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To all Interested Parties, Statutory
Parties and Other Persons

Your Ref:

Our Ref: TR010006

Date: 9 December 2016

Dear Sir/ Madam

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

Application by Highways England for an order granting development consent for the proposed M20 Junction 10a

Examination Timetable and procedure

I write to tell you about the procedural decisions I have made as the Examining Authority (ExA) following the Preliminary Meeting held on Friday 2 December 2016 at the Holiday Inn Ashford Central. This letter provides you with the Examination Timetable, details of the publication of my first written questions and other important information about the Examination.

A note of the Preliminary Meeting has been made available on our website. It can be viewed here:

<http://infrastructure.planninginspectorate.gov.uk/document/TR010006-000492>

This note, along with an audio recording of the meeting, is available for online inspection free of charge at the locations listed in **Annex A**.

Procedural decisions and Examination Timetable

My thanks go to all those who attended and for the views expressed at the Preliminary Meeting. All matters raised have been carefully considered and I have now made procedural decisions about the way in which the application is to be examined. The Examination Timetable setting these out is attached at **Annex B**. If I consider it necessary to vary the timetable at any time, full notification will be sent to all Interested Parties. I will also do this if the date, time and place of any notified hearing is changed; except in the event of an adjournment.

Other procedural decisions

Annex C contains my other procedural decisions in relation to matters discussed at the Preliminary Meeting including the Accompanied Site Inspection; hearings; Statements of Common Ground (SoCG); and Local Impact Reports (LIR).

SoCGs and LIRs should be submitted to the Examination by **16 January 2017** (Deadline 3).

Written Representations

Written Representations and evidence on any matters concerning the application should also be received by **16 January 2017** (Deadline 3). I also invite the Applicant and any other Interested Parties to submit comments on the Relevant Representations received, by the same deadline.

Please send your representations to the Planning Inspectorate using the email or postal address at the top of this letter. Representations should be marked for the attention of the Case Manager, Richard Price, quoting reference TR010006 and your unique reference number, if one is quoted in the email covering this letter or on the postcard you have received.

Written Representations can deal with any relevant matter concerning the application. They are not restricted to the matters set out in my Initial Assessment of Principal Issues, which was discussed at the Preliminary Meeting, nor are they restricted to the first written questions published on the Planning Inspectorate's website. Please note if you are submitting a Written Representation, you should identify those parts of the application or specific matters with which you agree and those parts with which you do not agree. You must state the reasons for your agreement or disagreement.

Guidance for the submission of Written Representations

There is no prescribed form which Written Representations should take. In accordance with the Department for Communities and Local Government's 'Planning Act 2008: guidance for the examination of applications for development consent for nationally significant infrastructure projects' (April 2013), participants should normally provide with their written statements *"the data, methodology and assumptions used to support their submissions"*.

Any Written Representation that exceeds 1500 words should also be accompanied by a summary. This summary should not exceed 10% of the original text. The summary should set out the key facts of the Written Representation and must be representative of the submission made.

To assist in the timely processing of Written Representations submitted by the deadline specified, I request that Interested Parties send, where practicable, electronic copies of their submissions as email attachments to:

M20Junction10A@pins.gsi.gov.uk

Electronic attachments should be clearly labelled with their subject and title and should not exceed 12MB for each email.

When cross-referring to an application or Examination document within a Written Representation, Interested Parties are requested to use the unique reference numbers applied in the Planning Inspectorate's Examination Library (see **Annex A**).

Timely submissions in advance of the deadlines set in the timetable are encouraged and welcomed.

Examining Authority's first written questions

I am asking written questions and requesting information about important matters considered relevant to the Examination, as provided for and at the times set out in the Examination Timetable at **Annex B**.

My first written questions have been issued simultaneously with this letter, but they are not annexed to it. The questions can be found on our website:

<http://infrastructure.planninginspectorate.gov.uk/document/TR010006-000484>

If you require a hard copy of my first written questions, please contact the case team who will post a copy to you immediately.

