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National Highways  
For information – to all Interested Parties

Your Ref:

Our Ref: TR010032

Date: 25 September 2023

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Dear Sir/Madam,

## **Application by National Highways for an Order Granting Development Consent for the Lower Thames Crossing**

**Planning Act 2008 – Section 89(3) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 8(3), 9 and 17**

**The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 – Regulations 4 to 19**

**Procedural Decisions<sup>1</sup> 39 addressing the Second Change Request Application and 40 Amending the Examination Timetable to support Examination of the Second Change Request and Change Request MRC03**

We are writing to inform you of procedural decisions made by the Examining Authority (ExA):

- responding to the Applicant's request for the ExA to accept further proposed changes (the Second Change Request Application) to the Development Consent Order (DCO) Application; and
- to amend the Examination timetable to make provision for the Examination of multiple Change Requests that are subject to procedures under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regulations).

### **The Second Change Request: (EC01 and EC02)**

The Applicant notified the ExA of its intention to request changes to the Application on 3 July 2023. The ExA responded to confirm its agreement to the Applicant's non statutory consultation process and to confirm it would publish the notification on 14 July 2023 [[PD-022](#)].

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<sup>1</sup> All Procedural Decisions made by the ExA for the Lower Thames Crossing examination can be found in the Procedural Decisions Log [[PD-007](#)].

The formal Second Change Request Application letter was subsequently submitted by the Applicant on 8 September 2023 [[CR2-001](#) – CR2-019.] The changes are summarised as follows:

- **EC01:** Revised alignment of a high-pressure gas pipeline at Brentwood Road, which would require additional permanent acquisition of rights to approximately 428m<sup>2</sup> of land for Cadent Gas (Work No. G5).
- **EC02:** Additional permanent acquisition of rights to approximately 3,360m<sup>2</sup> of land south of Fen Lane, Ockendon for National Grid Electricity Transmission to facilitate future maintenance and operational access to diverted overhead lines off Fen Lane, Ockendon (Work No. OH7).

The ExA has assessed the Applicant's request in line with paragraphs 109 to 115 of DCLG Guidance '[Planning Act 2008: examination of applications for development consent](#)' and the Planning Inspectorate's [Advice Note 16](#) – Requests to change applications after they have been accepted for examination. The ExA provides its procedural decision on the Change Requests and reasons for its decision below.

### 39. **Change Requests EC01 and EC02**

The Applicant advises that the two proposed "formal changes" are a result of ongoing discussions with Statutory Undertakers and would entail both a realignment of utility apparatus and the compulsory acquisition of additional permanent rights in land for Statutory Undertakers to enable long term access to and maintenance of utility apparatus. Both give rise to a requirement for additional land and rights. Both change requests are subject to the CA Regulations.

The Applicant's submission states that there are no materially new or different likely significant adverse environmental effects compared to those reported in the Environmental Statement (ES) and that the proposals would not involve any increase to the extent of the Order Limits. Only minor changes to the powers sought within the existing Order Limits amending the temporary possession of land on defined plots to the temporary possession of land and permanent acquisition of rights on the same plots are sought.

The ExA has no in-principle concern with the reasons for the Change Requests and is satisfied that the changes both individually and cumulatively are not so substantial that they would extend beyond the original scope and assessment of the Project as to constitute a materially different project. Notwithstanding, given the proposed 'upgrade' in rights sought over the defined plots, the ExA is clear that the proposed changes do invoke the requirements of the CA Regulations because additional rights are sought.

Section 7 of the Second Change Request Application letter [[CR2-001](#)] summarises the consultation undertaken to date on the change request while the Consultation Report [[CR2-018](#)] provides a fuller description of the process and the responses received. The ExA considers that the specific targeted nature of the consultation accords with the advice it issued on 14 July 2023 [[PD-022](#)], but notes that the consent of all those with an interest in the land has so far not been obtained. Nevertheless, the ExA is content that there remains sufficient time within the Examination for the proposed changes to be properly and fairly examined including the opportunity for written submissions and any oral representations to

be made at any hearings that are required, along with the procedural requirements of the CA Regs. On that basis, and in accordance with Regulation 6 of the CA Regs, the Second Change Request Application can be accepted into the Examination.

