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All Interested Parties, Statutory
Parties and any other person
invited to the Preliminary Meeting

Our Ref: EN010133

Date: 10 July 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 Cottam Solar Project Limited for an Order Granting Development Consent for the Cottam Solar Project

Rule 6 letter - appointment of the Examining Authority, invitation to the Preliminary Meeting, notification of Hearings, and other Procedural Decisions

I am writing to you 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, which is for a Nationally Significant Infrastructure Project. My name is Rory Cridland, and the other member of the ExA is Darren Hendley. 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 project 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 the Cottam 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 Cottam 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:	Tuesday 5 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 **Tuesday 29 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 **Tuesday 22 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 **Tuesday 22 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

In order to make an efficient start to the Examination and following our consideration of the interrelationship with other projects in **Annex C**, we have made a Procedural Decision to hold the following initial hearings:

- **Open Floor Hearing 1 at 2.30pm on Tuesday 5 September 2023**
- **Issue Specific Hearing 1** regarding the draft Development Consent Order at **10:00am on Wednesday 6 September 2023**

Important information about these hearings is contained in **Annex F** to this letter.

The format of the Preliminary Meeting and Hearings

Our Examination will principally be a written process (see [Advice Note 8.4](#)), supplemented by various types of hearings (see [Advice Note 8.5](#) and [Advice Note 8.6](#)).

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.

More information and detailed guidance for Nationally Significant Infrastructure is provided in the Planning Inspectorate's [guidance related to Coronavirus \(COVID-19\)](#). This is updated periodically to align with the most up to date Government guidance.

Taking account of current guidance, we have decided that **the Preliminary Meeting and initial Hearings 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 (**Tuesday 22 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 representing (found at the top of a letter or email from the Planning Inspectorate);
- 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.

Requests to register for the Preliminary Meeting, Open Floor Hearing 1, and Issue Specific Hearing 1 are required on or before **Tuesday 22 August 2023**.

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 a hearing.

Other Procedural Decisions

To make an efficient start to the Examination, we have made a Procedural Decision for the submissions listed against **Deadline 1** in **Annex E** to this letter to be made no later than **Tuesday 17 October 2023**.

We have made some further Procedural Decisions which are set out in detail at **Annexes F, G and H** to this letter:

- Notification of initial hearings
- Examination Deadline 1 and Additional Submissions
- 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 ‘2003’, ‘COTT’, ‘COTT-0’, ‘COTT-AFP’, ‘COTT-S57’ ‘COTT-APP’ you are in Group A. If your reference number begins with ‘COTT-SP’ you are in Group B. If it begins with ‘COTT-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 guidance: [Awards of costs: examinations of applications for development consent orders](#).

Examination correspondence

Given the volume of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate by email as this 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 the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#).

Please make your written submissions at relevant deadlines during the Examination through the [‘Have your say page’](#) on the [project webpage](#). More information about the [‘Have your say page’](#) is provided at **Annex J** to this letter.

The ‘E-mail updates’ function on the right-hand side of the [project webpage](#) gives you the opportunity to receive 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

Rory Cridland

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** Examination Deadline 1 and Additional Submissions
- H** Statements of Common Ground
- I** Availability of Examination Documents
- J** Information about the ‘Have your say page’

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 would like to participate in the Preliminary Meeting, then you are required to submit a request to register on or before **Tuesday 22 August 2023**. Information about how to submit a request to register is provided in the Rule 6 letter.

If you simply wish to observe the Preliminary Meeting or 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.

Preliminary Meeting	
Date:	Tuesday 5 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. 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	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 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 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).
	Break
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).
	Break
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 may be updated on **Tuesday 29 August 2023**, following the ExA's receipt of written submissions about how the application is to be examined.

The agenda 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.

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 at the physical venue in person and some taking part via 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's Case Team. Members of the Case Team will attend at the physical venue, welcome those participating via Microsoft Teams, and be available to answer questions by email before and after the Preliminary Meeting. Their email address is: CottamSolarProject@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 Cottam Solar Project and which will generally be referred to as the 'Proposed Development'. The application has been made by Cottam 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.

