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To all Interested Parties

Your Ref:

Our Ref: TR010031

Date: 7 May 2020

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Dear Sir/Madam

**Planning Act 2008 – Section 89 and The Infrastructure Planning  
(Examination Procedure) Rules 2010 – Rules 8(3) and 17**

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

**Revised Examination Timetable and request for representations from  
Interested Parties on potential Hearing arrangements**

As confirmed in my letter of 24 March 2020, the Hearings that had been previously scheduled from 31 March to 3 April 2020 had to be postponed in the light of the current public health situation caused by the COVID-19 pandemic. In that letter I also revised the Examination Timetable to include an additional round of Written Questions (published on 6 April 2020), including several matters that I had intended to raise at the Hearings. I thank the parties for responding to these questions.

I am now considering how to proceed with the Examination and how best to ensure fairness in the current circumstances given the practical constraints that we all currently face. The Examination is primarily a written process and that process will continue.

However, there is still an obligation to hold both an Open Floor Hearing and a Compulsory Acquisition Hearing following previous requests to be heard at such Hearings by Interested Parties. Furthermore, whilst several issues appear capable of examination in writing, it may be necessary to hold further Issue Specific Hearing(s) in order for oral representations to be made to ensure that there is adequate examination of a particular issue or issues.

The Examination is scheduled to be completed by 21 July 2020 and it remains possible that Hearings will be able to take place by this date, albeit with revisions to the current timetable. However, in the current circumstances, there is a need for special arrangements and preparations for such Hearings.

I am considering holding the Hearings required during the remainder of the Examination remotely, using teleconferencing and/or video conferencing facilities. Teleconferencing typically involves the use of a telephone, mobile telephone, or a smartphone, tablet or computer connected to the internet to hold an audio discussion between participants and the Examining Authority (ExA). Video conferencing typically involves the use of a smartphone, tablet or computer connected to the internet to hold video discussions between participants and the ExA.

I have consequently revised the Examination Timetable (**Annex A**). It includes an opportunity for representations to be made on future Hearing arrangements and a series of revised dates for any future Hearings to take place.

### **Request for representations on potential Hearing arrangements**

I am now requesting representations on future Hearings, including your wish and/or ability to take part in Hearings using teleconferencing and/or video conferencing.

In making such representations please can all Interested Parties complete the Questionnaire available on the project page of the National Infrastructure Planning Website:

[https://forms.office.com/Pages/ResponsePage.aspx?id=mN94WIhVq0iTIpmM5VcIjbsQpw9NmkVKm\\_9Tr-MI7k9UQTgySDdRU0xRMk1WWTg4REdMMUFZOE1BTi4u](https://forms.office.com/Pages/ResponsePage.aspx?id=mN94WIhVq0iTIpmM5VcIjbsQpw9NmkVKm_9Tr-MI7k9UQTgySDdRU0xRMk1WWTg4REdMMUFZOE1BTi4u)

Responses are to be submitted by **Deadline 6, Tuesday 19 May 2020**.

A Frequently Asked Questions (FAQ) document, which may be updated from time to time, is available at

<http://infrastructure.planninginspectorate.gov.uk/document/TR010031-000982>.

This provides further information on the arrangements for the remainder of the Examination including options for remote Hearings.

If you have any difficulty completing the Questionnaire or viewing the FAQ document please contact the case team:

**Project email:** [A1BirtleytoCoalHouse@planninginspectorate.gov.uk](mailto:A1BirtleytoCoalHouse@planninginspectorate.gov.uk)

**Telephone:** 0303 444 5000

If you do not have access to the internet please contact the case team by telephone so that they can complete the Questionnaire on your behalf.

### **Dates for Hearings**

Please note that the Hearings scheduled in the previous timetable for the 9, 10 and 11 June 2020 will not be taking place. As set out in the revised timetable, Hearings are now scheduled for w/c 22 June 2020 with further provision made for Hearings during w/c 29 June and on 13 July and 14 July should these be required. It is not anticipated that all these dates will be needed but they are included at this stage for flexibility. Later on I will set out detailed arrangements and procedures for the Hearings.

### **Written Questions**

<https://infrastructure.planninginspectorate.gov.uk>



Given that I have recently asked an additional round of Written Questions on 6 April 2020 and taking account of the revisions I have made to the Examination Timetable, I have no further Written Questions at this time. However, you will note that I have added an opportunity for a further round of Written Questions within the revised timetable.

### **Application Changes**

As set out in my previous letter of **6 May 2020** I have made a Procedural Decision to accept the Applicant's proposed changes to the application. I have consequently added an opportunity for written submissions to be made on these changes at **Deadline 7 on Tuesday 2 June 2020**. Any additional timetable variations required as a result of the relevant Compulsory Acquisition Regulations and procedures will be made in due course.

Lastly, I thank all Interested Parties for your continued participation in the Examination, particularly during the difficult current circumstances that we are all experiencing.

Yours faithfully

*David Cliff*

**Examining Authority**

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**Examination Timetable (updated on 7 May 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.

