p> <p>10.2 Cumulative / in-combination effects with other Solar farm proposals</p>

	and other developments in the locality.
11.Noise	<p>11.1 Identification of sensitive receptors and approach to noise assessment;</p> <p>11.2 Noise effects during construction, operation and decommissioning;</p> <p>11.3 Effectiveness of proposed embedded and additional mitigation; and</p> <p>11.4 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality.</p>
12.Socio-economic and land use (including Agricultural land and BMV)	<p>12.1 Impact on Best and Most versatile agricultural land (BMV);</p> <p>12.2 Appropriateness and accuracy of BMV designation;</p> <p>12.3 Effect on Agricultural land/ food production and farming;</p> <p>12.4 Use of land for future agricultural purposes, eg sheep grazing;</p> <p>12.5 Effects on land allocated/safeguarded for mineral extraction;</p> <p>12.6 Economic and employment effects on the local and wider economy, during construction and operation, including tourism and local businesses;</p> <p>12.7 Effects on the living conditions/amenity of neighbouring occupiers; and</p> <p>12.8 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality.</p>
13.Traffic and Transport	<p>13.1 Effects on the Strategic Road Network;</p> <p>13.2 Effects on the local road network;</p> <p>13.3 Effects on the Rail network;</p>

	<p>13.4 Effects on communities and other sensitive receptors along the construction HGV delivery route, including associated noise and air quality;</p> <p>13.5 Whether the proposals are appropriate to minimise disruption to users of the public right of way network during construction and decommissioning;</p> <p>13.6 Effectiveness of proposed embedded and additional mitigation measures, including the contents and adequacy of the Framework Construction Traffic Management Plan and Outline Construction Environmental Management Plan; and</p> <p>13.7 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>14. Water Environment (including Flooding)</p>	<p>14.1 Flood Risk Assessment (FRA) and climate change allowance, including relationship with life span of the Proposed Development and applicability of new UK Climate Projections (UKCP18);</p> <p>14.2 Effectiveness of run-off mitigation proposals;</p> <p>14.3 Potential changes in surface and groundwater quality including indirect implications for biodiversity;</p> <p>14.4 Effect of location, design and maintenance of surface water crossings, including on River Trent;</p> <p>14.5 Water Framework Directive; and</p> <p>14.6 Cumulative / in-combination effects with other Solar farm proposals and other developments in the locality.</p>

Draft Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Date
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on the Examination Procedure, including any submissions on the draft Examination Timetable and about the use of virtual methods • Requests to be heard orally at the Preliminary Meeting • Requests to be heard at Open Floor Hearing 1 • Requests to be heard at Issue Specific Hearing 1, regarding the draft Development Consent Order • Suggested locations for site inspections (Accompanied or Unaccompanied), including justification, for consideration by the ExA 	<p>Wednesday 14 June 2023</p>
2.	Preliminary Meeting	Tuesday 4 July 2023
3.	Open Floor Hearing 1 (if required)	Tuesday 4 July 2023
4.	Issue Specific Hearing 1 , regarding the draft Development Consent Order	Wednesday 5 July 2023
5.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • Examination Timetable • Examining Authority's First Written Questions 	<p>As soon as practicable after the Preliminary Meeting</p>
6.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p>	Tuesday 18 July 2023

	<ul style="list-style-type: none"> • Local Impact Reports (see Annex G of this letter), from any local authorities • Post-Hearing Submissions, including written summaries of oral submissions and any documents requested by the ExA • Comments on any oral submissions put at the Hearings. • Comments on Relevant Representations (RR) (see Annex G of this letter) • Summaries of all RR exceeding 1500 words • Comments on any Additional Submissions • Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA. • Applicant's draft itinerary for an Accompanied Site Inspection ASI (if required) • Request to attend any ASI (if required) • Requests to be heard at any further OFH Requests by Interested Parties to be heard at an Open Floor Hearing (OFH) • Requests to be heard at a CAH Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH) • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statements of Common Ground • Applicants reports on progress – reports requested by the ExA (see Annex G of this letter). <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure Projects ○ Statement of Commonality and additional Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight 	
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	<ul style="list-style-type: none"> ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents ● Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
7.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Responses to the ExA's First Written Questions ● Written Representations ● Summaries of Written Representations exceeding 1500 words ● Request to attend hearings being held on the w/c 22 August 2023 ● Comments on Local Impact Report(s) ● Comments on the Applicant's draft itinerary for the ASI ● The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents 	<p>Tuesday 8 August 2023</p>