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 will focus on the process only and will not be looking at the substance of the application. 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 at **Annex A**. It is important to have the letter and the agenda in front of you and to refer to them during the Preliminary Meeting. You may wish to print these in advance of the Preliminary Meeting for reference.

Government guidance and policy

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

The ExA will consider the Proposed Development in accordance with any applicable policy or considerations required by the Planning Act 2008 and that it deems to be important and relevant. As well as 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 provided by relevant local authorities;
- other prescribed matters; and
- any other matters that appear to be both important and relevant 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 Party or eligible to elect to become an Interested Party and they had been unable to take the necessary action to register as an Interested Party.

Conduct of the Preliminary Meeting

The ExA estimates that the Preliminary Meeting will take 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 Preliminary Meeting 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 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 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 are taking part via Microsoft Teams then you can switch off your camera at any point if you prefer not to have your image recorded.

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 Secretary of State 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 Secretary of State 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 addressed 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. It includes dates by which the date, time, and place of hearings will be notified, and when agendas will be published.

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. Speakers will often be requested to submit a written summary note of their representation with any supporting evidence or references to the next Deadline after 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 request to 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, 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. Dates for a Compulsory Acquisition Hearing are included in the draft Examination Timetable along with a Deadline by which requests to register 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 Hearings 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.

It is likely to be necessary for the ExA to 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 (i.e., 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. The ExA may ask for any supporting detail/ information to be provided in writing after the hearing.

The draft Examination Timetable includes a Deadline of **Tuesday 17 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

The ExA may undertake site inspections. These can be either unaccompanied or accompanied. They would be subject to any public health restrictions 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](#). The ExA carried out its [First Unaccompanied Site Inspection](#) on 6 and 7 March 2023.

Accompanied Site Inspections will typically 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 **Tuesday 22 August 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. 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 Inspection 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](#)
- [West Burton Solar Project](#)

The Examining Authority

The Secretary of State has appointed the Examining Authority (ExA) for the Cottam 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 and by having early Hearings.

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 Assessment Site Plan](#) with its application that sets out the locations of this project, Gate Burton Energy Park, Heckington Fen Solar Park, Tillbridge Solar Project, and West Burton Solar Project. The ExA understands that this does not include the cable corridors for the other projects and that Mallard Pass Solar Project is outside the area covered by the plan.

Given the proximity of some of these projects to the Cottam Solar Project, the ExA has included the following in its Initial Assessment of Principal Issues in **Annex D**:

- 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.
- The assessment of cumulative effects and the other plans and projects, including other Nationally Significant Infrastructure Projects considered in the cumulative impact assessment. 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.
- 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 **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 prepared as required under section 88(1) of the Planning Act 2008. It has been prepared by the Examining Authority (ExA) following its reading of:

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

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

The order of the issues does not imply any order of prioritisation or importance.

The policy and consenting requirements and documents associated with the Planning Act 2008 are an integral part of the Examination and are therefore not listed.

It should also be noted that whilst the effects of the proposal in relation to human rights and equalities duties are not listed as main issues, the ExA will conduct all aspects of the Examination with these in mind.

Principal Issue	To include but not necessarily limited to:
<p>1. The draft Development Order and other consents</p>	<p>a) The adequacy of provisions required for the Proposed Development to be implemented satisfactorily, including in relation to other Nationally Significant Infrastructure Projects.</p> <p>b) The reasoning provided in the Explanatory Memorandum (EM) and departures from the model provisions set out in The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009.</p> <p>c) The clarity of definition and the consistency of use of terms and phrases referred to in the dDCO.</p> <p>d) Whether a full, precise, and complete description has been provided of the “principal development” and “associated development”.</p> <p>e) Whether all “associated development” is necessary.</p> <p>f) Whether the dDCO and supporting documents adequately define and control the phasing of the Proposed Development.</p>

