



3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: tkes@pins.gsi.gov.uk

To interested parties, statutory parties
and other persons invited to the
preliminary meeting

Your Ref:

Our Ref: EN020019

Date: 11 September 2015

Dear Sir/Madam

**Planning Act 2008 (as amended) – Section 89 and the Infrastructure
Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8**

**Application by Triton Knoll Offshore Wind Farm Limited for an Order Granting
Development Consent for the Triton Knoll Electrical System**

Examination timetable and procedural decisions

This letter details the procedural decisions made following the Preliminary Meeting held on 3 September 2015 at The Storehouse Conference Centre, Skegness. This letter also provides you with the examination timetable, a link to the initial questions that the Examining Authority (ExA) is asking and other matters.

All documentation associated with this project, including a note of the Preliminary Meeting and the audio recording taken at that meeting, can be found using this link:

<http://infrastructure.planninginspectorate.gov.uk/Triton-Knoll-Electrical-System>

Locations where access to the internet is available free of charge to view our website are listed at **Annex A**.

Examination timetable

The ExA has made a procedural decision about the way in which the application is to be examined. The examination timetable is attached as **Annex B**, and references to numbered deadlines in this letter are references to this timetable. This updates the draft examination timetable that was included with my letter of 30 July 2015.

If the ExA considers it necessary to vary the timetable we will write to interested parties and 'other persons' and publish the changes on our website. We will also do this if the date, time and place of any hearings are changed, except in the event of an adjournment.

Other procedural decisions

The ExA has made a number of procedural decisions. These are detailed at **Annex C** of this letter.

Examining Authority's First Round of Written Questions

The ExA has decided to ask a number of written questions. These questions are now published on our website and can be accessed through the following link:

<http://infrastructure.planninginspectorate.gov.uk/document/3399540>

Responses to these questions must be received on or before **Deadline 1, Monday 5 October 2015**.

Local Impact Reports (LIRs)

The ExA requests LIRs, either singularly or jointly from:

- a) Boston Borough Council
- b) East Lindsey District Council
- c) Lincolnshire County Council
- d) North Kesteven District Council

The deadline for receipt of all LIRs is Deadline 1, Monday 5 October 2015.

Guidance for submission of written representations

The ExA also invites all interested parties to submit written representations as well as comments on relevant representations. All representations must be received in writing by **Deadline 1, Monday 5 October 2015**.

To assist in timely processing, written representations and comments on relevant representations must be sent by the deadline specified. Please send representations to the Planning Inspectorate using the email or postal address at the top of this letter, quoting reference EN020019 and your unique reference number.

The Inspectorate requests that interested parties send, where practicable, electronic copies of their submissions as email attachments.

Most people engage with our process via our website, where all submissions are published. Parties are therefore asked to consider this when formatting the electronic copies of their submissions and to avoid submissions made up of large numbers of small files, or excessively large files, or which are otherwise not optimised or unnecessarily difficult to navigate.

Electronic attachments should be clearly labelled with a subject title and not exceed 12MB for each email. Timely submissions in advance of the deadlines set in the timetable are encouraged. Where an electronic submission exceeds 12MB, we will accept the postal submission of an electronic document on portable media (such as a CD or USB flash drive). Providing links to websites where your submissions can be viewed is not normally acceptable, because it does not amount to submitting them.

Parties who are not comfortable with making submissions electronically are welcome to make their submission by post.

There is no prescribed form for written representations. Written representations can deal with any relevant matter. They are not restricted to the matters set out in our Initial Assessment of Principal Issues which were discussed at the Preliminary Meeting, nor restricted to the questions we have asked. Please note that under Rule 10(4) of the Examination Procedure Rules any person, other than the applicant, who submits a written representation must identify in their written representation those parts of the application with which they agree and those parts with which they do not agree, and must state the reasons for such disagreement.

Furthermore, in accordance with DCLG 'Planning Act 2008: Guidance for the examination of applications for development consent for nationally significant infrastructure projects (March 2015)', participants should normally provide with their written statements, *'the data, methodology and assumptions used to support their submissions'*.

Notification of a wish to attend a hearing

As set out in Annex B, if you would like a compulsory acquisition hearing to be held or wish to be heard at an open floor hearing please notify the Planning Inspectorate on or before **Deadline 1, Monday 5 October 2015**.

