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All Interested Parties, Statutory Parties  
and Other Persons

Your Ref:

Our Ref: TR010023

Date: 6 November 2018

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Dear Sir/ Madam

**Planning Act 2008 – Section 88 and The Infrastructure Planning  
(Examination Procedure) Rules 2010 – Rule 6 and Rule 13**

**Application by Suffolk County Council for an Order Granting Development  
Consent for the Lake Lothing Third Crossing**

**Notice of Preliminary Meeting and Open Floor Hearing etc**

I write to you following my appointment by the Secretary of State as the lead member of the Examining Authority (the Panel) to carry out an examination of the above application. I am David Morgan and the other member of the Panel is Peter Widd. A copy of the appointment notice can be viewed at:

<https://infrastructure.planninginspectorate.gov.uk/document/TR010023-000517>

We would like to thank those of you who submitted Relevant Representations. These representations have assisted us when preparing our proposals regarding how to examine this application.

**Invitation to the Preliminary Meeting**

This letter is an invitation to the Preliminary Meeting to discuss the Examination procedure. It contains a number of important supporting annexes.

**Date of meeting: Wednesday 5 December 2018**

**Seating available from: 9.30am**

**Meeting begins: 10.00am**

**Venue: Ivy House Country Hotel, Ivy Lane, Oulton  
Broad, Lowestoft NR33 8HY**

## **Access and parking:**

**Full disabled access and free parking for all**

**Note:** Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email wherever possible as electronic communication is more environmentally friendly and cost effective for the Inspectorate as a government agency. If you have received a postcard but are able to receive communications by email, please confirm this with the Case Team, using the contact details at the top of this letter, as soon as possible.

## **Purpose of the Preliminary Meeting**

The purpose of the Preliminary Meeting is to enable views to be put to us about the way in which the application is to be examined. At this stage the Panel is looking at the procedure and not the merits of the application. The merits of the application will only be considered once the Examination starts; which is after the Preliminary Meeting has closed.

We wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, we strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

The agenda for the meeting is at **Annex A**. This has been set following our Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex B**. As a result of this assessment we wish to hear at the meeting from the Applicant, Interested Parties, Statutory Parties and local authorities where they consider changes may be needed to the draft timetable set out in **Annex C**.

Up to date information about the project and the Examination can be obtained from: <https://infrastructure.planninginspectorate.gov.uk/projects/Eastern/Lake-Lothing-Third-Crossing/>

This is the address for the project webpage on the National Infrastructure Planning website, from which we will make copies of all Examination Documents available to the public. As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with this resource.

## **Attendance at the Preliminary Meeting**

If you wish to attend the Preliminary Meeting please contact the Case Team using the details set out at the top of this letter. Please confirm this **no later than Wednesday 28 November 2018**.

It will help the management of the meeting and benefit everyone if you also:

- tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- notify us of any special requirements you may have (eg disabled access, hearing loop etc).

The Preliminary Meeting provides a useful introduction to the Examination process. We will use it to make Procedural Decisions that will affect everyone participating in the Examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. If you intend to play an active part in the Examination or you have questions about procedure it is useful to attend the meeting. However, please note that you are not required to attend the Preliminary Meeting in order to participate in the Examination.

If you are an Interested Party you will still be able to make a Written Representation and comments on the Written Representations made by other Interested Parties. You will also be able to participate in any hearings that are arranged. Should you no longer wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

### **After the Preliminary Meeting**

After the Preliminary Meeting you will be sent a letter setting out the timetable for the Examination. An audio recording and a note of the meeting will also be published on the project webpage on the National Infrastructure Planning website.

Interested Parties have the right to request an Open Floor Hearing and those persons affected by any request for Compulsory Acquisition or Temporary Possession of their land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings are held at the discretion of the Panel and will be arranged if we feel that consideration of oral representations would ensure an issue is adequately examined. Our Examination will comprise of Written Representations about the proposal and oral representations made at any hearings, in addition to consideration of the application documents, policy and legal positions, site inspections and any other matters we consider to be relevant and important.

All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

### **Notification of Open Floor Hearing**

We have made the Procedural Decision to hold an Open Floor Hearing following the Preliminary Meeting in the afternoon of 5 December 2018. Important information about this hearing is contained within **Annex D**.