Principal Issue	To include but not necessarily limited to:
	<ul style="list-style-type: none"> g) The status of the dDCO Requirements and associated provisions and documents; whether they are reasonable and relevant to planning and the development to be consented; whether they are enforceable and precise; and whether they secure the proposed mitigation and monitoring. h) Whether any additional Requirements are necessary. i) Whether the flexibility provided for the detailed design, construction or operational phases can be justified, and whether it represents a reasonable approach. The limits of deviation. j) 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. k) The need for and means of securing funding for any necessary monitoring and enforcement of the dDCO Requirements. l) The identification of other consents, obligations, or agreements (including relevant s106 agreements) required before the Proposed Development can become operational, progress in obtaining them, and comfort/ impediments and timescales for them being granted. The timing of applications for any required Environmental Permits from the Environment Agency.
<p>2. General and cross-topic matters</p>	<ul style="list-style-type: none"> a) Matters identified during the Acceptance stage, reference the Section 51 Advice and the Section 55 Checklist. b) The Planning Act 2008 and other applicable legislation. c) The relevance of National Policy Statements. “Important and relevant” national and local policy and other matters for the purposes of the Planning Act 2008. Consideration of any changes to legislation or policy since the assessments were carried out, including the updates to draft National Policy Statements in March 2023. d) The implications of any relevant National Infrastructure decisions or case law. e) The adequacy of the assessment and mitigation for each environmental topic. Consideration of scope, methodology, study area, receptors, and their sensitivity. Baseline conditions and how they were identified.

Principal Issue	To include but not necessarily limited to:
	<ul style="list-style-type: none"> f) The magnitude and duration of construction and operational phase effects, mitigation, opportunities for enhancement, residual effects after mitigation and their significance, monitoring and maintenance. g) Whether any scoping out of detailed assessment is consistent with applicable legislation and policy, including the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. h) Whether the assessment methodology reflects best practice, whether it has been applied consistently, and whether the assessment of significant residual effects is fully evidenced and reasoned. i) The application of professional judgements and assumptions. j) The need for and adequacy of outline/ draft mitigation and management strategies and plans. k) 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. l) The implications of any changes to the information available on other plans and projects, including other Nationally Significant Infrastructure Projects, during the Examination. m) Opportunities for enhancement and environmental benefits. n) The flexibility sought for the detailed design, construction, and operational phases. Whether the extent of flexibility adopted in the Rochdale Envelope for assessment and evidence is consistent. The extent of the Rochdale Envelope. Understanding how the reasonable worst-case scenario has been assessed.
<p>3. The need case, electricity generated, and climate change</p>	<ul style="list-style-type: none"> a) The support given to the need case in policy. b) Intended generating capacity and relationship between generating capacity, BESS and capacity of grid connection secured. c) The likely electricity generation benefits of the Proposed Development.

Principal Issue	To include but not necessarily limited to:
	<ul style="list-style-type: none"> d) The total level of greenhouse gas emissions including embodied carbon, transportation, and other emissions during the construction stage. e) Whether a Carbon Management Plan is required to mitigate carbon emissions during the construction stage.
4. Other projects and cumulative effects	<ul style="list-style-type: none"> a) The matters in relation to other Nationally Significant Infrastructure Projects set out in Annex C under the heading of ‘Overlapping issues’. b) The assessment of cumulative effects and the other plans and projects, including other Nationally Significant Infrastructure Projects, considered in the cumulative impact assessment. Whether an appropriate level of detail has been considered for the other plans and projects.
5. Landscape and visual, glint and glare, good design	<ul style="list-style-type: none"> a) Consistency of the approach with the Landscape Institute’s Guidelines for Landscape and Visual Impact Assessment. b) The assessment of landscape value. c) Identification of receptors and viewpoints and whether they are representative. d) Intervisibility between the site and receptors. e) Assessment of the effects in the absence of detailed design. f) The effects on landscape and visual receptors during construction and operation. g) Assessment of night-time views and the need for and design of lighting. h) Whether the landscape strategy including tree planting is appropriate and whether it changes the character of the sites. i) Glint and glare. j) The consideration given to siting, design, landscaping, and materials for the mitigation of effects. “Good design” with reference to the NPPF, Design Principles for National Infrastructure, and National Design Guidance documents. k) The need for a Design Approach Document to guide detailed design. Consultation and approval of the detailed design proposals. The need for independent review.

