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All Interested Parties, Statutory Parties
invited to the Preliminary Meeting

Your Ref:

Our Ref: EN010132

Date: 10 August 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 West Burton Solar Project Limited for an Order Granting Development Consent for the West Burton Solar Project

Appointment of the Examining Authority, invitation to the Preliminary Meeting and Notification of Open Floor Hearing

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

You may be aware of applications for other solar Nationally Significant Infrastructure Projects (NSIP) in Lincolnshire and Nottinghamshire. The Examinations of those will be conducted by other ExAs. Therefore, to ensure that we receive your submissions in relation to West Burton Solar Project, please take care to make them in accordance with the specific procedures for this project, as set out in this letter, and as we subsequently notify. We will consider overlapping matters such as the cumulative effects of the other NSIP projects with the West Burton Solar Project during our Examination.

The way that we 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.

This letter covers several important procedural matters ahead of our Examination:



- Your invitation to the Preliminary Meeting
- Written submissions about how the application should be examined
- Notification of initial Hearings
- Format of the Preliminary Meeting and Hearings, and requests to register
- Other Procedural Decisions
- Your status in the Examination, and awards of costs
- Examination correspondence, and the management of information

Your invitation to the Preliminary Meeting

Our thanks to those of you who submitted Relevant Representations. These are helping us to consider how we will examine this application.

As a recipient of this letter, you are invited to the **Preliminary Meeting**. The purpose of the Preliminary Meeting is to enable views to be put to us about how the application should be examined. More information is provided in **Annex B** to this letter and in the Planning Inspectorate's [Advice Note 8.3](#).

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. We will take all relevant and important matters into account when we make our recommendation to the Secretary of State for Energy Security and Net Zero, who will take the final decision in this case.

Preliminary Meeting	
Date:	Thursday 7 September 2023
Seating available at venue for those attending at the physical venue in person	9:30am
Arrangements conference for those participating via Microsoft Teams	9:30am for 9:45am Arrive at 9:30am to enter the virtual lobby. The Arrangements Conference will start at 09:45am.
Preliminary Meeting starts	10:00am
Venue and joining details	Lincolnshire Showground, Grange-de-Lings, Lincoln LN2 2NA and via Microsoft Teams Full instructions on how to join will be provided in advance to those who have had a request to register accepted by the ExA.



The agenda for the Preliminary Meeting is at **Annex A** to this letter. This has been set following our Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations. Our Initial Assessment of Principal Issues is set out in **Annex D** to this letter.

The agenda may be updated on **Thursday 31 August 2023**, following our receipt of written submissions about how the application is to be examined, as noted below.

If you would like to participate in the Preliminary Meeting, then you are required to submit a request to register on or before **Thursday 24 August 2023**. Information about how to submit a request to register is provided later in this letter.

You are not required to attend the Preliminary Meeting in order to take part in the Examination. Whether or not you attend, if you are an Interested Party then you can make written representations during the Examination and participate in hearings.

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

1. attend at the physical venue in person 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.

After the Preliminary Meeting we will issue a letter (known as the Rule 8 letter) setting out the finalised Examination Timetable.

Written submissions about how the application should be examined

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

We are now requesting written submissions from recipients of this letter about how the application should be examined. We particularly want 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; or if you wish to comment on the arrangements for future Examination events.

You are invited to make a written submission about how the application is to be examined on or before **Thursday 24 August 2023**. Submissions should be made through the '[Have your say page](#)' on the [project webpage](#). Information about using the '[Have your say page](#)' is provided at **Annex J** to this letter.



Notification of initial Hearings

We have made a Procedural Decision to hold the following initial hearing:

- **Open Floor Hearing 1 (OFH1) at 3pm on Thursday 7 September 2023**

Important information about this hearing 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.

The format of 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](#)).

Consistent with the Planning Inspectorate's future operating model, the following formats are available to us for the Preliminary Meeting and Hearings:

- **virtual events** where participation will be via Microsoft Teams; and
- **blended events** where some participants will attend at the physical venue in person, and some will take part via Microsoft Teams.

Taking account of current guidance, we have decided that **the Preliminary Meeting and Open Floor Hearing 1 will be blended events**. The format of any other hearings to be held during the Examination will be confirmed when we provide formal notification of each hearing. This will be provided at least 21 days in advance of it taking place.