In reaching this acceptance decision, the ExA is satisfied that it complies with the Requirements of Regulation 5 of the CA Regs and has prepared a Regulation 5 'Proposed Provision' Checklist in addition to this procedural decision, which is attached at **Annex A** of this letter.

The Applicant is now required to notify the relevant Affected Persons of the ExA's decision in accordance with the requirements of CA Regs 7, 8 and 9 and to invite them to make representations about the changes. The ExA notes that the Applicant intends to commence this representation period on **10 October 2023**, and this is acceptable to the ExA.

### **Amending the Examination Timetable to support Examination of Change Request MRC03 and the Second Change Request (Change Requests EC01 and EC02)**

On 16 March 2023, the Applicant wrote to the ExA highlighting its intention to make a group of changes [[AS-083](#)]. One of those changes was described as follows:

- MRC03: Reduction of the Order Limits, relocation of utilities and Utility Logistics Hubs (ULHs) in East Tilbury, with consequential acquisition of permanent rights over land previously only affected by temporary possession of rights.

In its procedural decision 11 of 21 March 2023 [[PD-011](#)] the ExA agreed to publish the proposed change. Following consultation by the Applicant a formal Change Application including Change MRC03 was made on 2 August 2023 [[AS-092](#)]. In its procedural decision 35 made on 29 August 2023 [[PD-031](#)], the ExA resolved to accept Change MRC03 for Examination, whilst noting that because it too included an 'upgrade' of rights from temporary to permanent acquisition, the CA Regulations would apply to the change.

It is now necessary to set out examination procedures for this change (MRC03), to be conducted in parallel with procedures for the second change request (EC01 and EC02). To ensure a simple process, all procedures and deadlines for both sets of changes will take place within the framework of the Examination Timetable (which the ExA has decided to amend for those purposes) and on the same dates.

#### **40. Timetable Change to Accommodate CA Regulations Examination for Change Requests EC01, EC02 and MRC03**

Further to the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended)(the EPR) Rule 8(3), the ExA has decided to amend the Examination Timetable to make express provision for procedures that are required to examine Change Requests EC01, EC02 and MRC03 under the CA Regulations.

Further to the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3), the ExA has decided to amend the Examination Timetable to make provision for the submission of relevant representations on proposed changes under references EC01, EC02 and MRC03 and for oral examination if required, as a consequence of the CA Regulations, Regulation 12, should any requests to be heard be received. The same

procedures and deadlines apply to each change request. The relevant representation period and the written representation period for each request will run concurrently, commencing on 10 October 2023 and ending on 10 November 2023. If they are required, any hearings to address matters arising under the CA Regulations will be held between Tuesday 12 and Wednesday 13 December 2023 as virtual events. A summary of the changes to the Timetable and a revised Timetable can be found in **Annex B** to this letter.

The ExA will set out a new Initial Assessment Issues for the change requests pursuant to the CA Regulations, Regulation 11, following the receipt of representations, as soon as practicable after 10 November 2023. The ExA does not consider that a separate preliminary meeting to discuss these timetable changes is necessary, as the timetable changes are limited in scope and have largely been implemented within the framework provided by the existing Examination process.

### **General Procedural Advice on the Changes**

Persons wishing to make Relevant Representations on the proposed provisions (the proposed changes under references EC01, EC02 and MRC03 identified in this letter) should note that Regulation 10 of the CA Regs provides that **Relevant Representations must relate only to the proposed provisions**, i.e., only to the additional land or rights sought and to the effects of the proposed development on or to the taking of the proposed additional land or rights. The same principle applies to Written Representations on the proposed provisions. Representations that relate to the Development Consent Order Application more broadly or to other subject matters than the proposed provisions themselves will not be accepted or considered by the ExA, as the existing Examination already provides a full process for the receipt and consideration of such information.