If you wish to make oral representations at this hearing please write, email or telephone the Case Team using the address and contact details at the top of this letter. We will need to receive the above notice **no later than Wednesday 28 November 2018**.

It will help the management of these hearings and benefit everyone if you also:

- tell us whether you wish to speak at the hearing(s) and set out the issues about which you wish to make oral representations; and
- notify us of any special needs you may have (eg disabled access, hearing loop etc).

## Other Procedural Decisions made by the Examining Authority

In addition to the Open Floor Hearing notified above, we have made some further Procedural Decisions which are set out in full at **Annex F**. We have also set out the need in that annex for completed integrity matrices to be submitted, in accordance with the processes under the Habitats Regulations 2017.

## Your status in the Examination

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008.

If you have made a Relevant Representation, have a legal interest in the land affected by the application<sup>1</sup> or are a relevant local authority where the development is proposed within your boundary (reference numbers beginning with 2001, LLTC-AFP or LLTC-S57), you have a formal status as an Interested Party in the Examination.

Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application.

If you are a Statutory Party<sup>2</sup> or a local authority bordering the local authority in which the development is proposed, but have not made a Relevant Representation (reference number beginning with LLTC-SP), you will not automatically be an Interested Party. However, you may notify the Panel that you wish to be treated as an Interested Party at any point during the Examination.

If you are not an Interested Party or a Statutory Party, you have received this letter because you are invited to the Preliminary Meeting as an Other Person because it appears to us that the Examination could be informed by your participation. Other Persons have a reference number beginning with LLTC-OP. If you are an Other Person you are not an Interested Party. We will write to you with our Procedural Decision following the Preliminary Meeting, but we will not write to you again in the course of the Examination unless it is to inform you that the Examination Timetable has changed or we have specific questions for you.

If you are unsure of your status in the Examination, please do not hesitate to contact the Case Team using the details at the top of this letter. More information regarding the formal status of Interested Parties is set out in the Planning Inspectorate's Advice Note 8 series, available here:

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

## Award of costs

We also draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably. You should be aware of the relevant costs guidance

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<sup>1</sup> Or have been identified by the Applicant as a person who might be entitled to make a relevant claim

<sup>2</sup> For the purposes of this letter, meaning a body specified in Schedule 1 of The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

'Awards of costs; examinations of applications for development consent orders' which applies to Nationally Significant Infrastructure Projects. This guidance is available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

## **Management of information**

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the Panel) and a record of any advice which has been provided by the Planning Inspectorate, is published at: <https://infrastructure.planninginspectorate.gov.uk/projects/Eastern/Lake-Lothing-Third-Crossing/>

All Examination Documents can also be viewed electronically at the locations listed in **Annex E**.

Please note that in the interest of facilitating an effective and fair Examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

We look forward to working with all parties in the examination of this application.

Yours faithfully

*David Morgan*

## **Lead Member of the Panel of Examining Inspectors**

### **Annexes**

- A** Agenda for the Preliminary Meeting
- B** Initial Assessment of Principal Issues
- C** Draft Examination Timetable
- D** Notification of Open Floor Hearing
- E** Availability of Examination Documents
- F** Other Procedural Decisions made by the Examining Authority

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Agenda for the Preliminary Meeting

<b>Date:</b>	<b>Wednesday 5 December 2018</b>
<b>Seating available from:</b>	<b>9.30am</b>
<b>Meeting Start Time:</b>	<b>10.00am</b>
<b>Venue:</b>	<b>Ivy House Country Hotel, Ivy Lane, Oulton Broad, Lowestoft NR33 8HY</b>