Requests to register for the Preliminary Meeting and Hearings

If you would like to participate in the Preliminary Meeting or a Hearing, then you are required to submit a request to register on or before the relevant date in the Examination timetable (**Thursday 24 August 2023**) in **Annex E** of this letter. Any request to register **must be made in writing** and **must include**:

- the name and unique reference number for yourself or the party that you are
- your email address (if available) and contact telephone number;
- which event(s) you would like to participate in;
- whether you will participate via Microsoft Teams or at the physical venue;
- any special requirements, including disabled access or a hearing loop;
- the agenda item that you wish to make an oral representation on, and a summary of the points that you want to make; and
- the [Examination Library](#) reference number (with paragraph/page number where appropriate) of any documents that you want to refer to.



Registration is needed if you will be participating via Microsoft Teams, so that the Case Team can send you joining instructions. We will consider all requests when we finalise the agenda, including the topics to be discussed and who we intend to invite to speak.

It is important that requests to register are submitted separately from any other written submission. Please make your request by selecting the appropriate Deadline and Submission Item on the '[Have your say page](#)' and ensure the submission is titled appropriately to allow us to quickly identify which event the notification relates to. **Annex J** of this letter provides further information about the '[Have your say page](#)'.

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 or the Open Floor Hearing.

Other Procedural Decisions

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

- Deadline 1 submission requirements.
- Requests for Statements of Common Ground.

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 'WEBS', 'WEBS-0', 'WEBS-AFP', 'WEBS-S57' 'WEBS-APP' you are in Group A. If your reference number begins with 'WEBS-SP' you are in Group B. If your reference number begins with 'WEBS-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](#).

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 [Have Your Say](#) 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 J** 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.

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 I** to this letter.

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

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

Yours faithfully

Andrea Mageean

Lead Member of the 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** Statements of Common Ground
- I** Availability of Examination Documents
- J** 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

If you intend to attend and participate in the Preliminary Meeting, you must register by Procedural Deadline A, Thursday 24 August 2023 via '[Have Your Say](#)' on our project website and provide all the information requested.

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 at the venue 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.

Preliminary Meeting	
Date	Thursday 7 September 2023
Seating available at the venue for those attending at the physical venue in person	9.30am
Arrangements Conference for those participating via Microsoft Teams	9.30 for 9.45am Arrive by 9.30am to enter the virtual lobby. From here you will be admitted to the Arrangements Conference by the Case Team and given further instructions. The Arrangements Conference will start at 9.45am
Preliminary Meeting Starts	10am
Venue and joining details	Lincolnshire Showground, Grange-de-Lings, Lincoln LN2 2NA and via Microsoft Teams Full instructions on how to join will be provided to those who have had a request to register accepted by the ExA.
Attendees:	Invited parties

Agenda for the Preliminary Meeting	
Item 1	The Preliminary Meeting will formally open at 10.00am . The Examining Authority will join, welcome participants and lead introductions. The public livestream and recording will start.
Item 2	The Examining Authority's remarks about the Examination process (refer to Annex B), including consideration of the interrelationship of Cottam Solar Project with other projects (refer to Annex C).
Item 3	Oral representations on the Examination process.
Item 4	The Examining Authority's remarks about the draft Examination Timetable (refer to Annex E), including consideration of the interrelationship of Cottam Solar Project with other projects (refer to Annex C).
Item 5	Oral representations on the draft Examination Timetable
Item 6	Any other matters
Close of the Preliminary Meeting	

As noted in the Rule 6 Letter, the agenda for the Preliminary Meeting may be updated on **Thursday 31 August 2023** following the ExA's receipt of written submissions about how the application is to be examined. Any changes to the agenda are at the discretion of the ExA, though in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all Invited Parties.

The Preliminary Meeting will start at 10:00am irrespective of any late arrivals, for whom access may not be possible.

If you participate using Microsoft Teams, please join the virtual lobby promptly using the instructions that will be sent to you. It may take some time to admit participants from the virtual lobby into the Arrangements Conference. Your patience while you are waiting is appreciated.

Please contact the Case Team using the contact details at the top of the Rule 6 letter if you require any support to attend the Preliminary Meeting.

Introduction to the Preliminary Meeting

Background

The Preliminary Meeting 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 relevant to the ExA's remarks about the Examination process under Item 2 of the Preliminary Meeting Agenda, as set out in Annex A. Please read this carefully. The ExA will only present a summary of the key points set out here at the Preliminary Meeting.

The Examining Authority and the Case Team

The ExA will introduce themselves at the start of the Preliminary Meeting.