	<ul style="list-style-type: none"> • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 1 • Any further information requested by ExA under Rule 17 of the Examination Rules 	
8.	<p>Week reserved for Hearings</p> <ul style="list-style-type: none"> • Accompanied Site Inspection (if required) • Issue Specific Hearing(s) (if required) • Open Floor Hearings(s) (if required) • Compulsory Acquisition Hearing(s) (if required) 	W/C 21 August 2023
9.	<p>Deadline 3</p> <ul style="list-style-type: none"> • Post-Hearing Submissions, including written summaries of oral submissions and any documents requested by the ExA • Comments on any oral submissions put at the Hearings. • Comments on Written Representations • Comments on responses to the ExAs First Written Questions • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received 	Friday 1 September 2023

	<p>Comments on any further information requested by the ExA and received by Deadline 2</p> <ul style="list-style-type: none"> • Any further information requested by ExA under Rule 17 of the Examination Rules 	
10.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • The Examining Authority's Further Written Questions (ExQ2) (if required) 	Tuesday 12 September
11.	<p>Deadline 4</p> <p>For Receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the Examining Authority's Further Written Questions (ExQ2) (if required) • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 3 • Any further information requested by ExA under Rule 17 of the Examination Rules 	Tuesday 3 October 2023
12.	<p>Week reserved for Hearings</p> <ul style="list-style-type: none"> • Accompanied Site Inspection (if required) • Issue Specific Hearing(s) (if required) 	W/C 9 October 2023

	<ul style="list-style-type: none"> • Open Floor Hearings(s) (if required) • Compulsory Acquisition Hearing(s) (if required) 	
13.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • The Examining Authority's Further Written Questions (ExQ3) (if required) • Report on the Implications for European Sites (RIES) and any associated questions (if required) 	Tuesday 25 October 2023
14.	<p>Deadline 5</p> <ul style="list-style-type: none"> • Responses to the Examining Authority's Further Written Questions (ExQ3) (if required) • Comments on the RIES and responses to any associated questions (if required) • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 4 • Any further information requested by ExA under Rule 17 of the Examination Rules 	Monday 20 November 2023

15.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • ExA's commentary on, or schedule of changes to, the draft Development Consent Order(dDCO) (if required) 	<p>Friday 1 December 2023</p>
16.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on ExA DCO (if required) • Final DCO Final DCO to be submitted by the Applicant in the SI template with the SI template validation report (in clean and tracked changed versions) • Final updated BoR Final BoR (in clean and tracked changed versions) and schedule of changes to BoR • Final SoCGs (in clean and tracked changed versions) • Final Statement of Commonality and Statements of Common Ground (in clean and tracked changed versions) • List of matters not agreed where SoCG could not be finalised (in clean and tracked changed versions) • Final Navigation Document/Guide to the application (in clean and tracked changed versions) • Final Status of Negotiations CA Schedule (in clean and tracked changed versions) • Final Status of Negotiations with Statutory Undertakers (in clean and tracked changed versions) • Final NPS tracker (in clean and tracked changed versions) • Final signed and dated section 106 (if required) • Comments on any further information received Comments on any additional information/submissions received by Deadline 5 • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	<p>Thursday 14 December 2023</p>
17.	<p>Deadline 7</p> <ul style="list-style-type: none"> • Summary statements from parties regarding matters that they have previously raised during 	<p>Thursday 4 January 2024</p>

	<p>the examination that have not been resolved to their satisfaction.</p> <ul style="list-style-type: none"> • Comments on any further information received Comments on any additional information/submissions received by Deadline 6 • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
18.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Thursday 4 January 2024