The amended Timetable (Annex B) provides for the submission of Relevant Representations and Written Representations in relation to the proposed provisions over a concurrent time-period, ending in the same deadline on **10 November 2023**. A Relevant Representation is a person's registration as an Interested Party (IP) in relation to the proposed provisions and sets out their position in summary terms. A Relevant Representation must be made if you wish to have your views on the proposed provisions considered and to participate in Examination events that consider the proposed provisions. Further guidance on making a Relevant Representation and what it must contain can be found in the Planning Inspectorate's [Advice Note 8.2](#) at section 6. A Written Representation is a more detailed statement of case and evidence which can be made by a person who has registered or is registering as an IP in relation to the proposed provisions – if they so wish. Further guidance on making a Written Representation and what it may contain can be found in the Planning Inspectorate's [Advice Note 8.4](#).

In line with the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17, the ExA requests that the Applicant updates and consolidates all necessary documents into the Examination by **Deadline 5, Tuesday 3 October 2023** including but not limited to the Book of Reference, Statement of Reasons, draft Development Consent Order, Land Plans, Works Plans, and General Arrangements Plans.

If you have any questions on the matters addressed in this letter, please do not hesitate to contact the case team using the contact details at the head of this letter.

Yours faithfully,

*Rynd Smith*

Rynd Smith  
**Lead Panel Member for the Examining Authority**

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## The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

### Lower Thames Crossing proposed provision for the compulsory acquisition of additional land

Regulation 6(1)			
Within 28 days (starting the day after receipt) the Secretary of State must decide whether or not to accept the proposed provision as part of the application.	Date received	28-day due date	Date of decision
	08/09/23	06/10/23	25/09/2023
Regulation 6(2)	Planning Inspectorate Comments		
Regulation 4 - Prescribed procedure for compulsory acquisition of land			
Regulations 5 to 19 prescribe the procedure for the purposes of the condition in subsection (4) of section 123 (land to which authorisation of compulsory acquisition can relate) and apply where—			
(a) it is proposed to include in an order granting development consent a provision authorising the compulsory acquisition of additional land;	<p>In its Second Change Request Application letter dated 08 September 2023 (Document Ref 10.27) [CR2-001] and accompanying Targeted Consultation Report [CR2-018], the Applicant has confirmed that it seeks a change in land powers sought (additional permanent acquisition of rights) to enable utility providers to be able to realign utility apparatus and to enable future maintenance and operational works on utility networks modified by the Project.</p> <p>Tables 2 and 3 of the Second Change Request Application letter sets out that the compulsory acquisition revisions apply to the following plots:</p> <ul style="list-style-type: none"> <li>• Deletion of Plot ID 28-130 which sought temporary possession of 5,120m<sup>2</sup> of land, and replacement with new Plot ID 28-145 for temporary possession of 4,692m<sup>2</sup> of land, and new Plot ID 28-144 for temporary possession <u>and</u> permanent acquisition of rights of 428m<sup>2</sup> of land;</li> <li>• Deletion of Plot ID 41-12 which sought temporary possession of 25,361m<sup>2</sup> of land, and replacement with new Plot ID 41-45 for temporary possession of 21,919m<sup>2</sup> of land, new Plot ID 41-50 for</li> </ul>		