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

WestBurtonSolarProject@planninginspectorate.gov.uk

The purpose of the Preliminary Meeting

The Preliminary Meeting is being held to discuss the arrangements for the Examination of the application for a Development Consent Order for the West Burton Solar Project, and which will generally be referred to in the Preliminary Meeting and Examination as the 'Proposed Development'. The application has been made by West Burton Solar Project Limited, which will be referred to as 'the Applicant'.

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

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

The main purpose of the Preliminary Meeting 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 Preliminary Meeting.

The Preliminary Meeting will be your opportunity to influence the process that the ExA intends to follow. The agenda for the Preliminary Meeting 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 Preliminary Meeting. You may wish to print these in advance of the Preliminary Meeting for reference.

Government guidance and policy

The application involves the construction of an onshore generating station in England with a generating capacity of more than 50MW. It includes development falling within Sections 14(1) and 15 of the Planning Act 2008. As such it is a Nationally Significant Infrastructure Project under the Planning Act 2008.

The ExA will consider the Proposed Development in accordance with any other applicable policy or considerations required by the Planning Act 2008 and that it deems to be important and relevant. In addition to any designated or draft National Policy Statements this may include the National Planning Policy Framework and local development plans.

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

- The positions and representations of all Interested Parties;
- any Local Impact Reports 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 Secretary of State's decision.

Preliminary Meeting invitees

The Applicant is invited to the Preliminary Meeting 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 and has been invited to the Preliminary Meeting. All Interested Parties 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 and has been invited to the Preliminary Meeting. In addition to a general entitlement to involvement in the Examination, Affected Persons 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 Affected Persons are Interested Parties, whether or not they have made a valid Relevant Representation.

Certain bodies are Statutory Parties and they have been invited to the Preliminary Meeting. Statutory Parties can elect to become Interested Parties without having made a valid Relevant Representation by notifying the ExA in writing.

The ExA has the power to involve people who are not Interested Parties in the Examination as though they are Interested Parties, including by inviting them to the Preliminary Meeting. 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 Interested Parties or eligible to elect to become an Interested Parties and they had been unable to take the necessary action to register as an Interested Parties.

Conduct of the Preliminary Meeting

The ExA estimate that the Preliminary Meeting will take around two hours to complete.

During the Preliminary Meeting 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 Preliminary Meeting as appropriate.

A recording of the will be made available on the [project webpage](#) as soon as practicable following the close of the Preliminary Meeting. 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 Preliminary Meeting. The making and publication of these recordings are a means by which the ExA meets the legal requirement to hold the Preliminary Meeting (and any other hearings) in public. In this regard, **anyone speaking at the Preliminary Meeting 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 Preliminary Meeting will be produced and published as soon as practicable following the close of the Preliminary Meeting.

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 Secretary of State's decision on the Development Consent Order. If you actively participate in the Preliminary Meeting, it is important that you understand that you will be recorded and that the recording will be made available in the public domain. Please see our [Privacy Notice](#) for more information about how we handle your data.

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

The Examination process

The Examination of Nationally Significant Infrastructure Projects 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 Nationally Significant Infrastructure Projects are primarily a written process and hearings take on an inquisitorial approach as opposed to an adversarial one.

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

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

- Local authorities can submit Local Impact Reports if they wish. Whilst these are voluntary, the Planning Act 2008 provides that if they are provided, they must be considered by the SoS in reaching a decision. Consequently, Local Impact Reports are a very important method for local authorities to communicate issues of concern to the ExA, the SoS and their residents.
- Interested Parties can make Written Representations and comment on Written Representations made by other parties.
- Interested Parties can respond to the ExA's written questions and comment on responses to these written questions provided by others.
- Interested Parties may be asked to contribute to the making of Statements of Common Ground 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. Statements of Common Ground 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 Written Representations and Statements of Common Ground.

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 Preliminary Meeting. 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 Interested Parties, it will be very helpful to the ExA if these could be progressed as early as possible.

The interrelationship with other projects is discussed at **Annex C**.

Hearings

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

Any registered Interested Party may request an **Open Floor Hearing** 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, Open Floor Hearings are subject to the powers of control of the ExA, as set out in the Planning Act 2008 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 Interested Parties are normally provided with an additional time allowance, recognising their representative role.

The Applicant's draft Development Consent Order 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**. If one or more Affected Persons request to be heard, then a Compulsory Acquisition Hearing must be held. Provisional dates for Compulsory Acquisition Hearings 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** 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 Issue Specific Hearing 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 dates reserved for Issue Specific Hearings and Interested Parties may make suggestions for topics to be discussed at an Issue Specific Hearing in their written or oral representations to the Preliminary Meeting.

