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To All Specific Parties

Your Ref:

Our Ref: TR010031

Date: 6 February 2020

Dear Sir/ Madam

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

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

Variation of Examination Timetable

I write to you to explain that, due to an administrative error, you were omitted as a recipient of notifications in respect of the Examination of the above application. These notifications included:

- Notification of, and your invitation to, the Preliminary Meeting which was held on 21 January 2020 (the 'Rule 6' letter¹);
- notification of, and your invitation to, an Issue Specific Hearing on the draft Development Consent Order which was held after the Preliminary Meeting on 21 January 2020; and
- notification of the Examination Timetable and other Procedural Decisions made at or following the Preliminary Meeting (the 'Rule 8' letter²).

I have consequently made a Procedural Decision to vary the Examination Timetable. This decision has been taken in order to provide you with an opportunity to:

- Comment on any of the matters included in the agenda for the Preliminary Meeting (available at Annex A of the Rule 6 letter dated 10 December 2019);
- make any other representations about how the application should be examined;

¹ Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000668-Rule%206%20Letter%20and%20Annexes.pdf>

² Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000672-Rule%208%20Letter%20Final.pdf>

- make representations in writing in respect of the matters set out in the agenda for the Issue Specific Hearing on the draft Development Consent Order (dDCO)³ which was held on 21 January 2020;
- make any of the types of submissions, including Written Representations, listed under Deadline 1 in the Examination Timetable; and
- provide any responses as appropriate to the Examining Authority's Written Questions⁴ published on 28 January 2020.

The variation to the Examination Timetable comprises:

- The insertion of a new **Deadline 2A, Monday 2 March 2020**, to provide you with an opportunity to make written submissions and responses in respect of the matters set out above; and
- the insertion of a new **Deadline 3A, Monday 16 March 2020**, to provide an opportunity for any Interested Parties to comment on any submissions received to Deadline 2A.

For completeness, the updated Examination Timetable is provided at **Annex A** to this letter.

Please note that a separate letter has been sent to all other Interested Parties to notify them of the Timetable variation, available here:

<http://infrastructure.planninginspectorate.gov.uk/document/TR010031-000751>

For the avoidance of doubt, our records have now been corrected and you will receive all future relevant notifications and correspondence from the Planning Inspectorate in respect of the Examination of this application.

Up-to-date information about the project and the Examination and copies of all Examination documentation, including a note of the Preliminary Meeting and Action Points from the Issue Specific Hearing, can be found on the project page of the National Infrastructure Planning website here:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-birtley-to-coal-house-improvement-scheme/?ipcsection=overview>

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with this resource.

Please also note that audio recordings from the Preliminary Meeting and the Issue Specific Hearing on the dDCO held on 21 January 2020 are available here:

Preliminary Meeting: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000711-Morning%20Session%20-%20Normalized.mp2>

³ Available at: [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000691-200110%20Agenda%20for%20ISH1%20\(draft%20DCO\).docx](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000691-200110%20Agenda%20for%20ISH1%20(draft%20DCO).docx)

⁴ Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000718-ExA%20Written%20Questions%20Final.pdf>

Issue Specific Hearing:

Part 1 - [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000712-Afternoon%20Session%20\(Part%201\)%20-%20Normalized.mp2](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000712-Afternoon%20Session%20(Part%201)%20-%20Normalized.mp2)

Part 2 - [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000713-Afternoon%20Session%20\(Part%202\)%20-%20Normalized.mp2](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000713-Afternoon%20Session%20(Part%202)%20-%20Normalized.mp2)

On behalf of the Planning Inspectorate I apologise for any inconvenience caused by this error.

If you have any questions about this Procedural Decision, please contact the Case Team using the details at the top of this letter.

Yours sincerely

David Cliff

David Cliff
Examining Authority

This communication does not constitute legal advice.
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Examination Timetable (updated on 6 February 2020)

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.

Item	Matters	Due Dates
1	Preliminary Meeting (PM)	Tuesday 21 January 2020 (morning)
2	Issue Specific Hearing on the draft DCO (ISH1)	Tuesday 21 January 2020 (afternoon)
3	<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
4	<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 RR's 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) • Notification of wish to make oral representations at an Issue Specific Hearing (ISH) • Notification of wish to speak at a Compulsory Acquisition Hearing (CAH) 	Tuesday 4 February 2020

	<ul style="list-style-type: none"> • 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 	
5	<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 	Tuesday 25 February 2020
6	<p>Deadline 2A (D2A)</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Written submissions from specific parties as specified in the ExA's letter to specific parties dated 6 February 2020 	Monday 2 March 2020
7	<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 	Tuesday 10 March 2020

8	<p>Deadline 3A (D3A)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on submissions by specific parties received at D2A 	Monday 16 March 2020
9	Date reserved for Accompanied Site Inspection (if required)	Tuesday 31 March 2020
10	Date reserved for Open Floor Hearing (OFH1) (if required)	Tuesday 31 March 2020 (evening)
11	Date reserved to hold an Issue Specific Hearing (ISH2) (if required)	Wednesday 1 April 2020
12	Date reserved to hold an Issue Specific Hearing on the draft DCO (ISH3) (if required)	Thursday 2 April 2020
13	Date reserved for Compulsory Acquisition Hearing (CAH1) (if required)	Friday 3 April 2020 (morning)
14	<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
15	<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
16	Publication of:	Thursday 7 May 2020

	<ul style="list-style-type: none"> The ExA's further Written Questions (if required) 	
17	<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 Responses to any further information requested by the ExA for this deadline 	Thursday 21 May 2020
18	<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) 	Thursday 4 June 2020
19	<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) 	Tuesday 9 June to Thursday 11 June 2020
20	<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 	Thursday 25 June 2020
21	<p>Deadline 8 (D8)</p>	Tuesday 7 July 2020

	<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 • 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 	
22	<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 	Friday 17 July 2020
23	<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>	Tuesday 21 July 2020

Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after each deadline for submissions.

Hearing agendas

We will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. 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

Where the Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may

decide to issue a Report on the Implication for European Sites (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 Regulations¹ and/ or Regulation 28 of the Offshore Marine Regulations.

¹ The Conservation of Habitats and Species *Regulations* 2017