	<p>temporary possession of 328m<sup>2</sup> of land, and new Plot ID 41-44 for temporary possession <u>and</u> permanent acquisition of rights of 3,114m<sup>2</sup> of land;</p> <ul style="list-style-type: none"> <li>• Deletion of Plot ID 41-17 which sought temporary possession of 2,947m<sup>2</sup> of land, and replacement with new Plot ID 41-46 for temporary possession of 2,894m<sup>2</sup> of land, and new Plot ID 41-48 for temporary possession <u>and</u> permanent acquisition of rights of 53m<sup>2</sup> of land;</li> <li>• Deletion of Plot ID 41-20 which sought temporary possession of 293m<sup>2</sup> of land, and replacement with new Plot ID 41-47 for temporary possession of 52m<sup>2</sup> of land, new Plot ID 41-51 for temporary possession of 48m<sup>2</sup> of land, and new Plot ID 41-49 for temporary possession <u>and</u> permanent acquisition of rights of 193m<sup>2</sup> of land.</li> </ul> <p>The proposed revisions are for the benefit of Statutory Undertakers to build, access, maintain and operate their infrastructure.</p>
(b) a person with an interest in the additional land does not consent to the inclusion of the provision	<p>The Applicant confirms in Section 5.1.2 of its Second Change Request Application letter [CR2-001] that it has written to all the people with an interest in the relevant land but has received no consents in response. It adds in Section 5.1.5 that the Applicant will continue to seek to obtain consent from all persons with an interest in the land affected, but will in the meantime commence a representation period.</p>
<b>Summary – Regulation 4</b>	<p>In light of not having obtained the necessary consents from affected landowners to the acquisition of permanent rights over the aforementioned plots, Regulations 5 to 9 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 apply.</p>
<b>Regulation 5 - Proposed Provision</b>	
<p>The applicant must send to the Secretary of State details of the proposed provision which must—</p>	
(a) be in the form of a book of reference or, where a book of reference has been submitted to the Secretary of State, a supplement to that book;	<p>The Applicant made a submission on 08 September 2023 pursuant to Section 123(4) of the Planning Act 2008 and Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010. That submission included:</p>

	<ul style="list-style-type: none"> <li>• A Change Application letter [CR2-001], which included in Tables 2 and 3 a list of the affected plots (in intention and effect a supplement to the Book of Reference, when read with the document recorded below);</li> <li>• Extract from the Book of Reference (Doc 10.34, September 2023) [Clean Version CR2-014 and Tracked Changes Version CR2-015], showing revisions to plot numbers and recording of additional land interests in all of the relevant parts.</li> </ul>
<p>(b) be accompanied by—</p> <ul style="list-style-type: none"> <li>(i) land plan identifying the land required as additional land, or affected by the proposed provision; and</li> <li>(ii) a statement of reasons as to why the additional land is required and a statement to indicate how an order that contains the authorisation of the compulsory acquisition of the additional land is proposed to be funded.</li> </ul>	<p>The Applicant made a submission on 08 September 2023 pursuant to Section 123(4) of the Planning Act 2008 and Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010. That submission included:</p> <ul style="list-style-type: none"> <li>• Extract from Land Plans Volume C (Sheets 21 to 49) (Doc 10.28, Vol C, September 2023) [Clean Version CR2-002 and Revision Cloud Version CR2-003], identifying the amended and new Plots subject to temporary possession and permanent acquisition of rights;</li> <li>• Extract from Statement of Reasons (Doc 10.33, September 2023) [Clean Version CR2-012 and Tracked Changes Version CR2-013], which includes a new Section 2.5 (providing a summary of and reasons for the proposed acquisition of permanent rights in land), revisions to Table 2, Annex A to show the plots affected by the proposal to acquire new permanent acquisition of rights, and revisions to Annex B to show the status of negotiations with affected persons with interests in the plots affected by the proposal to acquire new permanent acquisition of rights.</li> </ul>
<p><b>Summary – Regulation 5</b></p>	<p>A document amounting to a supplement to the Book of Reference (as permitted by Regulation 5(a)) has been submitted. Similarly, a document amounting to a supplemental Land Plan has been provided identifying the land subject to new acquisition of permanent rights. An abridged version of the Statement of Reasons has been provided, but this details the land in question and therefore accords with the requirements of Regulation 5(b)(ii). However, no new or updated funding statement has been provided, as also required by Regulation 5(b)(ii). Notwithstanding, Section 5.3.1 of the Change Application letter [CR2-001] states that the original Funding Statement</p>



[APP-063] remains relevant to the request to permanently acquire rights in additional land.

The ExA considers that this is sufficient to accord with Regulation 5(b)(ii) and the funding situation will be tested through Examination.