<b>Item</b>	<b>Matters</b>	<b>Due Dates</b>
<b>17</b>	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>A request for representations on the use of teleconferencing and/or video conferencing technologies for Hearings and for representations on whether matters should be addressed in Hearings or in written submissions</li> </ul> <p><i>Responses to be submitted via the Remote Hearings Questionnaire</i></p>	<b>Thursday 7 May 2020</b>
<b>18</b>	<p><b>Deadline 6 (D6)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Responses to the Remote Hearings Questionnaire</li> <li>Comments on any additional information/submissions received by D5</li> <li>Responses to any further information requested by the ExA under Rule 17 for this deadline</li> </ul>	<b>Tuesday 19 May 2020</b>
<b>19</b>	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>The ExA's third Written Questions (if required)</li> </ul>	<b>Tuesday 26 May 2020</b>
<b>20</b>	<p><b>Deadline 7 (D7)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Representations on the Applicant's changes to the application received at D4</li> <li>Comments on any additional information/submissions received by D6</li> <li>Responses to any further information requested by the ExA under Rule 17 for this deadline</li> </ul>	<b>Tuesday 2 June 2020</b>
<b>21</b>	<p><b>Deadline 8 (D8)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Responses to ExA's third Written Questions (if required)</li> </ul>	<b>Tuesday 9 June 2020</b>

	<ul style="list-style-type: none"> <li>• Updated Statements of Common Ground</li> <li>• Responses to the request for notification of a wish to speak at Hearings and/or to access a recording and, if available, a streamed broadcast of Hearings</li> <li>• Comments on any additional information/submissions received by D7</li> <li>• Responses to any further information requested by the ExA under Rule 17 for this deadline</li> </ul>	
<b>22</b>	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES) (if required)</li> <li>• The ExA's proposed schedule of changes to the draft DCO (if required)</li> </ul>	<p><b>Tuesday 16 June 2020</b></p>
<b>23</b>	<p><b>Time reserved for Hearings:</b></p> <ul style="list-style-type: none"> <li>• Open Floor Hearing (if required)</li> <li>• Issue Specific Hearing(s) (if required)</li> <li>• Compulsory Acquisition Hearing (if required)</li> </ul>	<p><b>Monday 22 June 2020</b></p> <p><b>Tuesday 23 June 2020</b></p> <p><b>Wednesday 24 June 2020</b></p> <p><b>Thursday 25 June 2020</b></p> <p><b>Friday 26 June 2020</b></p>
<b>24</b>	<p><b>Additional time reserved for Hearings:</b></p> <ul style="list-style-type: none"> <li>• Open Floor Hearing (if required)</li> <li>• Issue Specific Hearing(s) (if required)</li> <li>• Compulsory Acquisition Hearing (if required)</li> </ul>	<p><b>Tuesday 30 June 2020</b></p> <p><b>Wednesday 1 July 2020</b></p> <p><b>Thursday 2 July 2020</b></p> <p><b>Friday 3 July 2020</b></p>
<b>25</b>	<p><b>Deadline 9 (D9)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written summaries of oral contributions at Hearings</li> <li>• Post-Hearing submissions requested by the ExA (if required)</li> <li>• Comments on the RIES (if required)</li> <li>• Comments on the ExA's proposed schedule of changes to the draft DCO (if required)</li> <li>• Comments on any additional</li> </ul>	<p><b>Wednesday 8 July 2020</b></p>

	<p>information/submissions received by D8</p> <ul style="list-style-type: none"> <li>• Responses to any further information requested by the ExA under Rule 17 for this deadline</li> </ul>	
<b>26</b>	<p><b>Time reserved for Hearings (if required)</b></p> <ul style="list-style-type: none"> <li>• Open Floor Hearing (if required)</li> <li>• Issue Specific Hearing(s) (if required)</li> <li>• Compulsory Acquisition Hearing (if required)</li> </ul>	<p><b>Monday 13 July 2020</b></p> <p><b>Tuesday 14 July 2020</b></p>
<b>27</b>	<p><b>Accompanied Site Inspection</b></p> <p>Dates reserved for Accompanied Site Inspection (if required)</p>	<p><b>Thursday 16 July 2020</b></p> <p><b>Friday 17 July 2020</b></p>
<b>28</b>	<p><b>Deadline 10 (D10)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written summaries of oral contributions at Hearings (if required)</li> <li>• Post-Hearing submissions requested by the ExA (if required)</li> <li>• Responses to comments on the RIES (if required)</li> <li>• Responses to comments on the ExA's proposed schedule of changes to the draft DCO (if required)</li> <li>• Final DCO to be submitted by the Applicant in the SI template with the SI template validation report</li> <li>• Final updated Book of Reference</li> <li>• Final SoCG</li> <li>• Final Statement of Commonality of SoCG</li> <li>• Final Compulsory Acquisition Schedule</li> <li>• Final updated Guide to the Application</li> <li>• Responses to any further information requested by the ExA under Rule 17 for this deadline</li> </ul>	<p><b>Friday 17 July 2020</b></p>
<b>29</b>	<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><b>Tuesday 21 July 2020</b></p>

### **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.