I have directed written questions at particular parties. If a question is directed to you or your organisation, please answer it. If a question is not directed to you or your organisation you may nevertheless opt to answer it if an answer would be relevant to the issues that concern you. Interested Parties are asked to provide full and clear answers to all questions relevant to their circumstances. The Examination Timetable provides for me to issue a second round of written questions should it become necessary. In addition I may write to Interested Parties as the Examination progresses with further questions or requests for more information.

The answers to the first written questions must be provided by **16 January 2017** (Deadline 3), following which the Examination Timetable provides opportunities and deadlines for comments on answers to be submitted.

Availability and inspection of representations and documents

Annex A provides details of the locations in the vicinity of the proposed development where the application and representations can be viewed electronically, free of charge.

All representations considered in the examination of the application will be published for inspection on the Planning Inspectorate's website (see link below). Advice about how to access and navigate the Examination Library is also provided at **Annex A**.

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/m4-junctions-3-to-12-smart-motorway/?ipcsection=docs>

Deadlines for receipt of documents

It is important for Interested Parties to note that if any of the documents requested to specific deadlines in the Examination Timetable are not received by the dates shown, I may disregard them.

Requests for hearings and the Accompanied Site Inspection

I now request notifications from Interested Parties regarding:

- any wish to speak at a further Open Floor Hearing;
- any wish to make oral representations at a Compulsory Acquisition Hearing; and
- any wish to attend the Accompanied Site Inspection on 21 February 2017.

The deadline for the receipt of notifications in relation to the above is **4 January 2017** (Deadline 2).

If no written requests are received by the identified deadline, I am not required to hold any such hearings; although I may choose to do so nonetheless. The date, time and place of any hearings will be notified in writing to all Interested Parties. Interested Parties will be notified of any cancellations if I consider that a hearing is no longer necessary as soon as practicable in advance of the timetabled event. **Agendas will be published on our website as early as practicable prior to any hearings.**

Award of costs

I also draw your attention to the possibility of the award of costs against Interested Parties. You should be aware of the relevant cost guidance that applies to National Infrastructure projects. The guidance document 'Awards of costs; examinations of applications for development consent orders' is available on our website:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/guidance/>

Future notifications

If you are an Interested Party you will continue to receive notifications from the Planning Inspectorate about the Examination throughout the process.

If you have received this letter because you were invited to attend the Preliminary Meeting but you are not an Interested Party you **will not** receive any further communication from us relating to this application. You can however visit our website to stay informed of the progress of the examination of the application.

As I explained at the Preliminary Meeting, if you are a Statutory Party which has not made a Relevant Representation but wishes to become an Interested Party, you should inform the Planning Inspectorate's case team by **4 January 2017** (Deadline 2). Statutory Parties who have not made a Relevant Representation and do not notify us of their wish to become an Interested Party **will not** receive any further correspondence in relation to the examination of this application.

I look forward to working with all those who will be involved in the Examination.

Yours faithfully

Mike Ebert

**Dr Mike Ebert C Eng, MICE, FIC, CMC
Examining Authority**

Annexes:

Annex A - Availability of representations and application documents

Annex B - Examination Timetable

Annex C - Other procedural decisions made by the Examining Authority

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 representations and application documents

All application documents and representations submitted to the Examination are available to view on the Planning Inspectorate's website:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/m20-junction-10a/>

For ease of navigation, please refer to the Examination Library (EL) which is accessible via a blue button under the 'Documents' tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- each application document;
- each representation accepted to be read in conjunction with the Examination; and
- each procedural decision made by the Examining Authority.

Each document is provided with a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the Planning Inspectorate's website is provided. **Please use the unique reference numbers applied in the EL when referring to any Examination documents in representations that you make.**

Documents can also be viewed electronically at the following locations close to the application site. Please note that a form of identification may be required in order to use the computers at these locations. If you have difficulty accessing any documentation please contact the Planning Inspectorate's case team using the details provided at the top of this letter.