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
Tuesday 4 July 2023	Open Floor Hearing 1	Virtual Room opens from: 1.30pm Seating available at venue from: 1.30pm Virtual Arrangements Conference from: 1.45pm Hearing starts: 2.00pm	Blended event at: DoubleTree Hilton, Brayford Wharf North Lincoln LN1 1YW 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
Wednesday 5 July 2023	Issue Specific Hearing 1 on the draft Development Consent Order	Virtual Room opens from: 9.30am Seating available at venue from: 9.30am Virtual Arrangements Conference from: 9.45am Hearing starts: 10.00am	Blended event at: DoubleTree Hilton, Brayford Wharf North Lincoln LN1 1YW 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>NOTE: If any of the above hearings are no longer required then notification that a particular date is no longer required will be published as soon as practicable on the project webpage, providing reasonable notice to Interested Parties of the decision to cancel them.</p>			

You must register by Procedural Deadline A, Wednesday 14 June 2023 if you intend to participate in Hearings and provide all the information requested (see below).

If you simply wish to observe Hearings then you do not need to register as you will be able to either:

1. Attend the physical event to observe the proceedings;
2. watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
3. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

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

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person;
- confirmation of the hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/or brief details of the topic(s) that you would like to raise;
- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the [Book of Reference](#) and the [Land Plans – Part 1](#) and [Land Plans – Part 2](#); 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 I** provides further information about the [Make a submission tab](#). Please contact the Case Team using the contact details at the top of this letter if you require any support to attend a hearing.

Hearing agendas

As a general rule, the ExA will aim to publish a detailed draft agenda for Issue Specific Hearings and Compulsory Acquisition Hearings on the project webpage at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. For Open Floor Hearings agendas may not be published.

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. Deadline 1 Submissions

In order to make an efficient start to the Examination and following its consideration of the interrelationship with other projects in **Annex C**, the ExA has made a Procedural Decision for **Deadline 1** of the Examination to be on **Tuesday 18 July 2023**. The submissions for Deadline 1 are set out in the draft Examination Timetable in **Annex E**.

Deadline 1 includes requests for the ExA to receive various updates and additional documents of summaries and reports on progress from the Applicant in order to assist the ExA and other parties during the Examination. The contents of each of these is to include the following:

Report on the interrelationship with other National Infrastructure projects

To include:

- An overview of the Proposed Development and the other Nationally Significant Infrastructure Projects identified in **Annex C**, including the timings, construction phasing, grid connection and start of operation.
- The approach taken by the Applicant to coordinate the Proposed Development with the other projects, including during the Examination.
- A plan showing the order limits for the Proposed Development and the other projects and the locations of the main features of each, including solar arrays, energy storage facilities, substations, electrical cable routes, grid connection, environmental mitigation areas, temporary construction and decommissioning areas, and construction haulage routes.
- The Development Consent Order provisions required for the Proposed Development to be implemented satisfactorily in relation to other projects.
- Mitigation measures shared with other projects, the specific measures included in those for the Proposed Development, and how they are secured.
- Any other information on the other projects relied on for the cumulative impact assessment, the level of detail, and any changes since the application.
- A summary of the matters coordinated with the other projects, setting out the matters that have been agreed, any inconsistencies or outstanding matters, and the next steps to be taken to resolve them.

Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight

To include:

- Identification of all Affected Persons objecting to powers sought by the Applicant and each Affected Person with whom discussions have progressed. In each case identifying the Affected Parties' interests in each plot, the powers sought by Applicant; the purpose(s) for which they are sought; and the anticipated duration of any Temporary Possession.
- A summary of any objections by the Affected Person to the powers being sought by the Applicant, and the Applicant's responses.
- Identification of whether voluntary agreement has been reached.
- Identification of where the Applicant has not yet been able to identify any persons having an interest in land, including any rights over unregistered land, and where it has been able to identify interests since the Application was made.
- A summary of the progress made since the last update, any outstanding matters, the next steps to be taken, and the progress anticipated by the close of the Examination.

