



Application by East Yorkshire Solar Farm Limited for an Order Granting Development Consent for the East Yorkshire Solar Farm

Updated Agenda for ISH1 on the Draft Development Consent Order (DDCO):

Hearing	Date and Time	Location
Issue Specific Hearing 1 on the Draft Development Consent Order	Tuesday 21 May 2024: Registration and seating available at venue from: 1:30pm Registration Process from: 1:30pm Hearing starts: 2:00pm Wednesday 22 May 2024 (if required): Registration and seating available at venue from: 09:30am Virtual Registration Process from: 09:30am Hearing starts: 10:00am	The Parsonage Hotel and Spa, Escrick, York, North Yorkshire, YO19 6LF and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

Item	Matters
1	Welcome, introductions and arrangements for the hearing
2	Structure of the Order The Applicant will be asked to: <ul style="list-style-type: none">o summarise the structure of the dDCO;o describe the extent of the works, provisions and powers sought;o briefly introduce each of the Schedules and their purpose; ando provide a brief summary of the changes made to the Order following submission of the application.

3

Main discussion points

The Applicant will be asked to respond to the following items:

- a) Article 2 Interpretation
 - Explanation of how control and mitigation of 'permitted preliminary works' would be secured, having regard to the definition of 'commence'
- b) Article 6 Application and modification of statutory provisions
 - Concerns raised in Relevant Representations regarding the disapplication of certain statutory provisions.
- c) Article 9 Power to alter layout, etc of streets.
 - Justification and scope of the power to alter streets
- d) Article 11 Temporary closure of streets and public rights of way
 - Justification and scope of the power to temporarily close streets and public rights of way
- e) Article 12 Use of private roads
 - Whether the private roads to which this power applies should be specified in order to give affected landowners the opportunity to comment
- f) Article 16 Discharge of water
 - Concerns raised in Relevant Representations regarding the scope and oversight of this Article
- g) Articles 20 and 22 Compulsory acquisition of land and rights
 - Extent of the powers sought over Crown land
- h) Article 22(1) Compulsory acquisition of rights
 - Justification for the power to impose restrictive covenants over all of the Order land (subject to Articles 22(2) and 29(10)) having regard to previous SoS decisions (including (paragraph 62 of the M4 Motorway (Junctions 3 to 12) (Smart Motorway) DCO)
- i) Article 23(1) Private rights
 - Consideration of whether reference to rights and restrictive covenants should be removed from Article 23(1)(a) given that the extinguishment of rights and restrictive covenants are dealt with in Art 23(2) and this provision is intended to apply to all of the CA of land
- j) Articles 34 and 35 Benefit and Transfer of the Order
 - Whether the power to transfer the benefit of the Order to a holding company or subsidiary of the undertaker without the consent of the SoS (Art 35(3)(b)) provides sufficient assurance with regard to the liability to pay compensation

	<ul style="list-style-type: none"> ○ Should Article 35(5) require notification of the Marine Management Organisation where transfer relates to provisions in the Deemed Marine Licence k) Article 38 Felling and lopping of trees and removal of hedgerows <ul style="list-style-type: none"> ○ Should this power be limited to trees and hedgerows ‘within or encroaching’ on the Order land (see PINS Advice Note 15 section 22) l) Article 39 Trees subject to tree preservation orders <ul style="list-style-type: none"> ○ Whether the trees affected by this power should be identified in a schedule m) Article 46 Procedure in relation to certain approvals <ul style="list-style-type: none"> ○ Whether the period of 8 weeks for deemed approval (Art 46(4)) is appropriate ○ Relevant consented bodies will be asked for their views n) Article 47 Guarantees in respect of payment of compensation <ul style="list-style-type: none"> ○ Justification for why the approach set out in this Article is necessary and why the guarantee or funding information cannot be provided during the Examination o) Schedule 2 – Requirements <ul style="list-style-type: none"> ○ Identify any additional or amended requirements that the Applicant proposes to include in the dDCO and respond to any further queries from the ExA; ○ Requirement 18 funding of the decommissioning and restoration proposals. p) Schedule 14 – Protective Provisions <ul style="list-style-type: none"> ○ Update on the protective provisions, including on-going discussions with affected IPs. q) Schedule 15 – Deemed Marine Licence (DML) <ul style="list-style-type: none"> ○ Update of the Application’s position on the need for a DML and, if it considers that a DML is required, explain its reasons ○ Natural England will be asked for its views on the need for a DML and its scope. <p>Interested Parties will be given an opportunity to ask questions and/or comment on the above.</p>
4	Opportunity for Interested Parties to comment on other aspects of the dDCO and raise any matters not covered in item 3 above.
5	Other Matters
6	Close