Principal Issue	To include but not necessarily limited to:
6. Biodiversity and the Habitats Regulations	<ul style="list-style-type: none"> a) Effects on European Sites, and the Habitat Regulations. The assessment of effects on the Humber Ramsar site. b) Effects on designated sites, including the Site of Special Scientific Interest complex of sites within Laughton Woods and Scotton Common. c) Effects on non-designated sites, including Local Wildlife Sites. d) Effects on protected species and species of principal importance and conservation concern, including badger, bats, otters, water voles, great crested newts, farmland birds, ground nesting species and their habitats. e) Effects on other species, including brown hare, harvest mouse, common lizard, terrestrial and aquatic invertebrates, hedgehog and polecat, and their habitats. f) Effects on protected habitats and habitats of conservation concern including any ancient woodland, other woodland, trees' and hedgerows. g) The effectiveness of mitigation and monitoring. h) Habitat enhancement and Biodiversity Net Gain. i) Timing of works and potential seasonal effects.
7. The water environment	<ul style="list-style-type: none"> a) Effects on water courses and water bodies through excavation and deposition of materials, spillages, and construction run-off. b) The application of the flood risk sequential test. c) The effectiveness of the Flood Risk Assessment, including with regard to where the site falls within flood zones 2 and 3, climate change allowances and compensatory flood storage. d) Compliance with the Water Framework Directive. e) Surface water drainage strategy, including mitigation. f) Effects on water quality. g) The effectiveness of other mitigation measures.
8. Soils and agriculture	<ul style="list-style-type: none"> a) Agricultural Land Classification of the site, including minimising the impact on Best and Most Versatile Agricultural Land. b) Soil quality. c) Effects on the use of agricultural land.

Principal Issue	To include but not necessarily limited to:
	<ul style="list-style-type: none"> d) Effects on farming businesses. e) The effectiveness of the Outline Soil and Resource Management Plan.
9. The historic environment	<ul style="list-style-type: none"> a) Effects on the significance of designated heritage assets and their settings, including the Thorpe Medieval Settlement, other Scheduled Monuments, listed buildings, conservation areas and a Registered Park and Garden. b) Effects on the significance of non-designated heritage assets and their settings. c) Whether further archaeological investigation is required to understand the potential for deposits of significance. d) The effectiveness of mitigation measures.
10. Transport and access, highways, and Public Rights of Way	<ul style="list-style-type: none"> a) Construction effects on the surrounding road network in relation to highway safety and driver delay. b) The effectiveness of mitigation measures. including the content of the Outline Construction Traffic Management Plan. c) Effects on the use of the Public Right of Way network both during construction and when operational. d) The effect on, and potential for, the use of non-road based and non-motorised modes of transport during construction. e) Operational effects on traffic movements and the safety of users.
11. Noise, vibration, air quality, and nuisance	<ul style="list-style-type: none"> a) Construction effects from noise and vibration, including from traffic and construction activities, and transient effects. b) Operational noise effects, including the use of alternative guidance. c) Management and monitoring of operational noise effects. d) Construction effects from air quality, including dust and traffic on human and ecological receptors. e) Operational effects on air quality, including from battery storage. f) Common law nuisance and statutory nuisance. g) The effectiveness of mitigation measures.

Principal Issue	To include but not necessarily limited to:
12. Socio-economics, tourism, and recreation	<ul style="list-style-type: none"> a) Socio-economic impacts of in particular economic activity, employment and education. b) The effectiveness of the Skills Supply Chain and Employment Plan. c) Effects on users of public rights of way/non-motorised user routes, the Trent Valley Way and other bridleway and footpaths. d) Effects on tourism and other local businesses. e) Effects on housing stock levels. f) Effects on living conditions of surrounding residents, both from construction and operational activities, and human health. g) The effects from lighting on landscape, human and ecological receptors. h) Potential for major accidents and safety, including battery storage and electrical connections, and transport. i) Impact on telecommunications equipment, utilities, and television. j) Recreation, land use, security, accidents and disasters, and equality issues. k) The effectiveness of mitigation measures.
13. Other planning matters	<ul style="list-style-type: none"> a) Exploration of reasonable alternatives relevant to the Proposed Development. b) The adequacy of waste disposal and management. c) Effects on land contamination, both in relation to the array sites and the cable route. d) Other contamination effects, including on human health and environmental receptors such as the Rivers Trent and Till, as well as private water supplies. e) Effects on minerals resources, including the Trent Valley area of search, safeguarded minerals resources and the PEDL licence areas. f) The effects on aviation, defence, and geological conservation. g) Decommissioning effects. h) The effectiveness of mitigation measures.

