



National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: A1BirtleytoCoalHouse@planninginspectorate.gov.uk

All Interested Parties, Statutory Parties
and Other Persons

Your Ref:

Our Ref: TR010031

Date: 10 December 2019

Dear Sir/ Madam

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

Application by Highways England for an Order Granting Development Consent for the A1 Birtley to Coal House Improvement Scheme

Notice of appointment of the Examining Authority and date, time and place of the Preliminary Meeting

I write to you following my appointment by the Secretary of State as the Examining Authority (ExA) to carry out an Examination of the above application. A copy of the appointment notice can be viewed at:

<http://infrastructure.planninginspectorate.gov.uk/document/TR010031-000651>

I would like to thank those of you who submitted Relevant Representations. These representations have assisted me when preparing my 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: Tuesday, 21 January 2020

Seating available from: 9.30am

Meeting begins: 10.00am

Venue: **European Suite
Newcastle Gateshead Marriott Hotel
MetroCentre
Gateshead
Tyne and Wear
NE11 9XF**

Access and parking: **Full disabled access. Large car park with free parking**

Electronic Communication

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 Planning 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 me about the way in which the application is to be examined. At this stage I am 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.

I wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, I 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 my Initial Assessment of Principal Issues arising from my reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex B**. As a result of this assessment I 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 Examination 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/north-east/a1-birtley-to-coal-house-improvement-scheme/?ipcsection=overview>. This is the address for the project webpage on the National Infrastructure Planning website, from which the Planning Inspectorate 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 Tuesday 14 January 2020**.

It will help the management of the meeting and benefit everyone if as part of the above confirmation 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. I 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 comment 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 finalised Examination Timetable. 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 ExA and will be arranged if I feel that consideration of oral representations would ensure an issue is adequately examined. My Examination will take account of Relevant Representations, Written Representations, Local Impact Reports and responses to my Written Questions and any oral representations made at any hearings. In addition I will take account of the application documents, policy and legal considerations and site inspections.

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

Notification of hearings

I have made the Procedural Decision to hold an Issue Specific Hearing (ISH1) on the draft Development Consent Order at **2.00pm on Tuesday, 21 January 2020** at the **European Suite, Newcastle Gateshead Marriott Hotel MetroCentre**. Important information about this hearing is contained within **Annex D**.

If you wish to make oral representations at this hearing please contact the Case Team using the contact details at the top of this letter. We will need to receive notice of your attendance **no later than Tuesday 14 January 2020**.

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

- tell us whether you wish to speak at the hearing 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 hearing notified above, I have made some further Procedural Decisions which are set out in full at **Annex F**. These include:

- The deadline for submission of Written Representations;
- Request for submissions of Statements of Common Ground;
- Post-submission documents and representations; and
- Request for information from the Applicant.

Your status in the Examination

You have received this letter because you fall within one of the groups described in this FAQ document: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2019/02/Status-faq.pdf>

- You are in Group A if your reference number (found at the top of your email/postcard) begins with 2002 or A1BC-S57.
- You are in Group B if your reference number (found at the top of your email/postcard) begins with A1BC-SP.
- You are in Group C if your reference number (found at the top of your email/postcard) begins with A1BC-OP.

If having read the FAQ document published at the link above you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Award of costs

I 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 '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 Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/North%20East/A1-Birtley-to-Coal-House-Improvement-Scheme/>

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, I consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

I look forward to working with all parties in the Examination of this application.

Yours faithfully

David Cliff

Examining Authority

Annexes

- A** Agenda for the Preliminary Meeting
- B** Initial Assessment of Principal Issues
- C** Draft Examination Timetable
- D** Notification of hearings
- 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

Date: **Tuesday, 21 January 2020**

Seating available from: **9.30am**

Meeting start time: **10.00am**

Venue: **European Suite
Newcastle Gateshead Marriott Hotel
MetroCentre
Gateshead
Tyne and Wear
NE11 9XF**

| | |
|-----------------------------|---|
| 9.30am | Seating available |
| Item 1 (10.00am) | Welcome and introductions |
| Item 2 | The Examining Authority's (ExA's) remarks about the Examination process |
| Item 3 | Initial Assessment of Principal Issues – see Annex B |
| Item 4 | Deadlines for submission of: <ul style="list-style-type: none"> • Comments on Relevant Representations • Written Representations • Local Impact Reports • Responses to the ExA's Written Questions • Statements of Common Ground (SoCG) • Statement of Commonality of SoCG • Notifications relating to hearings • Suggested locations for site inspections • Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting by 14 January 2020 |
| Item 5 | Hearings and Accompanied Site Inspection (ASI): <ul style="list-style-type: none"> • Date of ASI to application site and surrounding area • Date of Issue Specific Hearing on draft Development Consent Order • Dates reserved for Open Floor Hearing(s) |

| | |
|---|--|
| | <ul style="list-style-type: none"> • Time period reserved for further Issue Specific Hearings • Time period reserved for Compulsory Acquisition Hearing • Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting by 14 January 2020 |
| Item 6 | Any remaining submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting by 14 January 2020 |
| Item 7 | Any other matters |
| Close of the Preliminary Meeting | |