Any interested parties wishing to attend a hearing should indicate in their written representations which topics they wish to address at the hearing.

Procedure at hearings and notification of wish to speak at hearings

The procedure to be followed at hearings is set out in Rule 14 of the Examination Procedure Rules. Any oral representations must be based on either the relevant or written representations made by the person by whom or on whose behalf the oral representations are made. We shall be responsible for the oral questioning of a person giving evidence but your attention is drawn to Rule 14(5) of the Rules and the circumstances that apply to cross-questioning between parties.

Our examination will be primarily written, and the ExA will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important the ExA considers an issue or topic to be.

Site inspections

At the Preliminary Meeting, it was noted that we may undertake further unaccompanied site inspections during the examination. Please be aware that the ExA cannot carry out unaccompanied inspections on private land or where special measures with regard to safety must be followed.

As identified in Annex B, we have requested submissions on the itinerary of the proposed accompanied site inspection. These are to be received by **Deadline 1, Monday 5 October 2015**.

The itineraries and routes of the accompanied site inspection will be published on our website approximately seven days before the visit. Please note that the site inspection

is not an opportunity to make any oral representations or give evidence in relation to the application.

Deadlines for receipt of documents and requests for hearings

It is important to note that if you do not submit the information by the dates specified in the timetable, the ExA may disregard it.

Award of costs

Your attention is also drawn to the possibility of the award of costs against interested parties who behave unreasonably.

You should be aware of the guidance issued by the Department of Communities and Local Government (July 2013) entitled 'Award of costs: examinations of applications for development consent orders' that applies to National Infrastructure Projects. The guidance is available at the following link:

<https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

Statutory Parties

If you are a statutory party, or a local authority without direct responsibility in the proposed development area, as defined in S88(3)(c) &(d) of the Act, and have not made a relevant representation, then you should inform the case team if you wish to become an interested party by **Deadline 1, Monday 5 October 2015**.

All persons are able to visit the relevant project page on our website to stay informed of the progress of the examination of the application.

Management of Information

The Planning Inspectorate has a commitment to information transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of advice which the Planning Inspectorate has given can be found on the Planning Portal together with the name of the person or organisation who asked for the advice. The privacy of any other personal information has been protected in accordance with our Information Charter.

Yours faithfully

Kelvin MacDonald

Lead Member of the Panel of Examining Inspectors

Annexes:

Annex A - Availability of relevant representations and application documents

Annex B - Timetable for examination of the application

Annex C - Procedural decisions

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

Availability of relevant representations and application documents

Documents can be viewed electronically by visiting the National Infrastructure Planning website <http://infrastructure.planninginspectorate.gov.uk/Triton-Knoll-Electrical-System>

Computers are available to use free of charge at the following locations and printing facilities are available at costs indicated below.

Skegness Library

23 Roman Bank
Skegness
Lincolnshire
PE25 2SA

Tel: 01522 782010

Email: skegness.library@lincolnshire.gov.uk

Opening times:

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 –1.00pm
Sunday	Closed

Printing charges:

Black and White A4/A3	10p/20p
Colour A4/A3	50p/£1

Boston Library

County Hall
Boston
Lincolnshire
PE21 6DY

Tel: 01522 552055

Email: boston.library@lincolnshire.gov.uk

Opening times:

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

Printing charges:

Black and White A4/A3	10p/20p
Colour A4/A3	50p/£1

Mablethorpe Library

32 Victoria Road
Mablethorpe
Lincolnshire
LN12 2AQ

Tel: 01522 782010

Email: mablethorpe.library@lincolnshire.gov.uk

Opening times:

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 -1.00pm
Sunday	Closed

Printing charges:

Black and White A4/A3	10p/20p
Colour A4/A3	50p/£1

Timetable for examination of the application

The Examining Authority's (ExA) examination of the application takes the form of consideration of written representations about the application. The ExA will also consider any oral representations made at the hearings. The ExA is under a duty to **complete** the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.

Please note that where an item below states that it will be "published" this means that it will be available to view on our website only. No letter will be issued.