Principal Issue	To include but not necessarily limited to:
<p>14. Compulsory Acquisition and related matters</p>	<ul style="list-style-type: none"> a) Whether all relevant statute and guidance has been complied with, including compliance with the Planning Act 2008 and with relevant guidance, including 'Planning Act 2008: guidance related to procedures for the compulsory acquisition of land Department for Communities and Local Government (DCLG) September 2013'. b) Accuracy of the Book of Reference, including the identification of persons to be listed within Category 3, and the accuracy of the Land Plans. c) Whether the full extent of the land, rights and powers that are sought to be compulsorily acquired, including access for maintenance, temporary possession, powers to override easements and rights under streets, are necessary to facilitate or are incidental to the Proposed Development. d) The Statement of Reasons and whether the powers sought are required for the development to which the order relates, whether they are legitimate, necessary, and proportionate and whether it is clear how the Applicant intends to use the land. e) Whether there is a compelling case in the public interest for the compulsory acquisition of the land, rights and powers that are sought by the dDCO that justifies interference with the human rights of those affected. f) Whether the temporary possession powers sought are needed to enable the construction, operation, or decommissioning of the Proposed Development; the total period for which the land may be subject to temporary possession; and whether the powers sought are compatible with human rights tests. g) Minimisation of the need for acquisition of land and rights, including full consideration of acquisition by agreement and the exercise of any existing land option agreements. h) Whether all reasonable alternatives to compulsory acquisition have been explored. i) The acquisition of any statutory undertakers' land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. The adequacy and agreement of protective provisions in the dDCO; any necessary side agreements; and compliance with s127 and s136 of the PA2008. j) The adequacy of the Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests.

Principal Issue	To include but not necessarily limited to:
	<ul style="list-style-type: none"> k) Potential impediments to development. l) Crown Land consent in accordance with s135 of the Planning Act 2008 and the need to obtain it before the close of the Examination. m) Special Category Land and whether there is any open space, common land or fuel or field garden allotments included or affected by the Order limits. n) The demonstration of ongoing diligent enquiry to identify any unknown rights and updates during the Examination. o) Any objections, the Applicant’s responses, and related evidence; updates on negotiations, voluntary agreements, and blight during the Examination. p) Whether there are suitable dDCO provisions for compensation. q) The adequacy and security of project funding and guarantees for compensation. r) Whether adequate funding would be available to enable the Applicant to carry out the compulsory acquisition within the statutory period. The robustness of costings set out in the Funding Statement.

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.

The interrelationship with the Examination timetables of other projects is addressed in **Annex C**.

Item	Event(s)	Date(s)
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> written submissions about how the application should be examined, including the draft Examination Timetable requests to register for the Preliminary Meeting requests to register for Open Floor Hearing 1 requests to register for Issue Specific Hearing 1 regarding the draft Development Consent Order suggested locations for site inspections, including the reason for nomination, issues to be observed there and whether the location(s) require access to private land 	Tuesday 22 August 2023
2.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> updated agendas for the Preliminary Meeting, Open Floor Hearing 1, and Issue Specific Hearing 1 regarding the draft Development Consent Order (if required) 	Tuesday 29 August 2023
3.	Preliminary Meeting	10:00am Tuesday 5 September 2023
4.	Open Floor Hearing 1	2:30pm Tuesday 5 September 2023
5.	Issue Specific Hearing 1 regarding the draft Development Consent Order	10:00am Wednesday 6 September 2023