Ashford Library

Ashford Gateway Plus
Church Road
Ashford, Kent
TN23 1AS

Opening times:	Monday	9:00 am to 6:00 pm
	Tuesday	9:00 am to 6:00 pm
	Wednesday	9:00 am to 6:00 pm
	Thursday	9:00 am to 8:00 pm
	Friday	9:00 am to 6:00 pm
	Saturday	9:00 am to 5:00 pm
	Sunday	CLOSED

Facilities will be available for copying documents at a charge of:

A4 black and white:	10p per sheet
A4 colour:	£1 per sheet
A3:	Unavailable

Bockhanger Library

Bybrook Road
Kennington
Ashford, Kent
TN24 9JE

Opening times:	Monday	2:00 pm to 5:00 pm
	Tuesday	CLOSED
	Wednesday	10:00 am to 1:00 pm
	Thursday	CLOSED
	Friday	2:00 pm to 5:00 pm
	Saturday	9:00 am to 1:00 pm
	Sunday	CLOSED

Facilities will be available for copying documents at a charge of:

A4 black and white:	10p per sheet
A4 colour:	£1 per sheet
A3:	Unavailable

Stanhope Library

The Stanhope Centre
67A Otterden Close
Stanhope
Ashford, Kent
TN23 5TH

Opening times:	Monday	9:00 am to 5:00 pm
	Tuesday	9:00 am to 5:00 pm
	Wednesday	9:00 am to 5:00 pm
	Thursday	9:00 am to 5:00 pm
	Friday	9:00 am to 5:00 pm
	Saturday	9:00 am to 1:00 pm
	Sunday	CLOSED

Facilities will be available for copying documents at a charge of:

A4 black and white:	10p per sheet
A4 colour:	£1 per sheet
A3:	Unavailable

Examination Timetable

The Examining Authority's (ExA) examination of the application takes the form of consideration of written submissions about the application. The ExA will also consider oral representations made at any 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.

Item	Matters	Date
1	Preliminary Meeting	2 December 2016 (Morning)
2	Open Floor Hearing	2 December 2016 (Afternoon)
3	Deadline 1 Deadline for receipt by ExA of: <ul style="list-style-type: none"> Written summaries of oral submissions put at Open Floor Hearing held on 2 December 2016 	12 noon 9 December 2016
4	Issue by ExA of: <ul style="list-style-type: none"> Examination Timetable Publication of: <ul style="list-style-type: none"> ExA's first written questions (FWQ) 	9 December 2016
5	Deadline 2 Deadline for receipt by ExA of: <ul style="list-style-type: none"> Notification of wish to speak at a Compulsory Acquisition Hearing Notification of wish to speak at a subsequent Open Floor Hearing(s) Notification of wish to attend the Accompanied Site Inspection on 21 February 2017 Notification by Statutory Parties of wish to be considered an Interested Party Comments by any Interested Parties on the Applicant's draft itinerary for the Accompanied Site Inspection on 21 February 2017 	12 noon 4 January 2017

6	<p>Deadline 3</p> <p>Deadline for receipt by 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 Report(s) from any local authority • Statements of Common Ground requested by ExA (see Annex C) • Responses to ExA's FWQs • Applicant's first revised draft Development Consent Order (dDCO) • Comments by any Interested Parties on Applicant's response to ExA's procedural decision dated 21 September 2016 • Any further information requested by the ExA under Rule 17 of the Exam Rules¹ 	<p>12 noon 16 January 2017</p>
7	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> • Notification of date, time and place of hearings to be held between 22 and 24 February 2017 • Notification of the time and meeting place for site inspection to be held in the company of Interested Parties on 21 February 2017 <p>Publication of:</p> <ul style="list-style-type: none"> • Itinerary for Accompanied Site Inspection on 21 February 2017 	<p>23 January 2017</p>
8	<p>Deadline 4</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs and responses to comments on RRs • Comments on Local Impact Report(s) • Comments on responses to ExA's first written questions • Comments on any further information requested by the ExA and received to Deadline 3 • Any further information requested by the ExA under Rule 17 of the Exam Rules 	<p>12 noon 3 February 2017</p>
9	<p>Accompanied Site Inspection</p>	<p>21 February 2017</p>