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 of relevant representations received. It is not a comprehensive or exclusive list of all relevant matters. The ExA will have regard to all important and relevant matters during the Examination and when it writes its recommendation report to the Secretary of State for Transport after the Examination has concluded.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not set out as separate principal issues. Similarly, the effectiveness of proposed mitigation measures and the extent to which such measures would be secured through the DCO are considerations that will run throughout the Examination.

It should be noted that a number of the Principal Issues set out below have an interrelationship and overlap and these will be reflected in the Examination.

It should also be noted that:

- whilst the effects of the proposal on the achievement of sustainable development including the mitigation of, and adaption to, climate change are not listed as specific Principle Issues; and
- whilst the effects of the proposal in relation to human rights and equalities duties are not listed as specific Principle Issues;

the ExA will conduct all aspects of the Examination with these objectives in mind.

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance.

Air quality and emissions – to include:

- Baseline assessment.
- Construction and operation effects on human and ecological receptors.

Biodiversity, ecology and the natural environment – to include:

- Baseline assessment.
- Effects on statutory and non-statutory designated sites.
- Effects on specific species and their habitats (including European protected species).

Compulsory acquisition and temporary possession – to include:

- The need for land to be subject to compulsory acquisition/temporary possession and whether a compelling case in the public interest has been established.
- Rights and powers to be acquired.

- Consideration of alternatives.
- Effects on Statutory Undertaker land and apparatus (including Network Rail and Northern Gas Networks Ltd).
- Effects on infrastructure and infrastructure providers.
- Adequacy and security of funding for compensation.
- Human Rights.
- Book of Reference.
- Compliance with requirements of the Planning Act 2008.

Draft Development Consent Order (dDCO) – to include:

- Definitions.
- The appropriateness of proposed provisions.
- Protective provisions.
- Relationships with other consents.
- Requirements.
- Design flexibility.

Economic and social effects – to include:

- Economic and employment implications during construction and operation.
- Effects on local residents and communities.
- Effects on agriculture and farming operations.

Historic environment – to include:

- Effects on designated heritage assets including the Bowes Railway scheduled monument.
- Effects on non-designated heritage assets including the Angel of the North.
- Effects on archaeology.

Landscape and visual effects – to include:

- Effects of construction and permanent works on landscape character.
- Visual effects of construction and permanent works.
- Design quality of proposed structures including Allerdene Bridge.

Noise and vibration – to include:

- Baseline assessment.
- Construction and operational effects on the living conditions of local residents.

Other projects and proposals – to include:

- Relationship of the proposal to other known projects
- Cumulative and in-combination effects during construction and operation.

Planning policy – to include:

- Green Belt considerations.

Traffic and transport – to include:

- The case for and benefits of the scheme.
- Alternative solutions.
- Construction effects on the surrounding road network including management measures.
- Construction effects on the operation of the East Coast Main Line railway.
- Construction effects on Public Rights of Way including alternative routes.
- Operational effects on traffic movements and safety.
- Effect on non-motorised users during construction and operation.

Water Environment – to include:

- Construction and operational effects on groundwater and surface water bodies.
- Water abstraction and drainage design.
- Water Framework Directive compliance.
- Flood risk implications.

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 any oral representations made at hearings.

| Item | Matters | Due Dates |
|------|--|---|
| 1 | Preliminary Meeting | Tuesday 21 January 2020 (morning) |
| | Issue Specific Hearing on the draft DCO (ISH1) | Tuesday 21 January 2020 (afternoon) |
| | <p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • Examination Timetable <p>Publication of:</p> <ul style="list-style-type: none"> • The ExA's Written Questions | As soon as practicable following the Preliminary Meeting |
| | <p>Deadline 1 (D1)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on updated application documents • Comments on Relevant Representations (RRs) • Summaries of all RRs exceeding 1500 words • Written Representations (WRs) • Summaries of all WRs exceeding 1500 words • Post Hearing submissions including written • Submissions of oral case made at ISH1 • Notification by Statutory Parties of their wish to be considered as an IP by the ExA • Applicant's draft itinerary for Accompanied Site Inspection (ASI) • Suggested locations for site inspections, and justification, for consideration by the ExA • Notification of wish to speak at an Open Floor Hearing (OFH) | Tuesday 4 February 2020 |

