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Your Ref
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Our Ref
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By email only

Dear Chris

Proposed National Grid (Richborough Connection Project) Development Consent Order - Draft Examination Timetable

I write with regards to the Rule 6 Letter and draft timetable for the Examination of National Grid's application for the above Order as set out in Annex C to the letter issued by Frances Fernades on 11 May 2016.

I can confirm that it is National Grid's intention to speak to each agenda item at the Preliminary Meeting. The purpose of this letter is to identify certain specific issues in advance of the Preliminary Meeting and to explain National Grid's proposals in this regard.

Draft Examination Timetable

For ease of reference the comments on the draft timetable follow the item numbers adopted in Annex C to the Rule 6 Letter.

Item 4

The first comment relates to the issue by the ExA of the notification of dates, times and places of various Open Floor Hearing (OFH) and Issue Specific Hearings (ISH) by Wednesday 29 June 2016. The OFH and ISHs are currently scheduled to take place from Wednesday 27 July to Friday 29 July 2016 inclusive.

Rule 13(6) of the Infrastructure Planning (Examination Procedure) Rules 2010 (the Rules) requires National Grid to provide notice of each hearing not later than 21 days before the commencement of the hearing. This requires publication of the notice in a local newspaper. As the proposed development is a long linear project National Grid has consistently used four local newspapers throughout the consultation, pre-application and pre-examination stages and propose to continue to do so throughout the examination.

The four papers are only published once a week – Canterbury Times (Wednesday), Kentish Gazette and East Kent Mercury (both Thursday) and Isle of Thanet Gazette (Friday). In order to meet these

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publishing dates it is necessary for National Grid to set up and approve the copy in the preceding week in advance of these publication dates.

For National Grid to be able to meet its obligations under Rule 13(6) it is requested that the date for notification by the ExA under Rule 13(3) is brought forward with the notifications of the hearings issued by **Tuesday 21 June 2016**. This will allow the necessary time for National Grid to arrange publication of the notices of the aforementioned newspapers from Wednesday 29 June to Friday 1 July 2016 (respectively). This will ensure that the notice in the last publication (Isle of Thanet Gazette) will be published at least 21 days before the first hearing.

National Grid's alternative suggestion is for the ExA to direct that National Grid is permitted (under Rule (13(6))) to give less than the prescribed 21 days' notice. If the current notification date of 29 June 2016 is retained then this would mean that the publication dates for the respective newspapers could be achieved from Wednesday 6 July to Friday 8 July 2016.

Whilst publishing the notices in the first week of July would mean that the local population would receive less than 21 days' notice following publication of the notice the readers most affected (the readers of the Isle of Thanet Gazette, which would be published last), would still receive 18 days' notice of the OFH and 19 days' notice for the first ISH and 20 days' notice for the last ISH.

National Grid would still be able to comply with the additional requirements of Rule 13(6)(a) and (b) to post/maintain notices of hearings along the line of route and in one or more places where public notices are usually posted at least 21 days before the date fixed for the hearings.

As such, it is believed that giving slightly less than 21 days' notice in respect of the published notices would not result in any prejudice to interested parties.

Item 9

An ISH on '*the effect of the Broad Oak reservoir proposal*' is currently scheduled for Friday 29 July 2016.

The phrasing is believed to be quite specific such that National Grid believes that the intention is to focus on the proposed reservoir and the potential interaction between those two projects and not to extend the ISH to Broad Oak issues more generally.

It is acknowledged that wider issues relating to the settlement of Broad Oak have been raised in representations and which are identified in the initial list of principal issues (Annex B of the Rule 6 Letter) but it is believed that these issues are ones which could properly be considered at one of the OFHs or at a specific ISH and are not proposed to be covered on the ISH currently scheduled for Friday 29 July 2016.

It would assist if clarification on this point could be made as it will help all parties (not just National Grid) in preparing for the ISH proposed for Friday 29 July 2016.



Item 10

Deadline 3 (Wednesday 3 August 2016) is the deadline for the receipt of a large amount of information by various parties. This proposed deadline allows parties less than three weeks (from deadline 2) to comment on various documents or to respond to comments on documents. Further, many of the interested parties will be spending the preceding week attending accompanied site visits, OFHs and ISHs. To allow parties sufficient time to review and respond to the various documents submitted at Deadline 2 along with submission of new documents National Grid would like to suggest that it would be to the benefit of all parties if Deadline 3 was moved to **Friday 5 August 2016**.

It is noted that the draft timetable currently requires the ExA to issue notifications of various hearings as well as publicising the second round of questions. It is assumed that the timetable has been drafted to allow the ExA time to consider the documents submitted at Deadline 3 so as to inform the notifications and also to finalise the second round of questions before they are issued.