**Lead member of  
the Examining  
Authority**

Rynd Smith

*Rynd Smith*

*Signed*

**Date:**

*25 September 2023*

## Amendments to the Lower Thames Crossing Examination Timetable to address Changes EC01, EC02 and MRC03

Amendments have been made to the Examination Timetable pursuant to Regulation 12 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, to give effect to the examination of proposed provisions in relation to Changes EC01, EC02 and MRC03 which seek additional land or rights.

The examination of the proposed provisions will proceed within the framework of the ongoing Examination of the application for a Development Consent Order for the Lower Thames Crossing. It follows that the amended timetable addresses requirements arising from the Planning Act 2008 (PA2008), the Infrastructure Planning (Examination Procedure) Rule 2010 (the EPR) and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regs), within a single timetable.

Additional procedures relevant to the examination of the proposed provisions have been added to address obligations arising under the CA Regs. They are for the benefit of additional affected persons (with land or rights affected by the proposed provisions) who become Interested Parties (IPs) under the CA Regs. They do not provide an opportunity for additional involvement by people who were already IPs in the Examination, unless those people are also additional affected persons.

The following table summarises the amendments. This annex also contains a consolidated amended timetable in which the existing arrangements for the Lower Thames Crossing Examination and the amended arrangements for the examination of the proposed provisions can be seen.

### Summary of Amendments

Item	Description of Amendment	Date
22	New opening date for relevant representations in relation to proposed provisions seeking additional land or rights in relation Changes EC01, EC02 and MRC03 (CA Regs RRs).	10 October 2023
24A (A new item)	<p>New closing date for CA Regs RRs</p> <p><b>New CA Regulations Deadline 1 (CA Regs D1)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>CA Regs Written Representations (CA Regs WRs) relating to the effect of the change requests</li> <li>Summaries of any CA Regs WRs over 1500 words</li> </ul>	10 November 2023

Item	Description of Amendment	Date
	Any further information requested by the ExA under Rule 17 of the EPR	
26	Addition to <b>Existing Deadline 7 (D7)</b> of <ul style="list-style-type: none"> <li>• Requests from a CA Regulations Interested Party to be heard at:               <ul style="list-style-type: none"> <li>○ An Open Floor Hearing held under Regulation 16 of the CA Regs (OFH/CA Regs)</li> <li>○ An Issue Specific Hearing held under Regulation 14 of the CA Regs (ISH/CA Regs)</li> <li>○ A Compulsory Acquisition Hearing held under Regulation 15 of the CA Regs (CAH/CA Regs) (if required)</li> </ul> </li> </ul>	Friday 17 November 2023
27A (A new item)	New <b>CA Regulations Deadline 2 (CA Regs D2)</b> <ul style="list-style-type: none"> <li>• Comments on CA Regs WRs</li> <li>• Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	Monday 27 November 2023
28	Addition to Existing <b>Deadline 8 (D8)</b> of <ul style="list-style-type: none"> <li>• Comments on any information requested by the ExA and received by <b>CA Regs D2</b></li> </ul>	Tuesday 5 December 2023
28A (A new Item)	New dates reserved for: <ul style="list-style-type: none"> <li>• An Open Floor Hearing held under Regulation 16 of the CA Regs (OFH/CA Regs) (if required)</li> <li>• An Issue Specific Hearing held under Regulation 14 of the CA Regs (ISH/CA Regs) (if required)</li> <li>• A Compulsory Acquisition Hearing held under Regulation 15 of the CA Regs (CAH/CA Regs) (if required)</li> </ul>	Thursday 7 and Friday 8 December

**Lower Thames Crossing  
Changes EC01, EC02 and MRC03  
Amended Examination Timetable  
Prepared Pursuant to Regulation 12 of the Infrastructure Planning (Compulsory  
Acquisition) Regulations 2010**

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.

Items from 1 to 20 shown covered in a **grey highlight** have already been completed. Items shown covered in a **gold highlight** have been amended to give effect to Regulations 10 to 16 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regulations).