The ExA may hold more than one Issue Specific Hearing on the draft Development Consent Order. This is normal practice, and they are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft Development Consent Order 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 Development Consent Order is fit for purpose if the Secretary of State decides to grant consent, as any consent will be subject to Requirements (ie conditions) set out in the Development Consent Order.

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 (**Thursday 26 October 2023**) for participants to notify the ExA that they wish to speak at an Open Floor Hearing or a Compulsory Acquisition Hearing.

Site inspections

As part of the Examination process the ExA may undertake site inspections. These can be either unaccompanied or accompanied. They 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 are published on the [project webpage](#).

Accompanied Site Inspections 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 Accompanied Site Inspections is familiarisation only

and no discussion of the merits of the Proposed Development will be entertained during an Accompanied Site Inspections.

A deadline of **Thursday 26 October 2023** has been set for Interested Parties to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform further site inspections.

The ExA may decide to hold Unaccompanied Site Inspections 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 Accompanied Site Inspections 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 an Unaccompanied Site Inspections on an access required basis.

INTERRELATIONSHIP WITH OTHER PROJECTS

Applications for Orders Granting Development Consent for other solar energy Nationally Significant Infrastructure Projects in Lincolnshire and/ or Nottinghamshire have either been made recently, or are expected to be made during the next few months, including:

- [Gate Burton Energy Park](#)
- [Heckington Fen Solar Park](#)
- [Mallard Pass Solar Project](#)
- [Tillbridge Solar Project](#)
- [Cottam Solar Project](#)

The Examining Authority

The Secretary of State has appointed the Examining Authority (ExA) for the West Burton Solar 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 project will carry out the Examination for this project only 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 this one.

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 we receive your submissions for this project, please take care to make them in accordance with the specific procedures for this project, as set out in this letter, and as subsequently notified by the ExA.

Examination timetable

The ExA's draft Examination timetable is set out in **Annex E**.

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

The ExA has developed the draft Examination Timetable as necessary for its Examination. Consistent with that, it has 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. To do this the ExA has sought to

maximise the time between Deadlines and events by minimising the number of Deadlines. If the ExA decides to change the Examination Timetable, then it will consider the potential for clashes with the Examination Deadlines or events of other projects.

Overlapping issues

The Applicant submitted a [Cumulative Site Assessment Plan](#) with its application that sets out the locations of this project and other solar projects including Gate Burton Energy Park, Heckington Fen Solar Park, Tillbridge Solar Project, Cottam Solar Project and Mallard Pass Solar Project. The ExA understands that this does not include the cable corridors for the other projects.

Given the proximity of some of these projects to the West Burton Solar Project, the ExA has recognised the importance of considering cumulative and in-combination effects with other solar farm proposals and other developments in the locality, as set out in its Initial Assessment of Principal Issues in **Annex D**.

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 **Annex G** under the heading of 'Report on the interrelationship with other National Infrastructure projects'.

The ExA would 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 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 **Annex H**.

INITIAL ASSESSMENT OF PRINCIPAL ISSUES

This is the Initial Assessment of Principal Issues arising from consideration of the application documents and the Relevant Representations received. It is not a comprehensive or exclusive list of all the issues that will be subject to Examination. Regard will be had to all important and relevant matters in reaching a recommendation after the Examination has concluded.

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance. The fact that some issues overlap or interrelate will be reflected in the Examination.

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 (i) on the achievement of sustainable development and (ii) in relation to human rights and equalities duties are not listed as specific Principal Issues, the ExA will conduct all aspects of the Examination with these objectives in mind.

Principal Issues	Including (but not limited to) issues relating to:
1. Agriculture and Soils	1.1 The Agricultural Land Classifications of the affected land, including minimising the effect on the Best and Most Versatile (BMV) Agricultural Land; 1.2 The appropriateness of the BMV land designations; 1.3 The effects on the use of land for future agricultural purposes, including sheep grazing; 1.4 The effects on soil quality; 1.5 The adequacy of site restoration following decommissioning; 1.6 The effectiveness of the Outline Soil Management Plan; and 1.7 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.
2. Biodiversity and Ecology	2.1 The effects on legally protected species, including those subject of European site designations; 2.2 The effects on existing woodland, trees and hedgerows; 2.3 The adequacy of the assessment of existing habitats and their connectivity; 2.4 The effectiveness of embedded and additional mitigation measures;