Item	Event(s)	Date(s)
6.	Issue by the ExA of: <ul style="list-style-type: none"> • the Examination Timetable 	As soon as practicable after the Preliminary Meeting
7.	<p>Deadline 1 – see Annex G</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on Relevant Representations • Statements of Common Ground requested by the ExA – see Annex H • Local Impact Reports from local authorities • Written summaries of oral submissions made at Hearings held during the w/c 4 September 2023 • Written Representations and summaries for any that exceed 1500 words. • Requests from Interested Parties to be heard 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 • the Applicant’s proposed itinerary for an Accompanied Site Inspection (if required) • the Applicant’s updated documents - clean version and version 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 • the Applicant’s reports on progress – see Annex G: <ul style="list-style-type: none"> ○ Report on the interrelationship 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 Applicant’s submission documents and documents to be certified ○ Schedule of progress in securing other consents 	Tuesday 17 October 2023

Item	Event(s)	Date(s)
	<ul style="list-style-type: none"> • any other information requested by the ExA for this deadline 	
8.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on submissions for Deadline 1 • responses to the ExA's First Written Questions • updated Statements of Common Ground in clean and tracked changes versions • the Applicant's updated documents – clean version and version 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 ○ 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 • Any other information requested by the ExA for this deadline 	Tuesday 21 November 2023
9.	<p>Time reserved for hearings and an Accompanied Site Inspection (if required):</p> <ul style="list-style-type: none"> • Further Issue Specific Hearings • Compulsory Acquisition Hearing (if required) • Further Open Floor Hearings (if required) • Accompanied Site Inspection (if required) 	Week commencing 4 December 2023

Item	Event(s)	Date(s)
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 versions • written summaries of oral submissions made at Hearings held during the w/c 4 December 2023 • the Applicant's updated documents – clean version and version 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 ○ 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 ○ Summary of progress in securing other consents • any other information requested by the ExA for this deadline 	Tuesday 19 December 2023
11.	<p>Publication of:</p> <ul style="list-style-type: none"> • the ExA's Second Written Questions • the Report on Implications for European Sites (if required) 	Tuesday 16 January 2024

Item	Event(s)	Date(s)
12.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • responses to the ExA’s Second Written Questions • comments on submissions for Deadline 3 • updated Statements of Common Ground in clean and tracked changes versions • the Applicant’s final documents – clean version and version showing tracked changes since the version submitted with the application: <ul style="list-style-type: none"> ○ draft Development Consent Order in the Statutory Instrument template with the Statutory Instrument template validation report ○ Explanatory Memorandum • the Applicant’s updated documents – clean version and version showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ Book of Reference ○ Statement of Reasons ○ 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 • any other information requested by the ExA for this deadline 	Tuesday 30 January 2024
13.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • the ExA’s schedule of changes to the draft Development Consent Order (if required) 	Tuesday 13 February 2024

Item	Event(s)	Date(s)
14.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on submissions for Deadline 4 • comments on the ExA's schedule of changes to the draft Development Consent Order • comments on the Report on Implications for European Sites (if required) • final Statements of Common Ground in clean and tracked changes versions • the Applicant's final documents – clean version and version showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ Book of Reference ○ Statement of Reasons ○ Schedule of progress regarding Compulsory 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 • any other information requested by the ExA for this deadline 	Tuesday 27 February 2024
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 	Tuesday 5 March 2024
16.	The 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.	Tuesday 5 March 2024

Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 11:59pm 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:	Tuesday 5 September 2023
Seating available at venue for those attending at the physical 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 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.

Issue Specific Hearing 1 regarding the draft Development Consent Order	
Date:	Wednesday 6 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. 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.
Hearing 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 to those who have had a request to register accepted by the ExA.

NOTE: If any of the hearings are no longer required then notification that a 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

If you would like to participate in the Hearings, then you are required to submit a request to register on or before **Tuesday 22 August 2023**. Information about how to submit a request to register is provided in the Rule 6 letter.

If you simply wish to observe 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

High-level agendas for these hearings have been published alongside this notification on the [project webpage](#) to help inform your decision about whether to request to register. The ExA will publish updated agendas on **Tuesday 29 August 2023**.

Procedure at hearings

The Examination will principally be a written process (see the Planning Inspectorate's [Advice Note 8.4](#)), supplemented where necessary by hearings. [Advice Note 8.5](#) and [Advice Note 8.6](#) provide further 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 to find out what has been discussed.