Item	Matters	Due Dates
1.	<p>Deadline 1</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on relevant representations (RRs) • Summaries of all RRs exceeding 1500 words • Written representations (WRs) by all interested parties • Summaries of all WRs exceeding 1500 words • Local Impact Reports (LIRs) from any local authorities • Statements of Common Ground (SoCG) • Responses to ExA's first written questions • Schedule of compulsory acquisition • Comments on any submissions received prior to the preliminary meeting <p>Deadline for notification:</p> <ul style="list-style-type: none"> • of wish for a compulsory acquisition hearing to be held • of wish to be heard at an open floor hearing • of suggested locations to be inspected by the ExA and the features to be observed there, with reasons for each nomination stating if they can be viewed from a publicly accessible location • of wish to attend an accompanied site inspection • by statutory parties who wish to be considered an interested party 	<p>Monday 5 October 2015</p>
2.	<p>Deadline 2</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Comments on responses to comments on RRs • Comments on LIRs • Comments on responses to ExA's first written questions • Updated schedule of compulsory acquisition 	<p>Tuesday 27 October 2015</p>

	<ul style="list-style-type: none"> • Updated Statements of Common Ground • Revised draft DCO from applicant • Comments on any other submissions received at Deadline 1 	
3.	Publication of: <ul style="list-style-type: none"> • accompanied site inspection itinerary • open floor hearing agenda (if required) • agenda for issue specific and compulsory acquisition hearings 	No later than Monday 2 November 2015
4.	Date reserved for day 1 of accompanied site inspection (if required)	Tuesday 10 November 2015
5.	Date reserved for open floor hearing to be held in the evening (if required)	Tuesday 10 November 2015
6.	Date reserved for day 2 of accompanied site inspection (if required)	Wednesday 11 November 2015
7.	Date reserved for open floor hearing to be held in the evening (if required)	Wednesday 11 November 2015
8.	Dates reserved for issue specific hearings	Thursday 12 November 2015 – Friday 13 November 2015
9.	Date reserved for afternoon open floor hearing (if required)	Monday 16 November 2015
10.	Dates reserved for issue specific hearings	Tuesday 17 November – Friday 20 November 2015
11.	Deadline 3 Deadline for receipt by ExA of: <ul style="list-style-type: none"> • Post hearing documents • Written summary of oral cases put at hearings • Applicant’s revised draft DCO • Updated schedule of compulsory acquisition • Updated Statements of Common Ground • Any further information requested by the ExA • Comments on any other information received at Deadline 2 	Monday 30 November 2015

12.	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • Second written questions 	Friday 11 December 2015
13.	<p>Deadline 4</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Response to ExA's second written questions • Comments on any other information received at Deadline 3 • Updated schedule of compulsory acquisition • Updated Statements of Common Ground • Any further information requested by the ExA 	Tuesday 5 January 2016
14.	<p>Publication of agenda for second round of issue specific hearings</p>	No later than Monday 11 January 2016
15.	<p>Dates reserved for second round of hearings</p>	Tuesday 19 January – Friday 22 January 2016
16.	<p>Deadline 5</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Post hearing documents • Written summary of oral cases put at hearings • Comments on responses to ExA's second written questions • Comments on any other submissions received at Deadline 4 • Updated schedule of compulsory acquisition • Updated Statements of Common Ground • Any further information requested by the ExA 	Monday 1 February 2016
17.	<p>Publication of:</p> <ul style="list-style-type: none"> • Report on the Implication for European Sites (RIES) 	Wednesday 10 February 2016
18.	<p>Publication of:</p> <ul style="list-style-type: none"> • Comments on ExA's consultation draft DCO 	Wednesday 17 February 2016
19.	<p>Deadline 6</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Comments on RIES • Applicant's final draft DCO • Final updated Statements of Common Ground • Any further information required by the ExA 	Wednesday 24 February 2016

20.	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	Thursday 3 March 2016
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Publication Dates

All information received will be published on our website as soon as practicable after the deadline for submissions:

<http://infrastructure.planninginspectorate.gov.uk/Triton-Knoll-Electrical-System>

Hearing Agendas

Please note that we will aim to publish a detailed draft agenda which will be published on our website approximately seven calendar days before the hearing is due to take place but will not otherwise be published or circulated.

The actual agenda on the day of each hearing may be subjected to change at the discretion of the ExA.