	<p>2.5 The extent to which the DCO would deliver a biodiversity net gain (BNG) and how that should be calculated and secured in the DCO;</p> <p>2.6 The effect of decommissioning on BNG; and</p> <p>2.7 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>3. Compulsory Acquisition Temporary Possession and Other Land or Rights Considerations</p>	<p>3.1 Whether the powers of compulsory acquisition included in the dDCO satisfy conditions set out in the PA2008;</p> <p>3.2 Whether the temporary possession powers sought are justified and proportionate;</p> <p>3.3 Whether adequate consideration has been given to the alternatives to compulsory acquisition;</p> <p>3.4 Whether there is a compelling case in the public interest for land to be acquired compulsorily that justifies the interference with the human rights of those affected;</p> <p>3.5 The effect of the Proposed Development on the assets and operations of Statutory Undertakers;</p> <p>3.6 The adequacy of Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests;</p> <p>3.7 Financial arrangements (including the robustness of project funding and whether there are suitable provisions for compensation);</p> <p>3.8 The accuracy of the Book of Reference, including persons to be listed under Category 3; and,</p> <p>3.9 The need to obtain Crown Land consent before the end of the Examination.</p>
<p>4. draft Development Consent Order (dDCO)</p>	<p>4.1 The appropriateness of the Applicants dDCO, including its structure, scope, provisions, requirements and protective provisions;</p> <p>4.2 The consistency between the dDCO and the Explanatory Memorandum, including the adequacy with which DCO requirements are justified and explained in the Explanatory Memorandum;</p> <p>4.3 Clarification of relevant definitions;</p> <p>4.4 Matters related to the description of the ‘principal development’ and ‘associated development’ including whether all ‘associated development’ is necessary;</p>

	<p>4.5 The arrangements for the temporary stopping up of public rights of way;</p> <p>4.6 The arrangements for decommissioning and restoration, including funding;</p> <p>4.7 Whether any consent should be time limited;</p> <p>4.8 The application and modification of legislative provisions, including the applicability of the relevant provisions of the Neighbourhood Planning Act 2017;</p> <p>4.9 The relationship between any powers that would be authorised by the DCO, the Design Principles and the ‘illustrative Site Layout’; and</p> <p>4.10 The proposed procedures for consultation on and the discharge of Requirements, and for approvals, consents, and appeals, including arbitration; and the roles of the local authorities and of other statutory and regulatory authorities.</p>
<p>5. Health and Wellbeing matters</p>	<p>5.1 The impact on mental health and wellbeing;</p> <p>5.2 Electromagnetic field effects; and</p> <p>5.3 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>6. Historic Environment</p>	<p>6.1 The effects on designated heritage assets (including listed buildings and ancient monuments) and non-designated heritage assets, and their settings;</p> <p>6.2 The effects on archaeology, including whether further investigations are required to understand the potential for deposits of significance;</p> <p>6.3 The effectiveness of embedded and additional mitigation;</p> <p>6.4 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>7. Landscape and Visual</p>	<p>7.1 The effects on landscape character and the setting of existing settlements;</p> <p>7.2 The suitability of the study area and the viewpoints used in the Landscape and Visual Impact Assessment;</p> <p>7.3 The assessment of effects in the absence of detailed design of on-site structures;</p>

	<p>7.4 Whether the landscape strategy includes measures appropriate to the landscape character;</p> <p>7.5 The effectiveness of mitigation measures;</p> <p>7.6 Consideration of glint and glare effects; and,</p> <p>7.7 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>8. Need, the electricity generated and climate change</p>	<p>8.1 The support given to the need case in policy;</p> <p>8.2 The intended generating capacity of the Proposed Development and the relationship between generating capacity, battery energy storage (BESS) and the capacity of the grid connection secured;</p> <p>8.3 The likely electricity generation benefits of the Proposed Development;</p> <p>8.4 The total level of greenhouse gas emissions including embodied carbon, transportation and other emissions during construction; and</p> <p>8.5 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>9. Noise, vibration and air quality</p>	<p>9.1 The identification of noise, air quality and vibration effects during construction, operation and decommissioning;</p> <p>9.2 The identification of sensitive receptors and the approach to assessment of noise, vibration and air quality;</p> <p>9.3 The monitoring and management of operational noise effects;</p> <p>9.4 The effectiveness of mitigation measures; and</p> <p>9.5 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
<p>10. Other planning matters</p>	<p>10.1 The adequacy of exploration of reasonable alternatives to the Proposed Development;</p> <p>10.2 The adequacy of waste disposal and management;</p> <p>10.3 The consideration of possible land contamination effects of the array site and cable corridors;</p> <p>10.4 The consideration of decommissioning effects;</p> <p>10.5 The effects on aviation;</p>