<b>Item</b>	<b>Matters</b>	<b>Date</b>
<b>1.</b>	<p><b><i>Procedural Deadline A (PDA)</i></b></p> <p><i>For receipt by the ExA of:</i></p> <ul style="list-style-type: none"> <li>• <i>Requests to be heard orally at the Programming Meeting</i></li> <li>• <i>Written submissions in advance of the Programming Meeting</i></li> </ul>	<p><b><i>Friday</i></b> <b><i>5 May 2023</i></b></p>
<b>2.</b>	<p><b><i>Programming Meeting</i></b></p>	<p><b><i>Tuesday</i></b> <b><i>16 May 2023</i></b> <b><i>10am</i></b></p>
<b>3.</b>	<p><b><i>Procedural Deadline B (PDB)</i></b></p> <p><i>For receipt by the ExA of:</i></p> <ul style="list-style-type: none"> <li>• <i>Post-event submissions, including written submissions of oral comments made at the Programming Meeting</i></li> <li>• <i>Written submissions on matters raised in the Programming Meeting</i></li> <li>• <i>Written submissions on the Examination procedure and draft timetable</i></li> <li>• <i>Requests to be heard orally at Preliminary Meeting Part 1</i></li> <li>• <i>Applicant's proposed Accompanied Site Inspection (ASI) itinerary</i></li> <li>• <i>Junction layout plans from Applicant (see <b>Annex F</b>)</i></li> </ul>	<p><b><i>Friday</i></b> <b><i>26 May 2023</i></b></p>
<b>4.</b>	<p><b><i>Preliminary Meeting Part 1 (PM pt1)</i></b></p>	<p><b><i>Tuesday</i></b> <b><i>6 June 2023</i></b> <b><i>10am</i></b></p>

Item	Matters	Date
5.	<p><b>Procedural Deadline C (PDC)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post-event submissions, including written submissions of oral comments made at PM pt1</li> <li>• Further written submissions on Examination procedure, including responses to matters raised orally at PM pt1</li> <li>• Requests to be heard orally at the Preliminary Meeting Part 2</li> <li>• Requests to be heard orally at any of the examination hearings notified at <b>Annex E</b> of this letter</li> <li>• Comments by Interested Parties (IPs) on the Applicant's proposed ASI itinerary.</li> </ul>	<p><b>Tuesday</b> <b>13 June 2023</b></p>
6.	<p><b>Preliminary Meeting Part 2 (PM pt2)</b> or issue by the ExA of a decision to close the Preliminary Meeting in writing</p>	<p><b>Tuesday</b> <b>20 June 2023</b> <b>10am</b></p>
7.	<p><b>Open Floor Hearing 1 (OFH1)</b></p>	<p><b>Tuesday</b> <b>20 June 2023</b> <b>6pm</b></p>
8.	<p><b>Issue Specific Hearing 1 (ISH1)</b> on Project Definition</p>	<p><b>Wednesday</b> <b>21 June 2023</b> <b>10am</b></p>
9.	<p><b>Issue Specific Hearing 2 (ISH2)</b> on the draft Development Consent Order (dDCO)</p>	<p><b>Thursday</b> <b>22 June 2023</b> <b>10am</b></p>
10.	<p>Continuation of:</p> <ul style="list-style-type: none"> <li>• <b>Open Floor Hearing 1</b> (if required); and/or</li> <li>• <b>Issue Specific Hearing 1 and/or 2</b> (if required)</li> </ul>	<p><b>Friday 23 June 2023</b></p>
11.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul>	<p>As soon as practicable following PM pt2</p>
12.	<p><b>Open Floor Hearing 2 (OFH2)<sup>2</sup></b></p>	<p><b>Wednesday 28 June 2023</b> <b>10am</b> and</p>

<sup>2</sup> Open Flooring Hearings are open to any Interested Party to attend and speak directly to the Examining Authority. An Interested Party should only attend one Open Flooring Hearing.