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| | <ul style="list-style-type: none"> • Notification of wish to make oral representations at an Issue Specific Hearing (ISH) • Notification of wish to speak at a Compulsory Acquisition Hearing (CAH) • Notification of wish to have future correspondence received electronically • Comments on any additional information/submissions received • Responses to any further information requested by the ExA for this deadline | |
| | <p>Deadline 2 (D2)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Local Impact Reports (LIRs) • Statements of Common Ground (SoCG) requested by the ExA • Statement of Commonality of SoCG • Responses to the ExA's Written Questions • Applicant's first revised draft DCO • Responses to comments on RRs • Comments on draft itinerary for ASI and suggested locations for site inspections • Comments on any additional information/submissions received by D1 • Responses to any further information requested by the ExA for this deadline | <p>Tuesday 25 February 2020</p> |
| | <p>Deadline 3 (D3)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on LIRs • Comments on SoCG • Comments on responses to the ExA's Written Questions • Comments on Applicant's first revised draft DCO • Notification of wish to attend an ASI • Comments on any additional information/submissions received by D2 • Responses to any further information requested by the ExA for this deadline | <p>Tuesday 10 March 2020</p> |
| | <p>Date reserved for Accompanied Site Inspection (if required)</p> | <p>Tuesday 31 March 2020</p> |

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| | Date reserved for Open Floor Hearing (OFH1) (if required) | Tuesday 31 March 2020 (evening) |
| | Date reserved to hold an Issue Specific Hearing (ISH2) (if required) | Wednesday 1 April 2020 |
| | Date reserved to hold an Issue Specific Hearing on the draft DCO (ISH3) (if required) | Thursday 2 April 2020 |
| | Date reserved for Compulsory Acquisition Hearing (CAH1) (if required) | Friday 3 April 2020 (morning) |
| | <p>Deadline 4 (D4)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case • Any revised/updated SoCG (if required) • Applicant's revised draft DCO (if required) • Comments on any additional information/submissions received by D3 • Responses to any further information requested by the ExA for this deadline | Monday 20 April 2020 |
| | <p>Deadline 5 (D5)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any revised/updated SoCG (if any) • Comments on Applicant's revised draft DCO (if any) • Comments on any additional information/submissions received by D4 • Responses to any further information requested by the ExA for this deadline | Friday 1 May 2020 |
| | <p>Publication of:</p> <ul style="list-style-type: none"> • The ExA's further Written Questions (if required) | Thursday 7 May 2020 |
| | <p>Deadline 6 (D6)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's further Written Questions (if required) • Comments on any additional information/submissions received by D5 | Thursday 21 May 2020 |

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| | <ul style="list-style-type: none"> Responses to any further information requested by the ExA for this deadline | |
| | <p>Publication of:</p> <ul style="list-style-type: none"> Report on the Implications for European Sites (RIES) (if required) The ExA's proposed schedule of changes to the draft DCO (if required) | <p>Thursday 4 June 2020</p> |
| | <p>Hearings</p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> Further Issue Specific Hearing (if required) Further Issue Specific Hearing on the draft DCO (if required) Further Open Floor Hearing (if required) Further Compulsory Acquisition Hearing (if required) Further Accompanied Site Inspection (if required) | <p>Tuesday 9 June to Thursday 11 June 2020</p> |
| | <p>Deadline 7 (D7)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> Post Hearing submissions including written submissions of oral case (if required) Comments on responses to the ExA's further Written Questions (if required) Comments on the RIES (if required) Comments on the ExA's proposed schedule of changes to the draft DCO (if required) Comments on any additional information/submissions received by D6 Responses to any further information requested by the ExA for this deadline | <p>Thursday 25 June 2020</p> |
| | <p>Deadline 8 (D8)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> Responses to comments on the RIES (if required) Responses to comments on the ExA's proposed schedule of changes to the draft DCO (if required) Final DCO to be submitted by the Applicant in the SI template with the SI template validation report Final updated Book of Reference Final SoCG | <p>Tuesday 7 July 2020</p> |