	<p>10.6 The effects on the living conditions of the occupiers of nearby properties, including privacy; and</p> <p>10.7 The effects of lighting on landscape, human and ecological receptors.</p>
11. Safety and Major incidents	<p>11.1 Fire and other safety hazards associated with battery storage technology and the effectiveness of the proposed mitigation; and</p> <p>11.2 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
12. Socio-economic matters	<p>12.1 Economic and employment implications during construction and operation;</p> <p>12.2 The effects on tourism and other local businesses;</p> <p>12.3 The effectiveness of the Skills, Supply Chain and Employment Plan; and</p> <p>12.4 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
13. Transport and access, highways and public rights of way (PRoW)	<p>13.1 The effects on the surrounding road network during construction and operation;</p> <p>13.2 The expected duration of construction phase;</p> <p>13.3 The effects on communities and other sensitive receptors along the HGV delivery route;</p> <p>13.4 The suitability and acceptability of the proposed highway works including points of access;</p> <p>13.5 Whether the proposals would minimise the disruption to users of the PRoW network during construction and decommissioning;</p> <p>13.6 The effects on the rail network;</p> <p>13.7 The effects on non-motorised users;</p> <p>13.8 The effectiveness of proposed embedded and additional mitigation measures; and</p> <p>13.9 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
14. Water Environment, including Flooding	<p>14.1 The adequacy of Flood Risk Assessment;</p> <p>14.2 Surface water run-off implications;</p>

	<p>14.3 The potential for changes in surface and ground water quality, including implications for health and biodiversity; and</p> <p>14.4 Cumulative/in-combination effects with other Solar farm proposals and other developments in the locality.</p>
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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.	Procedural Deadline A Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Written submissions on the Examination Procedure, including the draft Examination Timetable • Requests to be heard orally at the Preliminary Meeting • Requests to be heard at Open Floor Hearing 1 	Thursday 24 August 2023
2.	Preliminary Meeting	Thursday 7 September 2023
3.	Open Floor Hearing	Thursday 7 September 2023
4.	Issue by the ExA of Examination Timetable	As soon practicable after the Preliminary Meeting
5.	Issue by the ExA of First Written Questions	Thursday 5 October 2023
6.	Deadline 1 For receipt by the ExA of: <ul style="list-style-type: none"> • Local Impact Reports from Local Authorities • Statements of Common Ground requested by the ExA (see Annex G) • Comments on Relevant Representations (RR) • Summaries of all RR exceeding 1500 words 	Thursday 26 October 2023

	<ul style="list-style-type: none"> • Written summaries of oral submissions made at Open Floor Hearing 1 held on 7 September • Responses to the ExAs First Written Questions • Applicant’s draft itinerary for an Accompanied Site Inspection (if required) • Requests to be heard by interested parties at a further Open Floor Hearing • Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing • Suggested locations for site inspections (Accompanied or Unaccompanied), including the reason for nomination, issues to be observed and whether the location(s) require access to private land. • Applicants updated documents – both clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons • Applicant’s reports on progress (see Annex G) <ul style="list-style-type: none"> ○ Report on the interrelationships with other National Infrastructure Projects ○ 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 Applicants submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents 	
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	<ul style="list-style-type: none"> Any further information requested by ExA for this deadline 	
7.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Comments on submissions at Deadline 1 Updated Statements of Common Ground in clear and tracked changes version Comments on the Applicant's draft itinerary for the Accompanied Site Visit Updated Applicant's documents – clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> Report on the interrelationships with other National Infrastructure Projects 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 Applicants submitted documents and documents to be certified Schedule of Progress towards securing other consents Draft Development Consent Order Explanatory Memorandum Book of Reference Statement of Reasons 	<p>Thursday 30 November 2023</p>