EXAMINATION DEADLINE 1 AND ADDITIONAL SUBMISSIONS

The ExA has exercised our discretion to accept into the Examination the following documents:

- Representation from EDF Energy (Thermal Generation) Limited. [AS-002]
- Representation from the Coal Authority dated 24 February 2023. [AS-003]
- C8.1.1 Cottam Solar Project Pre-Examination Response to s51 Advice Cover Letter. [AS-004]
- C1.3_A Guide to the Application. [AS-005]
- C2.2_A Land Plan Revision A. [AS-006]
- C2.4_A Works Plan Revision A. [AS-007]
- C2.5_A Rights of Way Plan Revision A. [AS-008]
- C2.12_A Crown Land Plan Revision A. [AS-009]
- C2.13_A Streets Plan Revision A. [AS-010]
- C3.1_A Draft Development Consent Order Revision A Tracked. [AS-011]
- C3.1_A Draft Development Consent Order Revision A. [AS-012]
- C4.1_A Statement of Reasons Revision A. [AS-013]
- C4.1_A Statement of Reasons Revision A Tracked. [AS-014]
- C4.3_A Book of Reference Revision A Tracked. [AS-015]
- C4.3_A Book of Reference Revision A. [AS-016]

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 17 October 2023**. The submissions for Deadline 1 are set out in the draft Examination Timetable in **Annex E**.

Deadline 1 includes for the ExA to receive various 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**, and in order to assist the Examination, the ExA has made a Procedural Decision to request 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 Interested 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 documents submitted during the Examination will 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 submission 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 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
Lincolnshire County Council	Gainsborough Library Cobden Street Gainsborough Lincolnshire DN21 2NG	Monday: 9:00am – 5:00pm	A4 BW £0.10
		Tuesday: 9:00am – 5:00pm	A4 COL
		Wednesday: 9:00am – 5:00pm	£0.25
		Thursday: 9:00am – 6:00pm	A3 BW £0.20
		Friday: 9:00am – 5:00pm	A3 COL
		Saturday: 9:00am – 1:00pm	£0.50
		Sunday: Closed	

Annex I

Local authority	Venue/address	Opening hours	Printing costs
Lincolnshire County Council	Lincoln Central Library Free School Lane Lincoln Lincolnshire LN2 1EZ	Monday: 9:00am – 5:00pm Tuesday: 9:00am – 5:00pm Wednesday: 9:00am – 5:00pm Thursday: 9:00am – 6:00pm Friday: 9:00am – 5:00pm Saturday: 9:00am – 4:00pm Sunday: Closed	A4 BW £0.10 A4 COL £0.25 A3 BW £0.20 A3 COL £0.50
North Lincolnshire Council	Kirton in Lindsey Library 20 King Edward Street Kirton in Lindsey Gainsborough DN21 4NQ	Monday: Closed Tuesday: 1:30pm – 6:00pm Wednesday: 11:00am – 5:00pm Thursday: Closed Friday: 9:30am – 3:30pm Saturday: 10:00am – 1:00pm Sunday: Closed	A4 BW £0.15 A4 COL £0.50 A3 BW £0.30 A3 COL £0.85
North Lincolnshire Council	Scunthorpe Central Library Carlton Street Scunthorpe North Lincolnshire DN15 6TX	Monday: 9:00am – 5:00pm Tuesday: 9:00am – 5:00pm Wednesday: 9:00am – 5:00pm Thursday: 9:00am – 5:00pm Friday: 9:00am – 5:00pm Saturday: 9:00am – 1:00pm Sunday: Closed	A4 BW £0.15 A4 COL £0.50 A3 BW £0.30 A3 COL £0.85
Nottinghamshire County Council	Retford Library/Denman Public Library Churchgate Retford Nottinghamshire DN22 6PE	Monday: 9:00am – 6:00pm Tuesday: 9:00am – 6:00pm Wednesday: 9:00am – 6:00pm Thursday: 9:00am – 6:00pm Friday: 9:00am – 6:00pm Saturday: 9:00am – 3:30pm Sunday: Closed	A4 BW £0.20 A4 COL £0.50 A3 BW £0.40 A3 COL £1.00

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 COTT. 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 e.g., technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4](#) 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**. 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.