<b>9.30am</b>	Seating available
<b>Item 1 (10.00am)</b>	Welcome and introductions
<b>Item 2</b>	The Examining Authority's (ExA) remarks about the Examination process
<b>Item 3</b>	Initial Assessment of Principal Issues – see <b>Annex B</b>
<b>Item 4</b>	Deadlines for submission of: <ul style="list-style-type: none"> <li>• Written Representations</li> <li>• Local Impact Reports</li> <li>• Responses to the ExA's Written Questions</li> <li>• Statements of Common Ground – see <b>Annex F</b></li> <li>• Notifications relating to hearings</li> <li>• Habitats Regulations Assessment integrity matrices</li> <li>• Applicant's submissions/ clarifications in response to the Planning Inspectorate's s51 advice dated 9 August 2018</li> </ul>
<b>Item 5</b>	Hearings and Accompanied Site Inspection (ASI): <ul style="list-style-type: none"> <li>• Date of ASI to application site and surrounding area</li> <li>• Time periods reserved for subsequent Open Floor Hearing(s), Issue Specific Hearings and/ or Compulsory Acquisition Hearing(s)</li> </ul>
<b>Item 6</b>	Any other matters
<b>Close of the Preliminary Meeting</b>	

**Please note:** Please be available from the start and throughout the meeting. The agenda is subject to change at the discretion of the ExA. The ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items and may introduce breaks in the proceedings.

## **Initial Assessment of Principal Issues**

This is the initial assessment of the principal issues arising from consideration by the Examining Authority (ExA) of the application documents and Relevant Representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the Examination is concluded. The order in which the Principal Issues are identified should not be taken to imply an order of importance.

**Note:** the issues listed below relate to both the construction and operational phases of the Proposed Development.

### **1. Context**

- i. The purpose and justification for the Proposed Development and its effective operation.

### **2. Policy**

- i. Whether the Proposed Development complies with the policy set out in the National Policy Statement for National Networks (NPSNN).
- ii. The extent to which the Proposed Development would comply with the policies of Local Development Plans.

### **3. The Draft Development Consent Order (dDCO)**

- i. Whether the dDCO appropriately sets out definitions, transfer provisions, modification of legislative provisions, Requirements, arrangements for discharge of Requirements, Protective Provisions, mitigation and dispute resolution.

### **4. Environment**

#### *Design*

- i. The impact of the Proposed Development on the character and appearance of this part of Lowestoft, in particular the north and south shores of the harbour area.
- ii. The visual impact of the Proposed Development, in particular the effect of the proposed bridge superstructure and approaches.

#### *Historic environment*

- iii. The effect of the Proposed Development on designated and non-designated heritage assets, including their settings and below-ground remains.

#### *Flood risk*

- iv. Whether there would be any increase in the risk of flooding (including off-site flooding) as a result of the Proposed Development.

*Water environment*

- v. Whether there is sufficient information presented to ensure that the risk to the water environment as a result of the Proposed Development is effectively mitigated.
- vi. In relation to nature conservation, the extent to which the Proposed Development would cause disruption or permanent harm to habitats and plants, invertebrate and marine species.

*Air quality*

- vii. The extent to which the Proposed Development would impact (as a result of potential congestion and queuing) on air quality with specific regard to local residents.

**5. Compulsory Acquisition and other land matters**

- i. Whether or not all the land and rights proposed to be compulsorily acquired satisfies the conditions set out in sections 122(2) and 122(3) of the Planning Act 2008.
- ii. Whether or not the Temporary Possession powers proposed are justified and proportionate.
- iii. Whether or not alternative designs for the Proposed Development, including the extent of land acquisition (both Compulsory Acquisition and Temporary Possession) necessary to facilitate it, have been taken into account.
- iv. If and when, in respect of the interest in Crown Land sought be acquired, the Applicant expects to receive the consent of the appropriate Crown authority.
- v. The likely availability of funds to implement the Proposed Development.

**6. Maritime and port operation matters**

- i. The effect of the Proposed Development on the safe navigation of the harbour for its users, vessels and environment.
- ii. The effect of the Proposed Development on existing berth space within the inner harbour.
- iii. The effect of the closure western harbour on vessel movements over the closure period.

**7. Highway and transportation issues**

- i. The effect of the proposed southern access/ approach road on traffic volumes in the wider area.
- ii. The effects of the Proposed Development on highway capacity and the safety users of the local road network.

**8. Socio-economic**

- i. The extent to which the Proposed Development would result in any socio-economic benefits in terms of the national, regional or local economy.

- ii. The extent to which the Proposed Development would result in any adverse socio-economic effect in terms of the national or local economy, including local maritime, port and other enterprises.

**9. Other matters arising from representations**

## Draft Examination Timetable

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider oral representations made at any hearings.

