



The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
Email:
CotttamSolarProject@planninginspectorate.gov.uk

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

Our Ref: EN010133

Date: 2 February 2024

Application by Cottam Solar Project Limited for an Order Granting Development Consent for the Cottam Solar Project

The Planning Act 2008 (as amended) - Section 89

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 9, 13 and 15.

The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 – Regulations 9, 11, 14, 15 and 16

Notification of Hearings and Other Procedural Decisions

Following our acceptance of the Applicant's recent request for changes to the Proposed Development on 18 December 2023 [[PD-014](#)], Relevant Representations (RRs) and Written Representations (WRs) (in accordance with Regulations 10 and 13 of the CA Regulations) were invited on the Applicant's proposed provision for the Compulsory Acquisition (CA) of additional land from 21 December 2023 to 28 January 2024.

In addition, the Applicant has certified that these changes have been notified and publicised in accordance with Regulations 7 and 8 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ("the CA Regulations"). Copies of the Applicant's certificates, together with all of the RRs and WRs received, will be published in the Examination Library shortly.

Listed below are a number of Procedural Decisions we have made to enable a robust Examination of the changes.

1. Initial Assessment of Principal Issues

In accordance with Regulation 11 of the CA Regulations, we have made a further assessment of principal issues and find that the matters arising from the Applicant's proposed changes can be accommodated within the existing framework of issues identified and set out in Annex D of the Rule 6 letter [[PD-006](#)]. Accordingly, we do not consider it necessary to discuss how the proposed provisions should be examined.

2. Changes to the Examination Timetable and Written Representations

In our letter dated 18 December 2023 [PD-014], we set out the changes to the Examination Timetable we considered were necessary to enable a robust examination of the Applicant's proposed changes, including inserting additional deadlines for the receipt of RRs, WRs and for holding additional hearings. The period for WRs ran concurrently with the RRs period, both of which concluded on 28 January 2024.

Having given this matter further consideration, we are satisfied that these remain robust and the Examination Timetable does not require further amendment.

3. Notification of Hearings

The Examination Timetable at Annex A of our letter dated 18 December 2023 [PD-014] included reserved dates for Hearings.

We can now inform you that the following Hearings will be held under Regulations 14, 15 and 16 of the CA Regulations:

Hearing	Date	Start time	Location
Issue Specific Hearing under Regulation 14 of the CA Regulations (ISH6)	Wednesday 28 February 2024	Virtual Registration Process from: 09.30am Event start: 10.00am	Virtually on Microsoft Teams: joining instructions will be sent to all attendees in advance of the events.
Compulsory Acquisition Hearing under Regulation 15 of the CA Regulations (CAH2)	Wednesday 28 February 2024		Hearings held pursuant to Regulations 14, 15 and 16 of the CA Regulations will be held concurrently with each other.
Open Floor Hearing under Regulation 16 of the CA Regulations (OFH3)	Wednesday 28 February 2024		Business will be conducted to enable each individual participant to make oral submissions as required for each hearing as a consolidated group of submissions.

The Hearings will be held as Virtual Events, with participants attending via Microsoft Teams. In reaching this decision, we have considered all representations received and decided that, in light of the limited nature of the changes proposed and the limited number of Additional Affected Persons (AAPs) and Additional Interested Parties (AIPs), holding these events virtually would be more expedient than holding them as blended events.

These hearings will be held primarily for the purpose of hearing from AAPs and AIPs who wish to be heard in respect of the Applicant's proposed changes. They are not intended to provide existing IPs with an additional opportunity to be heard and requests to be heard by such persons for these specific hearings will not normally be accepted. If you are an existing IP, and you wish to be heard in relation to the proposed provisions, this will be limited to matters related to the proposed changes and not the wider development (as your opportunity to comment on this has been afforded through the Examination to date and the further opportunities to make submissions at upcoming deadlines).

Applicant's notification duties

The Applicant is reminded of its duty to notify and publicise hearings under Rule 13(6) and 13(7) of The Infrastructure Planning (Examination Procedure) Rules 2010.

Purpose of Hearings

Please refer to the Planning Inspectorate's [Advice Note 8.5: The Examination: hearings and site inspections](#) for information about the purpose of Open Floor, Issue Specific and Compulsory Acquisition Hearings.

Registration and requests to participate in Hearings

The amended timetable included in our letter dated 18 December 2023 [[PD-014](#)] requested notification of a wish to speak at the above hearings at Deadline 4. This deadline has now passed.

If any AAPs or AIPs who have not already registered, do wish to speak at any of the above hearings, please contact the case team at the email address provided at the top of this letter no later than **Friday 23 February 2024**.

Please contact the Case Team if you require any support or assistance to attend any of the above listed Hearings.

If you simply wish to observe any of the Hearings then you can either:

1. 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
2. Watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Hearing Agendas

The Agendas and any detailed arrangements for the Hearings will be published on the [project webpage](#) at least five working days before the Hearings. However, the actual Agenda on the day of each Hearing may be subject to change at our discretion. There may not be an Agenda for the Open Floor Hearing.

Procedure at Hearings and Post Hearing submissions

The procedure to be followed at Hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010.

Participation in a Hearing will be subject to our powers of control and it is for us, as the ExA, to determine how the Hearing will be conducted, including the time allowed at the Hearing for the making of a person's representations. The Hearing will be managed in the interests of ensuring fair access to the Hearing for all parties.

All Hearings are recorded. The recordings and transcripts will be made available on the [project webpage](#) as soon as practicable following the Hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed at a Hearing. It is therefore important to note that anyone speaking at the Hearing will need to introduce themselves, including any organisation or groups that they represent, **each time they speak** to ensure that someone listening to the recording after the Hearing is clear who was speaking.

As the recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation applies. Please refer to our [Privacy Notice](#) for further information. Participants must do their best to avoid making public any information which they would otherwise wish to 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 transcripts 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 Hearing, it is important that you understand that you will be recorded and that the recording and transcript will be made available in the public domain.

The evidence presented orally at Hearings should be included in post Hearing submissions and submitted at the relevant deadline in the [Examination timetable](#).

The Planning Inspectorate has prepared Advice Note 8.5 to assist those attending hearings of all types and Advice Note 8.6 to support any virtual event participants. Please refer to this advice.

You are reminded that not all issues in the Examination are addressed in hearings. Examinations conducted under the Planning Act 2008 are primarily conducted using written procedures, and as the ExA, we obtain the information we need from a range of written procedures in addition to hearings. For AIPs, the submission of written material to relevant deadlines in the Examination Timetable remains the primary means of informing us of their position.

If you have any further queries, please do not hesitate to contact the Case Team CottamSolarProject@planninginspectorate.gov.uk.

Yours faithfully

Rory Cridland

Rory Cridland
Lead Member of the Panel of Examining Inspectors

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.