	<ul style="list-style-type: none"> Any further information requested by ExA for this deadline 	
8.	Publication of the ExA's final itinerary for the Accompanied Site Visit (if required)	Tuesday 5 December 2023
9.	<p>Week reserved for hearings</p> <ul style="list-style-type: none"> Accompanied Site Visit (if required) Issues Specific Hearing(s) (if required) Open Floor Hearing(s) (if required) Compulsory Acquisition Hearing(s)(if required) 	w/c 11 December 2023
10.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Comments on submissions for Deadline 2 Updated Statements of Common Ground in clean and tracked changes version Written summaries of oral submissions made at hearings during w/c 11 December 2023 (if required) Updated Applicant's documents – clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> Report on the interrelationships with other National Infrastructure Projects 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 Applicants submitted documents and documents to be certified Schedule of Progress towards securing other consents 	Thursday 4 January 2024

	<ul style="list-style-type: none"> ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ● Any further information requested by ExA for this deadline 	
11.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Comments on submissions made at Deadline 3 ● Any further information requested by ExA 	Thursday January 18 2024
12.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> ● Report on the Implications for European Sites (if required) ● ExAs Second Written Questions 	Tuesday 23 January 2024
13.	<p>Publication of the ExA's commentary on, or schedule of changes to, the draft Development Consent Order</p>	Thursday 8 February 2024
14.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Comments on the Report on Implications for European Sites (if required) ● Comments on submissions made at Deadline 4 ● Comments on ExA's commentary on, or schedule of changes to, the dDCO ● Final Statements of Common Ground in clear and tracked changes version 	Thursday 22 February 2024

	<ul style="list-style-type: none"> • Updated Applicant's final documents – clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Report on the interrelationships with other National Infrastructure Projects ○ 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 Applicants submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons • Any further information requested by ExA 	
15.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Summary statements from parties regarding matters that they have previously raised during the Examination that have not been resolved to their satisfaction • Comments on submissions for Deadline 5 • Any other information requested by the ExA for this deadline 	<p>Thursday 7 March 2024</p>

16.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Thursday 7 March 2024
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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

Open Floor Hearing 1	
Date:	Thursday 7 September
Seating available at venue for those attending at the venue in person	2:30pm
Arrangements conference for those participating via Microsoft Teams	2:30pm for 2:45pm Arrive at 2:30pm to enter the virtual lobby. From here you will be admitted to the Arrangements Conference by the Case Team and given further instructions. The Arrangements Conference will start at 2.45pm.
Hearing Starts	3:00pm
Venue and joining instructions	Lincolnshire Showground, Grange-de-Lings, Lincoln LN2 2NA and via Microsoft Teams Full instructions on how to join will be provided to those who have had a request to register accepted by the ExA.

If you would like to participate in the Hearing then you are required to submit a request to register on or before **Thursday 24 August 2023**. Information about how to submit a request to register is provided in the Rule 6 letter.

If you simply wish to observe any of the hearings then you **do not** need to make a request to register as you will be able to either:

1. attend at the physical venue in person 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.

It is important that requests to register are submitted separately from any other written submission. Please select the appropriate Deadline and Submission Item on the [‘Have your say page’](#) and ensure the submission is titled appropriately to allow us to quickly identify which event the notification relates to. **Annex J** provides further information about the [‘Have your say page’](#). 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

A high-level agenda for this hearing has been published alongside this notification on the [project webpage](#) to help inform your decision about whether to register to participate.

Procedure at hearings

The Examination will principally be a written process (see the Planning Inspectorate’s [Advice Note 8.4](#)), supplemented where necessary by various types of hearings. Please refer to the [Advice Note 8.5](#) and [Advice Note 8.6](#) 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.

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 – Request for various updates and documents from the Applicant

The ExA has made a Procedural Decision to request that the Applicant provide various updates and additional documents by Deadline 1. This will assist with consideration of the interrelationships with the other projects referred to in Annex C and also assist in making an efficient start to the Examination. All submissions for Deadline 1 are set out in the draft Examination Timetable in **Annex E**.

The Procedural Decision is to request, that by **Deadline 1** the ExA receives 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 14 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:

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

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.

Statements of Common Ground

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

The aim of a Statement of Common Ground is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where there are outstanding concerns, starting at an early stage in the Examination process and continuing to the end of the Examination. 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 is also a means for parties to provide regular updates to the Examination to demonstrate that progress is being made, and particularly in relation to how the Applicant is addressing concerns raised by the Interested Party.

The issues in each Statement of Common Ground should be set out under the same headings as those used for the Initial Assessment of Principal Issues in **Annex D**.