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| | <ul style="list-style-type: none"> • Final Statement of Commonality of SoCG • Final Compulsory Acquisition Schedule • Final updated Guide to the Application • Comments on any additional information/submissions received by D7 • Responses to any further information requested by the ExA for this deadline | |
| | <p>Deadline 9 (D9)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any additional information/submissions received • Responses to any further information requested by the ExA for this deadline | <p>Friday 17 July 2020</p> |
| | <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>Tuesday 21 July 2020</p> |

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 'Documents' tab on 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/north-east/a1-birtley-to-coal-house-improvement-scheme/?ipcsection=docs>

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 hearings

| Date | Hearing | Start time | Venue | Access and parking |
|-------------------------|--|------------|---|--|
| Tuesday 21 January 2019 | Issue Specific Hearing on the draft DCO (ISH1) | 2.00pm | European Suite Newcastle Gateshead Marriott Hotel MetroCentre Gateshead Tyne and Wear NE11 9XF | Full disabled access. Large complimentary car park with free parking |

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 Tuesday 14 January 2020**, 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.

Hearing agendas

Please note that for Issue Specific Hearings the ExA 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.

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/North%20East/A1-Birtley-to-Coal-House-Improvement-Scheme/>

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/ address | Opening hours |
|------------------------|---------------------------------------|---|
| Gateshead Civic Centre | Regent Street Gateshead NE8 1HH | Monday: 08:45 – 17:00 Tuesday: 08:45 – 17:00 Wednesday: 08:45 – 17:00 Thursday: 08:45 – 17:00 Friday: 08:45 – 16:30 Saturday: CLOSED Sunday: CLOSED |
| Printing costs | Black and white | Colour |
| A4 | Single-sided: 10p | Single-sided: 50p |
| A3 | Single-sided: 20p | Single-sided: 90p |

| Local authority | Library/ address | Opening hours |
|---|---|--|
| Link to website: https://www.gateshead.gov.uk/article/1765/Contact-Gateshead-Council | | |
| Gateshead Central Library | Central Library Prince Consort Road Gateshead NE8 4LN | Monday: 09:00 – 19:00 Tuesday: 09:00 – 19:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 19:00 Friday: 09:00 – 19:00 Saturday: 09:00 – 13:00 Sunday: CLOSED |
| Printing costs | Black and white | Colour |
| A4 | Single-sided: 10p | Single-sided: 50p |
| A3 | Single-sided: 20p | Single-sided: 90p |
| Link to website: https://www.gateshead.gov.uk/article/9037/Gateshead-Central-Library | | |
| Birtley Library | Birtley Library, Durham Road, Birtley Chester-Le-Street DH3 1LE | Monday: 09:00 – 19:00 Tuesday: 09:00 – 19:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 19:00 Friday: 09:00 – 17:00 Saturday: 09:00 – 13:00 Sunday: CLOSED |
| Printing costs | Black and white | Colour |
| A4 | Single-sided: 10p | Single-sided: 50p |
| A3 | Single-sided: 20p | Single-sided: 90p |
| Link to website: https://www.gateshead.gov.uk/article/9027/Birtley-Library | | |
| The Birtley Hub Resource Centre | 16 Harraton Terrace Birtley Chester-Le-Street DH3 2QG | Monday: 09:00 – 15:30 Tuesday: 09:00 – 15:30 Wednesday: 09:00 – 12:00 Thursday: 09:00 – 15:30 Friday: 09:00 – 15:30 Saturday: CLOSED |

| Local authority | Library/ address | Opening hours |
|---|-------------------------|----------------------|
| | | Sunday: CLOSED |
| Printing Costs | Black and White | Colour |
| A4 | Single-sided: 10p | Single-sided: 40p |
| Link to website: https://www.thebirtleyhub.co.uk/ | | |

Other Procedural Decisions made by the Examining Authority (ExA)

The ExA has made the following Procedural Decisions under Section 89(3) of the PA2008:

1. **Deadline for Notification by Statutory Parties, or certain Local Authorities of their wish to be considered as an Interested Party**

I have made a procedural decision that, in order to facilitate a timely start to the Examination, Statutory Parties and certain Local Authorities must have decided whether they wish to be considered as an IP and notified the Planning Inspectorate of their decision by **Tuesday 4 February 2020 (Deadline 1)**.

2. **Written Representations**

I have made a procedural decision that Written Representations will be required to be submitted by **Tuesday 4 February 2020 (Deadline 1)**.

3. **Statements of Common Ground (SoCG)**

In relation to some of the Principal Issues identified in **Annex B**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft Examination Timetable at **Annex C** therefore provides a deadline for submission of SoCGs. This is on **Tuesday 25 February 2020 (Deadline 2)**.

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.