<b>Item</b>	<b>Matters</b>	<b>Due Dates</b>
1	<b>Preliminary Meeting</b>	<b>5 December 2018</b> <b>(Morning)</b>
2	<b>Open Floor Hearing</b> See <b>Annex D</b> for full details	<b>5 December 2018</b> <b>(Afternoon)</b>
3	<b>Deadline 1</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>Written summaries of oral submissions put at Open Floor Hearing held on 5 December 2018</li> <li>Applicant's submissions/ clarifications in response to the Planning Inspectorate's s51 advice dated 9 August 2018</li> </ul>	<b>12 December 2018</b>
4	Issue by the ExA of: <ul style="list-style-type: none"> <li>Examination Timetable</li> </ul> Publication of: <ul style="list-style-type: none"> <li>The ExA's Written Questions</li> </ul>	As soon as practicable following the Preliminary Meeting
5	<b>Deadline 2</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>Notification of wish to speak at a Compulsory Acquisition Hearing</li> <li>Notification of wish to speak at a subsequent Open Floor Hearing</li> <li>Notification of wish to attend Accompanied Site Inspection on 12 February 2019</li> <li>Notification by Statutory Parties of wish to be considered an Interested Party</li> </ul>	<b>4 January 2019</b>
6	<b>Deadline 3</b>	<b>8 January</b>

	<p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on Relevant Representations (RRs)</li> <li>• Summaries of all RRs exceeding 1500 words</li> <li>• Written Representations (WRs)</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Local Impact Reports from any local authorities</li> <li>• Statements of Common Ground requested by the ExA – see <b>Annex F</b></li> <li>• Responses to the ExA’s Written Questions</li> <li>• Applicant’s first revised draft Development Consent Order (dDCO)</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules<sup>1</sup></li> </ul>	<b>2019</b>
7	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Notification of date, time and place of hearings to be held between 13 and 15 February 2019</li> <li>• Notification of date, time and meeting place for Accompanied Site Inspection on 12 February 2019</li> </ul> <p>Publication of:</p> <ul style="list-style-type: none"> <li>• Itinerary for Accompanied Site Inspection on 12 February 2019</li> </ul>	<b>15 January 2019</b>
8	<p><b>Deadline 4</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs and responses to comments on RRs</li> <li>• Comments on Local Impact Report(s)</li> <li>• Comments on responses to the ExA’s Written Questions</li> <li>• Comments on any further information requested by the ExA and received to Deadline 3</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>22 January 2019</b>
9	<b>Accompanied Site Inspection</b>	<b>12 February 2019</b>
10	<p><b>Hearings</b></p> <p>Dates reserved for:</p>	<b>13 to 15 February</b>

<sup>1</sup> The Infrastructure Planning (Examination Procedure) Rules 2010

	<ul style="list-style-type: none"> <li>• An Issue Specific Hearing dealing with matters relating to the dDCO</li> <li>• Any other Issue Specific Hearing(s) that may be required</li> <li>• Any subsequent Open Floor Hearing(s) that maybe requested</li> <li>• Any Compulsory Acquisition Hearing(s) that may be requested or required</li> </ul>	<b>2019</b>
11	<p><b>Deadline 5</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written summaries of oral submissions put at any hearings held between 13 and 15 February 2019</li> <li>• Applicant's second revised dDCO</li> <li>• Comments on any further information requested by the ExA and received to Deadline 4</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>22 February 2019</b>
12	<p>Publication of:</p> <ul style="list-style-type: none"> <li>• The ExA's Written Questions (if required)</li> </ul>	<b>8 March 2019</b>
13	<p><b>Deadline 6</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's Written Questions (if issued)</li> <li>• Comments on any further information requested by the ExA and received to Deadline 5</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>29 March 2019</b>
14	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Notification of any further hearings to be held in the week beginning 6 May 2019 (if required)</li> </ul>	<b>5 April 2019</b>
15	<p><b>Deadline 7</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to the ExA's Written Questions (if issued)</li> <li>• Comments on any further information requested by the ExA and received to Deadline 6</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>19 April 2019</b>