A unique reference number and date should be provided for each issue, together with the name of the issue, and a description of:

- the matters agreed between the Applicant and the Interested Party;
- the principal outstanding concerns held by the Interested Party and the reasons for those concerns;
- suggestion(s) of what needs to be changed or included to overcome any outstanding concerns; the next steps to be taken, and
- the progress anticipated by the next Examination deadline and by the close of the Examination.

Responses on an issue should be provided alongside earlier contributions on the same issue, and the dates of each contribution should be recorded.

The Statement of Common Ground, and each update to it, should be agreed between the Interested Party and the Applicant. **Identical documents should be submitted to the Examination by the Interested Party and the Applicant to demonstrate that the wording has been agreed.**

All Statements of Common Ground, as updated, are to be submitted at every relevant Deadline set out in the draft Examination Timetable at **Annex E**.

Statements of Common Ground are requested between the Applicant and:

A. West Lindsey District Council, Lincolnshire County Council, Bassetlaw District Council and Nottinghamshire County Council, to include the following, as relevant to their areas of responsibility:

- Compliance with local policy and the development plans, impacts on land use and the acceptability of proposed changes to land use.

- The matters set out in the Initial Assessment of Principal Issues in **Annex D**.
- The principal concerns expressed in the Local Impact Reports or in other submissions made by the local authorities 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.

B. The Environment Agency, Natural England, Historic England, and Health and Safety Executive, to include the following, as relevant to their areas of responsibility:

- Any comments from the consenting authority on the 'Schedule of progress in securing other consents' (see **Annex H**) submitted by the Applicant.
- Any other comments in relation to other consents, licences, and agreements.
- The matters set out in the Initial Assessment of Principal Issues in **Annex D**.
- The principal concerns expressed in other submissions made by the organisations 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.

C. The representatives of the other Nationally Significant Infrastructure Projects identified in Annex C, to include:

- 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 Annex H) 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.

All of the Statements of Common Ground listed above should cover the relevant Articles and Requirements in the draft Development Consent Order. Any Interested Party seeking a change to the draft Development Consent order should provide the form of words which are being sought.

The content of Statements of Common Ground will help to inform the ExA about the need to hold Issue Specific Hearings during the Examination, to ask questions, and to request any further information.

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](#) which is accessible by clicking the blue button under the [Documents](#) tab. The Examination Library is updated regularly throughout the Examination.

The Examination Library 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 [Examination Library](#) 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 location/locations listed in the table below. Please note that you will need to bring a form of identification and register as a member/library member in order to use a computer at these locations.

Local authority	Venue/address	Opening hours	Printing costs
West Lindsey District Council	West Lindsey District Council Guildhall Marshall's Yard Gainsborough Lincolnshire DN21 2NA	Monday: 09:00 – 17:00 Tuesday: 09:00 – 17:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 17:00 Friday: 09:00 – 17:00 Saturday: Closed	Printing costs available on request from West Lindsey District Council

Local authority	Venue/address	Opening hours	Printing Costs
Lincolnshire County Council	Gainsborough Library Cobden Street Gainsborough Lincs DN21 2NG	Sunday: Closed Monday: 09:00 – 18:00 Tuesday: 09:00 – 18:00 Wednesday: 09:00 – 18:00 Thursday: 09:00 – 17:00 Friday: 09:00 – 18:00 Saturday: 09:00 – 13:00 Sunday: Closed	A4 BW COST 10p per side A4 COL COST 25p per side A3 BW COST 20p per side A3 COL COST 50p per side
Lincolnshire County Council	Lincoln Central Library Free School Lane Town Centre Lincoln	Monday: 09:00 – 17:00 Tuesday: 09:00 – 17:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 18:00 Friday: 09:00 – 17:00 Saturday: 09:00 – 16:00 Sunday: Closed	A4 BW COST 10p per side A4 COL COST 25p per side A3 BW COST 20p per side A3 COL COST 50p per side
Nottinghamshire County Council	Retford Library Churchgate Retford Nottinghamshire DN22 6PE	Monday to Friday: 09:00 – 18:00 Saturday: 09:00 – 15:30 Sunday: Closed	A4 BW COST 20p per side A4 COL COST 50p per side A3 BW COST 50p per side

Annex I

			A3 COL COST £1 per side
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Information about the 'Have Your Say page

The [Have Your Say page](#) is available on the [project webpage](#).

You will need to enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2003 or WEBS. 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 your submission is accepted.

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

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

If you experience any issues when using the [Have Your Say page](#), please contact the Case Team using the contact details at the top of this letter and they will assist.