SoCGs are requested to be prepared between **the Applicant** and:

A. Gateshead Council, to include:

- Development Consent Order (including requirements)
- Environmental Impact Assessment (including any cumulative effects)
- Air quality and emissions
- Biodiversity, ecology and nature conservation
- Economic and social effects
- Historic environment
- Landscape and visual effects
- Noise and vibration
- Traffic and transportation
- Green Belt considerations

- Outline Construction Environmental Management Plan (including Record of Environmental Actions and Commitments and Construction Traffic Management Plan)

B. Sunderland City Council, to include:

- Development Consent Order (including requirements)
- Environmental Impact Assessment (including any cumulative effects)
- Impacts within local authority area including traffic and transportation
- Outline Construction Environmental Management Plan (including Record of Environmental Actions and Commitments and Construction Traffic Management Plan)

C. Environment Agency, to include:

- Development Consent Order
- Water environmental effects, including abstraction and discharge
- Water framework directive compliance
- Drainage and flooding
- Environmental permits
- Outline Construction Environmental Management Plan (including Record of Environmental Actions and Commitments)

D. Historic England, to include:

- Development Consent Order
- Effects on heritage assets
- Archaeological considerations
- Outline Construction Environmental Management Plan (including Record of Environmental Actions and Commitments)

E. Natural England, to include:

- Development Consent Order
- Biodiversity, ecology and nature conservation, including protected species
- License applications
- Outline Construction Environmental Management Plan (including Record of Environmental Actions and Commitments)

F. Network Rail Infrastructure Limited, to include:

- Development Consent Order (including protective provisions)
- Impact upon railway infrastructure and services (including proposed mitigation)
- Whether the requirements of S127 of the Planning Act 2008 have been met

G. Northern Gas Networks Limited (NGN), to include:

- Development Consent Order (including protective provisions)
- Impacts on NGN operations
- Whether the requirements of S127 of the Planning Act 2008 have been met

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
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects, including construction and operational effects
- Feasible and deliverable mitigation and method for securing such mitigation within the DCO

All of the SoCGs listed above should cover the Articles and Requirements in the draft DCO. 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 2**, or in so far as any local authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted **by the Applicant** to **Deadline 2**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs is necessary to help inform the ExA as to the need to hold any Issue Specific Hearings in **April/June 2020**, and to enable the ExA and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

4. Compulsory Acquisition

The ExA would be assisted by regular updates throughout the Examination on the progress of negotiations and agreements of land required for the Proposed Development. This update should take the form of a pro-forma which will be issued with Written Questions shortly after the PM.

5. Post-submission documents and representations

Following the acceptance of the application, the Applicant submitted correspondence to the Planning Inspectorate on 18 November 2019 [[AS-001](#)] in response to section 51 advice [[PD-003](#)] issued on 10 September 2019.

The Applicant's letter outlines the revised documents submitted in response to the matters raised in advice issued by the Planning Inspectorate. It also confirms the list of additional parties that have been sent a section 56 Notice on a precautionary basis. I have made a Procedural Decision to accept the documentation and correspondence, which have now been published on the project page of the National Infrastructure Planning

website: <https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-birtley-to-coal-house-improvement-scheme/?ipcsection=docs&stage=3&filter1=Additional+Submissions>

The revised documents submitted by the Appellant are as follows:

- Updated Book of Reference (clean version [[AS-004](#)], track changes [[AS-005](#)] and Schedule of Changes [[AS-006](#)]).
- Updated Land Plans [[AS-002](#)].
- Updated Key Plan on the Special Category Land Plan [[AS-003](#)].

I have also made a Procedural Decision to accept a submission from Gateshead Council [[AS-007](#)] responding to the Applicant's letter of notification that the application had been accepted for Examination. This submission is also available on the project page of the website.

Interested Parties may submit any comments they may have on any of these documents and submissions by **Tuesday 4 February 2020 (Deadline 1)**.

6. Request for further information from the Applicant

The s51 advice to the Applicant issued on 10 September 2019 [[PD-003](#)] stated that there appear to be some discrepancies between Tables 1 to 6 (Annex A) of the Statement of Reasons in comparison with the Works and Land Plans. It therefore sought a plan or set of plans to show clearly the land plots in relation to the works (e.g. an overlay of the Land Plan onto the Works Plan). This does not appear to have been provided with the Applicant's correspondence of 18 November 2019.

I therefore request that the Applicant checks for any such discrepancies and provides necessary plans as sought by the section 51 advice of 10 September 2019, along with any associated commentary, by **Tuesday 14 January 2020**.