Procedural decisions made by the Examining Authority (ExA)

The ExA has made the following procedural decisions under Section 89(3) of the Planning Act 2008:

1. Accepting Documents into the Examination

The ExA has accepted the following documents into the examination:

These include, but may not be confined to:

From the Applicant -

- Access to Works and Street Plans
- Book of Reference
- Consultation Report
- draft Development Consent Order (DCO) (clean version)
- Environmental Impact Assessment (EIA) Evidence Plan
- Hedgerow Plans
- Land Plans and Crown Plans
- Order Limits Plans
- Public Rights of Way Plans
- Response to s.51 Advice and table of amended documents
- Statement of Reasons
- Works Plans

From Western Power Distribution -

- A representation

From Norfolk County Council -

- A representation

Following the preliminary meeting, the ExA received two additional submissions.

- Matt Warman MP & Victoria Atkins MP
- Triton Knoll Cable Group

The ExA is content to accept these two documents into the Examination and these will be published in the Triton Knoll Electrical system pages.

2. Schedule of Compulsory Acquisition

The ExA seeks a schedule providing an update of all compulsory acquisition negotiations. The schedule should be in a form that can be readily updated and should include the status of:

- a) acquiring the land, rights and interests required by agreement
- b) obtaining consents to access land to undertake archaeological, ecological or other surveys
- c) liaison with Lincolnshire County Council in respect of land identified as being subject to Section 132 of the 2008 Planning Act
- d) identifying and liaising with statutory undertakers that have the potential to be affected by sections 127 and/or 138 of the 2008 Planning Act

The deadline by which the first completed schedule must be received from the applicant is **Deadline 1, Monday 5 October 2015**. Deadlines for other updates are provided for in the examination timetable at Annex B.

3. Statements of Common Ground (SoCGs)

In relation to some of the principal issues identified in Annex C, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain interested parties. The draft timetable for the Examination therefore provides a deadline for the submission of draft SoCGs, followed by a deadline for final SoCGs.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. 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 can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant interested party or parties, and submitted by the Applicant.

The ExA requests that SoCGs are prepared by:

- a) **The Applicant and Anglian Water Services** to include:
 - Issues related to the services provided by, and the interests of, Anglian Water Services
- b) **The Applicant and the Canal and River Trust** to include:
 - Possible effects on the River Witham
- c) **The Applicant and ConocoPhillips (U.K.) Limited** to include:
 - Possible effects on the safety and integrity of 'COPUK Lines' and infrastructure
- d) **The Applicant and Eastern Inshore Fisheries and Conservation Authority** to include:
 - Potential impacts on nature conservation features, benthic ecology, fish and shellfish receptors, and inshore fishing activities
- e) **The Applicant and EDF Energy Renewables** to include:
 - Possible effects on the operation of the Bicker Fen Windfarm
- f) **The Applicant and Historic Buildings and Monuments Commission for England (Historic England)** to include:
 - On-shore historic environment issues
- g) **The Applicant and Lincolnshire Wildlife Trust** to include:
 - Possible effects on Lincolnshire Coastal Grazing Marshes
 - Possible effects on Lincolnshire Coastal Country Park
 - The adequacy of ecological surveys
 - The adequacy of the assessment of semi-natural and other habitats
 - The need for, and adequacy of, biodiversity enhancements

- h) **The Applicant** and **National Grid Viking Link Limited** to include:
 - Possible effects on, and resulting from, the Viking Link Interconnector
- i) **The Applicant** and **Natural England** - to include:
 - The concerns of Natural England including concerns over the marine physical environment and possible effects on the Inner Dowsing, Race Bank and North Ridge SCI
- j) **The Applicant** and **Public Health England** to include:
 - The need for and, if required, the programme for the undertaking of an on-shore electromagnetic field (EMF) assessment
- k) **The Applicant** and **Trinity House** to include:
 - the impact the development would have on navigation within Trinity House's area of jurisdiction
- l) **The Applicant** and **Westminster Gravels Limited** to include:
 - Possible effects on marine aggregate licence Area 515/1 and possible mitigations of any effects

This list may be added to in the course of the Examination and should not be taken as precluding any interested party and the Applicant drafting a SoCG not listed above. The suggested content of the SoCG, listed above, is indicative and should not be taken to preclude the inclusion of any other matters that parties consider important and relevant. The ExA suggests that the SoCGs should cover the following topics where relevant:

- Methodology for environmental impact assessment including assessment of cumulative effects
- Data collection methods
- Baseline data
- Data/statistical analysis, approach to modelling and presentation of results (including forecast methodologies)
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose
- Feasible and deliverable mitigation and method for securing such mitigation within the DCO