16	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES) (if required)</li> </ul>	<b>30 April 2019</b>
17	<p><b>Hearings</b></p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>• Any further Issue Specific Hearing(s) that may be required</li> <li>• Any further Open Floor Hearing(s) that may be requested</li> <li>• Any further Compulsory Acquisition Hearing(s) that may be requested or required</li> <li>• A second Accompanied Site Inspection (if required)</li> </ul>	<b>7 to 10 May 2019</b>
18	<p><b>Deadline 8</b> (if required)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written summaries of oral submissions put at any hearings held in week beginning 6 May 2019</li> <li>• Comments on any further information requested by the ExA and received to Deadline 7</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul> <p>Issue of:</p> <ul style="list-style-type: none"> <li>• The ExA's dDCO (if required to facilitate examination)</li> </ul>	<b>17 May 2019</b>
19	<p><b>Deadline 9</b> (if required)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the ExA's dDCO (if issued on 17 May 2019)</li> <li>• Comments on the RIES (if issued on 30 April 2019)</li> <li>• Comments on any further information requested by the ExA and received to Deadline 8</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>24 May 2019</b>
20	<p><b>Deadline 10</b></p> <p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months</p>	<b>5 June 2019</b>

### **Publication dates**

All information received will be published on the project webpage on the National Infrastructure Planning website as soon as practicable after the deadlines for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the project webpage. Each document will be given a unique reference. These references will be used by the ExA during the Examination:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/lake-lothing-third-crossing/?ipcsection=docs>

### **Hearing agendas**

Please note that for Issue Specific Hearings and Compulsory Acquisition hearings we will aim to publish a detailed draft agenda on the project website at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

### **Report on the Implications for European Sites (RIES)**

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/ or Regulation 28 of The Offshore Marine Regulations.

## Notification of Open Floor Hearing

Date	Hearing	Start time	Venue	Access and parking
5 December 2018	Open Floor Hearing 1	2.00pm	Ivy House Country Hotel, Ivy Lane, Oulton Broad, Lowestoft NR33 8HY	Full disabled access and free parking for all

Information about hearings is included in the Planning Inspectorate's 'Advice Note 8.5: The examination: hearings and site inspections', available on the National Infrastructure Planning website here:

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

If you wish to attend this hearing please contact the Case Team using the details at the top of this letter **no later than Wednesday 28 November 2018**, stating:

- whether you wish to speak at the hearing and the issues about which you wish to make oral representations; and
- notifying us of any special needs you may have (eg disabled access, hearing loop etc).

Seating will be available at the venue 30 minutes prior to the start of the hearing to enable a prompt start. The hearing will finish as soon as the Examining Authority (ExA) deems that all those present have had their say and all matters have been covered. Depending on the numbers wishing to speak at the hearing, it may be necessary for the ExA to limit the time allocated to each speaker.

**An agenda will not be prepared for this hearing.**

## Availability of Examination Documents

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/lake-lothing-third-crossing/?ipcsection=overview>

All further documents submitted in the course of the Examination will also be published at the above location.

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 made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the project webpage is also provided. Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.

Documents can be viewed electronically, free of charge, at the following locations. Please note that you may need to bring a form of identification to use a computer at these locations.

### Electronic deposit locations:

Local authority	Library	Opening hours
Suffolk County Council	<b>Kessingland Library</b> Marram Green, Hall Road Kessingland Suffolk, NR33 7AH Tel: 01502 741212 Email: <a href="mailto:help@suffolklibraries.co.uk">help@suffolklibraries.co.uk</a>	Monday: Closed Tuesday: 2.30pm – 7pm Wednesday: 10am – 5pm Thursday: Closed Friday: 10am – 5pm Saturday: 9.30am – 1pm Sunday: 10am – 3pm
	<b>Lowestoft Library</b> Clapham Road South, Lowestoft Suffolk, NR32 1DR	Monday: 9am – 6pm Tuesday: 9am – 7pm Wednesday: 9am – 6pm Thursday: 9am – 7pm