By moving this deadline back by only two days it is believed that it will not unduly prejudice the ExA's ability to comply with the requirements it has set for itself under Item 11. These two additional days will, however, provide parties with additional time to finalise and submit the requested documents to the ExA.

This may help clarify some issues such that the ExA does not need to cover them in the second round of written questions.

Item 11

Refers to the ExA issuing on 19 August 2016 notification of the date, time and place for any further OFH (if required) as well as ISHs and Compulsory Acquisition Hearings (CAH). The draft timetable, however, only includes a reserved date of 9 or 10 November 2016 for when this OFH would take place which is almost three months after the proposed notification of the hearing.

It seems that this notification date may be premature as the ExA will not be in a position, at this time, to determine if an additional OFH is required for November. Reserved dates are set out for further ISHs (from 27 to 30 September 2016 inclusive) and so we wonder if the intention was, in fact, to refer to a reserve date for an OFH, as well as the ISHs, at this time as well.

If the intention is to reserve dates in November for another OFH (if required) then it is believed that the date of notification of this hearing would need to be made by the ExA by Tuesday 4 October 2016. This is the latest date on which details of the OFH (if required) could be received to provide National Grid with the time to arrange for publication of the notice from Wednesday 12 October to Friday 16 October 2016 of the hearing on 9/10 November 2016, thereby allowing at least 21 days' notice of said hearing.

See also the comments below on item 20 regarding reserved dates for additional ISHs and CAHs (if required).

Item 20

This item confirms that the dates of 9 and 10 November 2016 have been reserved for other ISH, OFH or CAH (if required).



The current timetable does not, however, provide for notification by the ExA of any additional ISHs or CAHs should such hearings be required (the position with regards OFHs is considered above at item 11). The notifications at item 11 (19 August 2016) refers to notification of the ISHs and CAHs scheduled for September and October respectively but not these possible additional hearings in November.

Such notification of any additional hearings needs to be given by the ExA in accordance with the requirements of Rule 13(3).

If it becomes necessary to use these reserve dates in November for another ISH or CAH then it is believed that the date of notification of these hearing(s) would need to be made by the ExA by Tuesday 4 October 2016. This is the latest date on which details of the additional ISH or CAH could be received to provide National Grid with the time to arrange for publication of the notice from Wednesday 12 October to Friday 16 October 2016 of the hearing on 9/10 November 2016, thereby allowing at least 21 days' notice of said hearing.

Rule 6 Letter

Statements of Common Ground (SoCG)

National Grid can confirm that it is currently engaged in agreeing a number of SoCGs with interested parties (as confirmed in the list of parties attached to this letter). Many of the suggested SoCGs fall into categories set out in Annex D to the Rule 6 Letter. National Grid will continue to work with parties to reach agreement on the SoCGs by the deadline specified in the draft examination timetable.

The Rule 6 Letter suggests four additional parties where National Grid is requested to agree a SoCG with:

British Telecommunications plc;
EDF Energy Networks;
Southern Electric Gas; and
Virgin Media

None of the above parties have submitted a relevant representation.

In light of the number of SoCGs that National Grid is currently pursuing it is proposed to focus attention on, and to agree, SoCGs with those statutory undertakers that have submitted a relevant representation and not to enter into SoCGs with the four parties identified above. National Grid, of course, is happy to enter into SoCGs with any statutory undertaker that becomes actively involved in the examination.

National Grid would propose an overarching document for SoCGs to be submitted at each relevant Deadline which would:

- a) detail the status of each of the SoCGs at that deadline, and
- b) include a statement of commonality as requested in the Rule 6 Letter.

This document would provide a summary position as a reference guide to the various SoCGs submitted. Each of the individual SoCGs would be submitted alongside this overarching document at the relevant Deadlines.



National Grid would welcome confirmation that this approach is acceptable to ensure that the required information is being captured.

Schedule of Mitigation

A request has been made under Annex D (3) Schedule of Mitigation to provide a schedule bringing together all mitigation needs from the Environmental Statement (ES), the No Significant Effects Report (NSER) and all other application and supporting documentation, stating where and how these are to be secured in requirements, conditions of the Deemed Marine Licence or through other binding and enforceable mechanisms.

The Embedded Environmental Measures schedule (**Doc 5.4.3B**) submitted as part of the application seeks to provide this information. It is believed that this schedule provides the information requested and National Grid therefore requests confirmation that **Doc 5.4.3B** is acceptable and that there is no requirement for this schedule to be resubmitted by National Grid in alternative form. National Grid will, of course, re-check and if necessary update to ensure it captures all aspects as noted above.

Additional Photomontages

Annex D(4) also includes a request for additional photomontages which National Grid is in the process of progressing though there are a couple of requests where National Grid would welcome clarification.