¹ The Infrastructure Planning (Examination Procedure) Rules 2010
infrastructure.planninginspectorate.gov.uk

10	<p>Dates reserved for:</p> <ul style="list-style-type: none"> • An Issue Specific Hearing dealing with matters in relation to the dDCO • Any other Issue Specific Hearing(s) on matters that may be required • Any subsequent Open Floor Hearing(s) that may be requested • Any Compulsory Acquisition Hearing(s) that may be requested or required 	22 to 24 February 2017
11	<p>Deadline 5</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Written summaries of oral submissions put at any hearings held between 22 and 24 February 2017 • Applicant's second revised dDCO • Comments on any further information requested by the ExA and received to Deadline 4 • Any further information requested by the ExA under Rule 17 of the Exam Rules 	12 noon 3 March 2017
12	<p>Publication of:</p> <ul style="list-style-type: none"> • ExA's second written questions (SWQ) (if required) 	20 March 2017
13	<p>Deadline 6</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to ExA's SWQs (if issued) • Comments on any further information requested by the ExA and received to Deadline 5 • Any further information requested by the ExA under Rule 17 of the Exam Rules 	12 noon 10 April 2017
14	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> • Notification of any further hearings to be held in the week beginning 15 May 2017 (if required) <p>OR</p> <ul style="list-style-type: none"> • ExA's dDCO (if required to facilitate Examination) 	19 April 2017

15	<p>Deadline 7 (if required)</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Comments on responses to ExA's SWQs • Comments on ExA's dDCO (if issued on 19 April 2017) • Comments on any further information requested by the ExA and received to Deadline 6 • Any further information requested by the ExA under Rule 17 of the Exam Rules 	<p>12 noon 2 May 2017</p>
16	<p>Dates reserved for:</p> <ul style="list-style-type: none"> • Any further Issue Specific Hearing(s) that may be required • Any further Open Floor Hearing(s) that may be requested • Any further Compulsory Acquisition Hearing(s) that may be requested or required • A second Accompanied Site Inspection (if required) 	<p>17 to 19 May 2017</p>
17	<p>Deadline 8 (if required)</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Written summaries of oral submissions put at any hearings held in week beginning 15 May 2017 • Comments on any further information requested by the ExA and received to Deadline 7 • Any further information requested by the ExA under Rule 17 of the Exam Rules <p>Issue of:</p> <ul style="list-style-type: none"> • ExA's dDCO (if required to facilitate Examination) 	<p>12 noon 26 May 2017</p>
18	<p>Deadline 9 (if required)</p> <ul style="list-style-type: none"> • Comments on ExA's dDCO (if issued) • Comments on any further information requested by the ExA and received to Deadline 8 • Any further information requested by the ExA under Rule 17 of the Exam Rules 	<p>12 noon 31 May 2017</p>
19	<p>Deadline 10</p> <p>The ExA is under a duty to complete the examination of the application by the end of the period of six months</p>	<p>2 June 2017</p>

Publication dates

All information submitted and accepted to be read in conjunction with the Examination will be published to our website as soon as practicable after the deadline for submissions:

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20East/M20-Junction-10A/>

Hearing agendas

Please note that we will aim to publish a detailed draft agenda for each hearing on the project website at least 5 working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subjected to change at the discretion of the ExA.

Other Procedural Decisions made by the Examining Authority

I have made the following procedural decisions under section 89(1) of the Planning Act 2008 (as amended).

1. The Examination Timetable

For the avoidance of doubt, I have considered the requests from the Applicant, Ashford Borough Council (ABC) and Kent County Council (KCC) for amendments to be made to the draft Examination Timetable (Annex C to the Rule 6 letter dated 28 October 2016) to accommodate the Christmas/ New Year and Easter leave periods. The final Examination Timetable (**Annex B** to this letter) sets out how I have decided to accommodate those requests. Generally, the Examination Timetable has been pushed back by 10 days, beginning at Deadline 3 (**16 January 2017**).