	<p>Tel: 01502 674660          Email:  <a href="mailto:help@suffolklibraries.co.uk">help@suffolklibraries.co.uk</a></p>	<p>Friday: 9am – 6pm          Saturday: 9am – 5pm          Sunday: 10am – 4pm</p>
	<p><b>Oulton Broad Library</b>          Bridge Road, Lowestoft,          Suffolk, NR32 3LR          Tel: 01502 583135          Email:  <a href="mailto:help@suffolklibraries.co.uk">help@suffolklibraries.co.uk</a></p>	<p>Monday: 10am – 12pm          Tuesday: 10am – 1pm          and 2pm – 5pm          Wednesday: 10am – 1pm          and 2pm – 5pm          Thursday: 10am – 1pm          and 2pm – 5pm          Friday: 10am – 1pm and          2pm – 6pm          Saturday: 10am – 1pm          and 2pm – 5pm          Sunday: 11am – 4pm</p>
<b>Printing Costs (all libraries):</b>	<b>Black and White</b>	<b>Colour</b>
<b>A4</b>	<p>Singled-sided 20p          Double-sided 30p</p>	<p>Single-sided 50p          Double-sided 80p</p>
<b>A3</b>	<p>Singled-sided 30p          Double-sided 50p</p>	<p>Singled-sided £1.00          Double-sided £1.60</p>
<b>Link to all council library locations:</b>		
<a href="https://www.suffolklibraries.co.uk/">https://www.suffolklibraries.co.uk/</a>		

## Other 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. Statements of Common Ground (SoCG)

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 notes that SoCGs with the following organisations are being progressed<sup>2</sup> and expects for a first draft of each to be submitted at the Preliminary Meeting:

- A. **Natural England**
- B. **Historic England**
- C. **The Environment Agency**
- D. **The Marine Management Organisation**
- E. **Suffolk County Council**
- F. **Waveney District Council**
- G. **The Broads Authority**
- H. **Associated British Ports**
- I. **Highways England**

In addition to the above the ExA requests for a multilateral SoCG to be progressed dealing with the provisions of the draft Development Consent Order. Signatories should include all persons/ organisations which are named in the order.

Final signed versions of the above SoCGs should be submitted by the Applicant to **Deadline 3** in the Examination Timetable.

### 2. The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations)

The Examination must include a process that provides sufficient information to enable the Secretary of State for Transport to meet his statutory duties as the competent authority under the Habitats Regulations relating to European protected sites.

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<sup>2</sup> Consents and Agreements Position Statement (APP-134)

It is noted that the Habitats Regulations Assessment Report (HRA Report) (APP-206) submitted with the application contains screening matrices for the European sites considered in the assessment. In order to further inform the ExA's Report and Recommendation to the Secretary of State on this application, the Applicant is requested to complete matrices to summarise the implications for the integrity of each European site assessed where a likely significant effect either alone or in combination with other plans and projects has been identified. This reflects the s51 advice issued by the Planning Inspectorate in conjunction with the decision to accept the application for examination (see 3, below).

Templates for these matrices are available to download from the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/09/Advice-note-10-HRA.pdf>

The date by which the completed integrity matrices must be received from the Applicant will be discussed at the Preliminary Meeting. Word versions of both the integrity matrices **and** the screening matrices provided in the HRA Report (APP-206) should also be submitted to the agreed deadline.

### **3. Section 51 advice issued in conjunction with the acceptance decision on 9 August 2018**

The s51 advice is available to view on the National Infrastructure Planning website here:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/lake-lothing-third-crossing/?ipcsection=docs&stage=2&filter1=Procedural+Decisions>

The Inspectorate identified in its advice that reference is made in the HRA Report (APP-206) to Figure 1, although no such figure appears to have been included with the application documents. The Applicant is requested to provide this figure, or otherwise to confirm that the references made to it in the HRA Report are in error.

Reference is made in Chapter 11 of the Environmental Statement (ES) to Figure 11.7 (APP-136), although no such plan appears to have been included with the application documents. The Applicant is request to provide this figure, or otherwise to confirm that the references made to it in the ES are in error.

None of the plans provided in the application documents show all of the designated nature conservation sites identified in the ES and the HRA Report. The Applicant is requested to provide a plan consolidating these sites.

The Applicant is also requested to provide a validated Word version of the draft dDCO, free from errors and omissions.

The Applicants submissions/ clarifications in respect of the above should be provided by **Deadline 1** in the Examination Timetable.