Attached is a schedule setting out National Grid's interpretation of the additional photomontages as requested. The schedule states the location, purpose and direction of the view along with a short description of the anticipated view. Whilst the majority of the views are clearly described in Annex D National Grid seeks clarification on six of the views to ensure that the additional photomontages accurately capture the required view being sought.

The views are views a, b, c, e, g and j and the points for clarification are stated on the attached schedule. It can be confirmed that National Grid, in order to complete the photomontages by Deadline 2, Thursday 14th July, will be undertaking the baseline photography in the first week of June.

National Grid is already undertaking an additional two photomontages following a request from one of the local authorities (Dover District Council) and Kent Downs AONB and the relevant photomontages will be submitted at Deadline 2 along with those requested by the ExA.

If it would help to discuss the applicant's proposals above then please do let me know. I should be grateful if you could acknowledge safe receipt of this correspondence and arrange for these comments to be forwarded to the Examining Authority in advance of the Preliminary Meeting.



BIRCHAM DYSON BELL

I look forward to hearing from you.

Yours sincerely



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enc

SoCG Status

- Environment Agency
- River Stour (Kent) Internal Drainage Board
- Natural England
- Kent Wildlife Trust
- Kent County Council (Highways / PRow)
- Joint Councils (Canterbury City Council; Dover District Council; Thanet District Council and Kent County Council)
- Historic England
- Kent Downs AONB
- Marine Management Organisation
- Network Rail
- South East Water
- Southern Water
- Southern Gas Networks
- UK Power Networks

Richborough Connection Project

Additional photomontages as requested by the ExA (as referred to within the Rule 6 letter Annex D, item 4)

Ref	Proposed VP reference (tbc)	Visual Receptor and Location	Direction of view and Approx distance from the proposed development	Purpose of request - visual assessment and/or heritage	Comments / Issues
ExA a	VP35	Farleigh Road	East adj	Visual - Public Road and new block of flats under construction	View towards Canterbury North substation with PX route in the near view and proposed 400kV pylons in the middle and distant view. Similar to view VPA1 but slightly further south. This can be done from the public highway close to lamp post FAJ004. PLEASE CONFIRM VIEW IS TO THE EAST
ExA b	VP36	Vauxhall Road A1.R2	East adjacent	Visual - Public road	We assume the request is for a view to the east, along the River Stour towards Sturry. The view will be along the line with PC 3 and possibly PC4 in the view. This can be done from the public highway. PLEASE CONFIRM VIEW IS TO THE EAST
ExA c	VP37	Mayton Lane	North west 200m	Visual – view from the edge of settlement	Mayton Lane is hedged and views from the road are limited. To represent the view from these properties access to private properties would need to be sought. A public view is available from the PRow CB71/A1.F13 and we would suggest that we take the photo from here, looking north west across the orchard. This would be representative of the view from the properties on the cul de sac at the junction of Shalloak Road and Sweechgate which are on the northern edge of settlement. Properties on Mayton Lane would be evident in the view. PLEASE CONFIRM THAT THIS VIEWPOINT IS ACCEPTABLE.

Richborough Connection Project

Additional photomontages as requested by the ExA (as referred to within the Rule 6 letter Annex D, item 4)

ExA e	VP39	Hoath Road, B1.R2, Tile Lodge Farm B1.H9, Tile Lodge and Hoath conservation area	South 200m	Heritage and Visual – view from Tile Lodge Farm	<p>VPA9 is representative of the view from Hoath Road and the Tile Lodge/Hoath conservation area and is taken in proximity to Tile Lodge Farm, looking south west. Private access would need to be sought if the view <u>from</u> the asset is required. We suggest a viewpoint further north along Hoath Road looking south with the proposed development crossing the view. This will show Tile Lodge Farm in the foreground of the photo and will not be a strict representation of the view directly from the property. This would be done from the public highway.</p> <p>PLEASE CONFIRM THAT THIS VIEWPOINT IS ACCEPTABLE.</p>
ExA g	VP41	Sandpitt Hill, B1.R4, Wantsum Walk	North 150m	Heritage and Visual - view of the church	<p>A viewpoint can be chosen on Sandpitt Hill close to where the PRoW CB117/B1.F5 joins it. This will show the proposed development crossing the view with the church and Chislet beyond. If the viewpoint is taken any further up the hill as suggested by the letter then the view of the church is obscured by trees on the east side of the road.</p> <p>PLEASE CONFIRM THAT THIS APPROACH IS ACCEPTABLE.</p>
ExA j	VP44	PRoW TE35/D1.F9	West adjacent	Visual	<p>This view is already represented by VPD7. The relationship between the retained PY and the proposed 400kV is shown in this view. The top of the PY pylons extends beyond the top of the photograph; the full height of the pylons could be indicated on the existing verified photomontage.</p> <p>PLEASE CONFIRM THAT THIS APPROACH IS ACCEPTABLE.</p>