2. Examining Authority's first written questions

Some of my written questions are directed to specific Statutory Parties which have not, at the time of writing, confirmed that they wish to become Interested Parties for the purposes of the examination of the application.

All relevant Statutory Parties will receive this correspondence, and I request for each to check my first written questions carefully in order that they may identify and respond to any questions posed to them.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015².

3. Accompanied Site Inspection (ASI)

As requested in Annex F of my Rule 6 letter dated 28 October 2016, on 1 December 2016 the Applicant submitted to the Examination a draft itinerary for the ASI timetabled to take place on 21 February 2017. The draft itinerary has been published to the Planning Inspectorate's website and is available to view, here:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010006/TR010006-000487-9.7%20Draft%20Itinerary%20for%20the%20Site%20Inspection.pdf>

I now invite comments from any Interested Party on the Applicant's draft itinerary by **4 January 2017** (Deadline 2). Requests by Interested Parties to attend the ASI should be provided to the same deadline. As explained in my Rule 6 letter, the Interested Parties attending the ASI will include representatives of the Applicant, ABC and KCC, together with other Interested Parties (or their representatives).

It will be necessary to limit the numbers of persons who accompany me for logistical and safety reasons, but it should be possible for arrangements to be made for Interested Parties (or their representatives) to join the inspection at specified locations within the itinerary. Please contact the Planning Inspectorate's case team if

² <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/legislation/>

you wish to meet the inspection at a specific location within the itinerary, or at a new location, as proposed.

The final itinerary for the ASI will be published to the Planning Inspectorate's website on or before **23 January 2017**.

4. Hearings

The Examination Timetable provides periods for two suites of hearings to held, between 22 and 24 February 2017 and between 17 and 19 May 2017 (if required). Affected Persons should notify me in writing of their wish to speak at a Compulsory Acquisition Hearing (CAH) by **4 January 2017** (Deadline 2). Interested Parties who wish to speak at a further Open Floor Hearing should notify me in the same way, by the same deadline.

At the Preliminary Meeting, ABC requested for the date reserved for a CAH in February 2017 to be postponed until May 2017. This would allow more time for ABC to negotiate with the Applicant in respect of the proposed acquisition of the Council's interests.

In order that other Affected Persons are not prejudiced by ABC's request, where a request to hold a CAH is received in writing to Deadline 2, I will hold such a hearing between 22 and 24 February 2017. This does not preclude a second CAH being held in the period of 17 to 19 May 2017, where I consider it to be justified and appropriate to the examination of the application.

At least one Issue Specific Hearing, dealing with the draft Development Consent Order (dDCO), will also be held between 22 and 24 February 2017.

All Interested Parties will be notified of the date, time and place of any hearings at least 21 days in advance of them taking place.

5. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their production. Final, signed versions of the SoCGs listed below should be submitted by **16 January 2017** (Deadline 3).

1. ABC.
2. KCC.
3. Natural England.
4. The Environment Agency.
5. Public Health England.
6. Historic England.
7. Aviva Investors ('the Stour Park developer').
8. The Church Commissioners for England.

All of the SoCGs listed above should cover the articles and requirements in the dDCO. Any Interested Party seeking for an article or requirement to be reworded should provide in the SoCG the form of words which are being sought.

Where a particular SoCG cannot be agreed between the parties by Deadline 3, or in so far as any local authority position represents an officer level view only, draft versions of that SoCG should be submitted by the Applicant to Deadline 3. The position of the relevant Interested Parties will then be confirmed in the course of the Examination.

The content of SoCGs is necessary to help inform me as to the need to hold any Issue Specific Hearings in February 2017, and to enable me to give notice of such hearings at least 28 days in advance of them taking place.

6. Local Impact Reports (LIR)

ABC and KCC stated at the Preliminary Meeting their intention to submit a joint LIR. The councils are invited to submit their joint LIR by **16 January 2017** (Deadline 3).