The above information will be published on the [project webpage](#), so commercial and/ or confidential details need not be given.

Schedule of progress regarding Protective Provisions and Statutory Undertakers

To include:

- A schedule of progress in relation to each Statutory Undertaker where s127 and/ or s138 of the Planning Act 2008 applies and that sets out:
 - An up-to-date list of Statutory Undertakers.
 - The nature of their undertakings.
 - The Statutory Undertaker's land, rights or apparatus that would be affected and how it would be affected.
 - The progress made in discussions with Statutory Undertakers since the last update in relation to the tests set out in s127(3)(a) or (b), s127(6)(a) or (b) and s138(4) of the PA2008.
 - Any agreement or differences between the Applicant and the Statutory Undertaker about whether the tests have been met.
 - A summary of the progress made since the last update, any outstanding matters, the next steps to be taken, and the progress anticipated by the close of the Examination.
- A schedule of progress in relation to the Protective Provisions included in Schedule 15 of the draft Development Consent Order, and any related side agreements, and that sets out:

- The name of each organisation that each Protective Provision applies to where this is not identified in the draft Development Consent Order.
- The scope and purpose of any relevant side agreements with each organisation.
- Whether the Protective Provisions and any side agreements have been agreed with each organisation, providing written evidence from each party of any agreement.
- A summary of the progress made since the last update, any outstanding matters, the next steps to be taken, and the progress anticipated by the close of the Examination.

Schedule of the latest versions of the Applicant's submission documents and documents to be certified [APP-003]

To include:

- A schedule identifying the latest version of each individual document and plan submitted by the Applicant and identifying those documents that are to be certified under Schedule 14 of the draft Development Consent Order.
- For each plan and document, the clear identification of a unique name/reference, revision number and date for the latest submitted version of each document in the schedule, within the body of each document and plan, in each electronic filename, and (for the certified documents or plans) in Schedule 14.
- Updates to the Schedule to be accompanied by the submission of any new documents or plans as .pdf versions, and any updated documents or plans as both clean and tracked changes .pdf versions.
- Updates to the Schedule also to be accompanied by the submission of tracked changes .pdf versions of any updated documents or plans that are to be certified showing all changes since the Application version.

Schedule of progress in securing other consents [APP-217]

To include:

- A schedule of other consents (including any licences or agreements) required for the delivery of the Proposed Development, including the name of the consent, the relevant legislation (or policy or guidance), the consenting authority, the scope of the consent, why it is required, and when it is expected to be obtained.
- A summary of the up-to-date position in respect of obtaining the necessary consents and whether there any reason to believe that any consent will not be granted?
- Where the Environment Agency or Natural England are the consenting authority, and without prejudice to their subsequent decision, written confirmation of whether they have any reason to believe that any

consent will not be granted. As well as being required for the ExA to assess the adequacy of the Applicant's mitigation proposals, this is required for the ExA to report any known impediments to the Secretary of State.

- A summary of the progress made since the last update, any outstanding matters, the next steps to be taken, and the progress anticipated by the close of the Examination.

The ExA has made a procedural decision to also request the following in Deadline 1:

Local Impact Reports

A Local Impact Report (LIR) is a report in writing giving details of the likely impact of a Proposed Development on a local authority's area (or any part of that area). For more information about the importance and content of LIRs, see our Advice Note One: Local Impact Reports³

The ExA requests LIRs from the host local authorities, and welcomes LIRs from any other relevant local authorities defined in section 56A of the Planning Act 2008 who may wish to submit one. All LIRs are requested to be submitted into the Examination no later than by **Deadline 1** (Tuesday 18 July 2023) in order to front-load the Examination and maximise the available time.

Comments on Relevant Representations

The Applicant and other Interested Parties are invited to provide any comments on the Relevant Representations by **Deadline 1** (Tuesday 18 July 2023). The Relevant Representations can be found in the [Examination Library](#).

Comments on Relevant Representations should:

- specify the names of the parties making the representation and the relevant Examination Library reference in order to demonstrate that all Relevant Representations have been responded to; and
- where a detailed or tabular representation has been submitted, present responses in a comparable manner in order to ensure that all points are responded to in similar terms.

Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the Examining Authority

The ExA has made a Procedural Decision that, in order to facilitate a timely start to the Examination, Statutory Parties must have decided whether they wish to be considered as an IP and notified the Planning Inspectorate of their decision by **Deadline 1**, Tuesday 18 July 2023.

2. Statements of Common Ground (SoCG) and Statement of Commonality

The ExA welcomes that the Applicant has submitted a number of Statements of Common Ground between the Applicant and various local authorities, (including West Lindsay District Council, Lincolnshire County Council and Nottinghamshire and Bassetlaw District Council), certain prescribed consultees (including Natural England, Historic England and the Environment Agency) and local water drainage boards (Trent Valley Internal Drainage Board and Upper Witham Internal Drainage Board).

In relation to some of the Principal Issues identified in **Annex D** to this letter, the ExA would be assisted by the preparation of further SoCGs between the Applicant and certain other Interested Parties.

The ExA has therefore made a Procedural Decision to request the preparation of Statements of Common Ground between the Applicant and:

Representatives or promoters of other solar Nationally Significant Infrastructure Projects to include Cottam, West Burton and Tillbridge.

These SoCG's should include the following matters:

- The matters set out in **Annex C** under the heading of 'Overlapping issues'.
- Any comments from the representatives of the other Nationally Significant Infrastructure Projects on the 'Report on the interrelationship with other National Infrastructure projects' (see Item 1 in this **Annex**) submitted by the Applicant.
- The principal concerns expressed in other submissions made by the representatives of the other Nationally Significant Infrastructure Projects to the Examination.
- Any other matters on which agreement might aid the smooth running of the Examination and assist the ExA's recommendation to the Secretary of State for the Department of Energy Security and Net Zero.

Canal and River Trust to include, but not limited to:

- relevant policy and construction and operational stage technical matters, including navigation and navigational safety, impact on river banks and protecting rights of river users and access to river banks;
- impact on Canal and River Trust assets;
- Canal and River Trust's Code of Practice for Third Party Works; and
- draft Development Consent Order, including Protective Provisions and any other agreements.

The draft Examination Timetable at **Annex E** to this letter therefore establishes **Deadline 1** (Tuesday 18 July 2023), for submission of updated

and further SoCGs which should be updated at subsequent deadlines as the Examination progresses where necessary.

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. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the 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**.

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

Where a particular SoCG cannot be agreed between the parties by **Deadline 1** (Tuesday 18 July 2023), or if any local authority position needs to be signed off at a higher level, draft versions of that SoCG are requested to be submitted **by the Applicant to Deadline 1** (Tuesday 18 July 2023). 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 6** (Thursday 14 December 2023).

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

The ExA has made a further procedural decision to request a '**Statement of Commonality**' to provide an overview and summary of the current position of SOCGs and the principal topics covered (identifying where topics have been agreed, are subject to further discussion or are not agreed). The statement should also summarise the position in the terms of each of the principal issues for each of the respective SOCGs (this can be done by way of a colour coded table to identify whether matters are agreed subject to further discussion or not agreed).

3. Accompanied Site Inspection – suggested locations

The draft Examination Timetable at **Annex E** to this letter includes a date/dates reserved for an Accompanied Site Inspection (ASI) (if required) in weeks commencing 7 August and 9 October 2023.

The ExA requests that Interested Parties submit suggested locations for the ExA to visit as part of an ASI by **Procedural Deadline A** (Wednesday 14 June 2023). The request must include:

- Sufficient information to identify the location;
- the issues to be observed at the location;
- information on whether the site can be accessed via public land; and
- the reason why the location has been suggested.

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

The Applicant is requested to prepare a draft itinerary for the ASI to be submitted by **Deadline 1** (Tuesday 18 July 2023). This should include:

- Relevant locations referred to in the Relevant Representations received;
- any other locations at which the Applicant has predicted likely significant environmental effects; and
- the locations suggested by Interested Parties submitted by **Procedural Deadline A**, Wednesday 14 June 2023.

