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To Interested Parties and Statutory
Parties invited to the Preliminary
Meeting

Your Ref:

Our Ref: TR010024

Date: Tuesday 12 November 2019

Dear Sir/ Madam

The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8(3) and Rule 9

Application by Highways England for an Order Granting Development Consent for the A19 Downhill Lane Junction Improvement

Procedural Decisions and Amended Examination Timetable

I am writing to you to advise of procedural decisions taken by the Examining Authority (ExA) and changes to the Timetable for the A19 Downhill Lane Junction Improvement Examination.

You have received this letter because the law requires that where an Examination Timetable is changed, all persons already involved in the Examination together with all persons entitled to be notified of the acceptance and Examination arrangements for the application must be notified.

This letter provides you with procedural decisions about the Examination process, an amended Examination Timetable (**Annex A**), and other important information about the Examination.

This letter provides you with the Examination Timetable, details of the publication of the Examining Authority's (ExA) Further Written Questions and other important information about the Examination.

Procedural Decisions to support the variation to the timetable are set out in the balance of this letter.

Procedural Decisions

1. Cancellation of Further Hearings

My Rule 8 Letter of 21 August provided for a number of hearings to be held in December, if required. These were identified as an Issue Specific Hearing (ISH) on any outstanding issues (ISH4) on Tuesday 10 December, a Compulsory Acquisition Hearing (CAH2) on Wednesday 11 December and an ISH into the draft Development Consent Order (dDCO) (ISH5) also on 11 December.

In respect of general outstanding issues and the dDCO, these matters do not require testing through oral discussion and any remaining questions can be addressed through written submissions. In respect of the timetabled CAH2 I have had regard to representations made by the Applicant and by Hellens Land limited primarily at Deadline (D)4. Whilst recognising that there is an unresolved matter related to a point of connection for surface water drainage it is my view that such a matter is unlikely to be concluded at CAH2 and that the ongoing discussions between Hellens Land Limited, the Applicant and South Tyneside Council are the appropriate way forward with written updates provided to the Examination at the remaining Deadlines. Consequently, I do not propose to hold CAH2 unless any Affected Person considers that their remaining concerns cannot adequately be dealt with other than by a further oral CAH and notifies me by D5.

2. Variation to Timetable

Having decided not to hold further hearings in December it is therefore possible to expedite the Examination Timetable. I have therefore amended the submissions required to be provided at D5, D6 and D7 while deleting D8 as set out in my Rule 8 Letter. Consequently, the final Deadline will be D7 on Thursday 12 December. Following D7 I may decide to close the Examination before the end of the six month period if I am satisfied that all relevant matters have been addressed and discussed. In such a case I would write to all Interested Parties to inform them that the Examination had been completed. My amended Examination Timetable is provided at Annex A.

3. Report on the Implications for European Sites (RIES)

Having given careful consideration to all the relevant evidence, it is not necessary to issue a Report on the Implication for European Sites (RIES).

4. DCO Commentary / ExA's Preferred DCO

As set out in the Examination Timetable contained within my Rule 8 Letter, I shall be providing a Commentary on the dDCO / Preferred DCO which will be published on Tuesday 19 November. Responses should be provided by revised D5, Thursday 5 December.

5. Further Written Questions

As set out in the Examination Timetable contained within my Rule 8 Letter, I shall be providing Further Written Questions which will be published on Tuesday 19 November. Responses should be provided by revised D5, Thursday 5 December.

I look forward to continuing to work with all parties in the examination of this application.

Yours faithfully

Kevin Gleeson

Examining Authority

Annex A Amended Examination Timetable

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Amended Examination Timetable

Item	Matters	Due Dates
1	<p>Previous Items</p> <p>Items 1 – 13 of the approved Examination Timetable published on Wednesday 21 August 2019 have been delivered as per that Timetable and are not repeated here.</p>	<p>All items from 13 August 2019 to 5 November 2019</p>
14	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • Further Written Questions (ExQ2) • the ExA's preferred dDCO or dDCO commentary 	<p>Tuesday 19 November 2019</p>
15	<p>Deadline 5</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> • responses to ExQ2 • comments on the ExA's preferred dDCO or dDCO commentary • final signed SoCGs • comments on any additional information/submissions received by Deadline 4 • responses to any further information requested by the ExA for this deadline 	<p>Thursday 28 November 2019</p> <p>(12 noon)</p>
16	<p>Deadline 6</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> • comments on responses to ExQ2 • the Applicant's Final Preferred DCO in the SI template validation report • comments on any final signed SoCGs • comments on any additional information/submissions received by Deadline 5 • responses to any further information 	<p>Thursday 5 December 2019</p> <p>(12 noon)</p>

Amended Examination Timetable

	requested by the ExA for this deadline	
17	<p>Deadline 7</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> • comments on the Applicant's Final Preferred DCO • responses to any further information requested by the ExA for this deadline • comments on any additional information/submissions received by Deadline 6 • responses to any further information requested by the ExA for this deadline 	<p>Thursday 12 December 2019</p> <p>(12 noon)</p>
18	<p>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.</p> <p>The ExA may close the examination before the end of the six month period if he is satisfied that all relevant matters have been addressed and discussed.</p>	<p>Thursday 13 February 2020</p>