Comments by Interested Parties on the Applicant's draft itinerary must be submitted by **Deadline 2** (Tuesday 8 August 2023).

The ExA will then consider each suggested site location, including those provided in the Applicant's draft itinerary, to determine if it could be viewed from public land on an unaccompanied basis or if it is necessary to view it on an accompanied basis. The ExA will also consider if it would be appropriate to make arrangements for access only to be requested to specific sites such that they could be inspected as part of an Unaccompanied Site Inspection on an access required basis before concluding on the nature and type of Site Inspections required.

If the ExA concludes an ASI is required it will publish its final itinerary at least five working days before the date of the ASI.

4. Additional Submissions

The ExA has exercised its discretion and made a Procedural Decision to accept the following Additional Submissions:

- Applicant's Response to s51 Advice - 1.3 Guide to the Application (March 2023 Rev 2) (Clean and tracked change versions) by Gate Burton Energy Park Limited [AS-001 & AS-002]
- Applicant's Response to s51 Advice – 3.2 Figure 9.2: Fluvial Flood Risk (March 2023, Revision 2) by Gate Burton Energy Park Limited [AS-003]
- Applicant's Response to s51 Advice – 5.2 Works Plans (March 2023, Revision 2) by Gate Burton Energy Park Limited [AS-004 & AS-005]

- Applicant's Response to s51 Advice – 5.3 Streets, Rights of Way and Access Plans (March 2023, Revision 2) by Gate Burton Energy Park Limited [AS-006 & AS-007]
- Applicant's Response to s51 Advice – 5.5 Traffic Regulation Measures Plans (March 2023, Revision 2) by Gate Burton Energy Park Limited [AS-008 & AS-009]
- Applicant's Response to s51 Advice – 5.6 Land Plans (March 2023, Revision 2) by Gate Burton Energy Park Limited [AS-010 & AS-011]
- Applicant's Response to s51 Advice – 6.6 Book of Reference (March 2023, Revision 2 – (Clean and tracked change versions) by Gate Burton Energy Park Limited [AS-012 & AS-014]
- Applicant's Response to s51 Advice – Cover Letter by Gate Burton Energy Park Limited [AS-016]
- Additional submission by the Coal Authority [AS-017]
- Additional submission by NATS Safeguarding Ltd [AS-018]
- Additional submission by ESP Utilities Group Ltd [AS-019]
- Additional Submission by Canal & River Trust [AS-020]

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 these locations.

Local authority	Venue/address	Opening hours	Printing costs
Lincoln Central Library	Free School Lane Lincoln Lincolnshire LN2 1EZ	Monday: 9am - 5pm Tuesday: 9am - 5pm Wednesday: 9am - 5pm Thursday: 9am - 6pm Friday: 9am - 5pm Saturday: 9am - 4pm	A4 BW COST 10p A4 COL COST 25p A3 BW COST 20p A3 COL COST 50p

		Sunday: Closed	
Local authority	Venue/address	Opening hours	Printing Costs
Gainsborough Library	Cobden Street Gainsborough Lincs DN21 2NG	Monday: 9am - 5pm Tuesday: 9am - 5pm Wednesday: 9am - 5pm Thursday: 9am - 6pm Friday: 9am - 5pm Saturday: 9am - 1pm Sunday: Closed	A4 BW COST 10p A4 COL COST 25p A3 BW COST 20p A3 COL COST 50p
Local authority	Venue/address	Opening hours	Printing Costs
Retford Library	17 Churchgate Retford Notts DN22 6PE	Monday: 9am - 6pm Tuesday: 9am - 6pm Wednesday: 9am - 6pm Thursday: 9am - 6pm Friday: 9am - 6pm Saturday: 9am - 3:30pm Sunday: Closed	A4 BW COST 20p A4 COL COST 25p A3 BW COST 20p A3 COL COST 50p

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 2002 or GABE-EAI, GABE-SP, GABE-ISP, GABE-APL, GABE-S57. 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 E** 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.