Item	Matters	Date
		<b>Thursday 29 June 2023</b> (if required) <b>10am</b>
13.	<b>Open Floor Hearing 3 (OFH3)<sup>1</sup></b>	<b>Wednesday 5 July 2023</b> <b>10am</b> and <b>Thursday 6 July 2023</b> (if required) <b>10am</b>
14.	<b>Deadline 1 (D1)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Post-event submissions, including written submission of oral comments made at the hearings held between 20 June and 6 July 2023</li> <li>• Comments on Additional Submissions submitted since the Application was accepted. (See <b>Annex B</b> of this letter)</li> <li>• Comments on Relevant Representations</li> <li>• Local Impact Reports (LIR) from Local Authorities</li> <li>• Written Representations (WR)</li> <li>• Summaries of any WRs over 1500 words</li> <li>• Applicant's amended proposed ASI itinerary</li> <li>• New Statements of Common Ground (SoCG) (and of updated SoCGs if required). (See <b>Annex B</b>)</li> <li>• New and updated Principal Areas of Disagreement Summaries (PADS) (if updated). (See <b>Annex B</b>)</li> <li>• Applicant's submission of documents (see <b>Annex B</b>)</li> <li>• Applicant's amended dDCO</li> <li>• Applicants proposed Addendum to the Environmental Statement (ES)</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules (EPR)<sup>3</sup></li> </ul>	<b>Tuesday 18 July 2023</b>
15.	<b>Procedural Deadline D (PDD)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Requests by Statutory Parties to be considered as an Interested Parties (IPs) by the ExA</li> </ul>	<b>Tuesday 18 July 2023</b>

<sup>3</sup> The Infrastructure Planning (Examination Procedure) Rules 2010: SI 2010/103

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• Requests by IPs to be heard at any subsequent OFH</li> <li>• Requests by Affected Persons<sup>4</sup> to be heard at a Compulsory Acquisition Hearing (CAH)</li> <li>• Requests to attend the ASI</li> </ul>	
16.	<p><b>Deadline 2 (D2)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs</li> <li>• Comments on LIRs</li> <li>• Comments by IPs on the Applicant’s amended proposed ASI itinerary.</li> <li>• Comments on Applicant’s amended dDCO</li> <li>• Updated SoCGs (if updated. See <b>Annex B</b>)</li> <li>• Updated PADSs (if updated. See <b>Annex B</b>)</li> <li>• Applicant’s submission of documents (see <b>Annex B</b>)</li> <li>• Comments on Applicant’s submissions (see <b>Annex B</b>) at <b>D1</b></li> <li>• Comments on any information requested by the ExA and received by <b>D1</b></li> <li>• Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	Thursday 3 August 2023
17.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• Examining Authority’s First Written Questions (ExQ1)</li> </ul>	Tuesday 15 August 2023
18.	<p><b>Deadline 3 (D3)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to comments on WRs</li> <li>• Updated SoCGs (if updated. See <b>Annex B</b>)</li> <li>• Updated PADSs (if updated. See <b>Annex B</b>)</li> <li>• Applicant’s submission of documents requested (see <b>Annex B</b>)</li> <li>• Comments on Applicant’s submissions (see <b>Annex B</b>) at <b>D2</b></li> <li>• Comments on any information requested by the ExA and received by <b>D2</b></li> <li>• Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	Thursday 24 August 2023

<sup>4</sup> Affected Persons are those defined in section 59(4) of the Planning Act 2008 (as amended)

Item	Matters	Date
19.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>• Open Floor Hearings (OFH) (if required)</li> <li>• Issue Specific Hearings (ISH), including but not limited to: <ul style="list-style-type: none"> <li>○ traffic and transportation</li> <li>○ tunnelling</li> <li>○ the draft Development Consent Order</li> </ul> </li> <li>• Compulsory Acquisition Hearings (CAH) <ul style="list-style-type: none"> <li>○ strategic review of Applicant's case for Compulsory Acquisition</li> <li>○ individual Compulsory Acquisition objections</li> </ul> </li> <li>• ASIs</li> </ul>	w/c 4 and 11 September 2023
20.	<p><b>Deadline 4 (D4)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post-event submissions, including written submission of oral comments made at the hearings held w/c 4 and 11 September 2023 (if held)</li> <li>• Responses to ExQ1</li> <li>• Updated SoCGs (if updated. See <b>Annex B</b>)</li> <li>• Updated PADSs (if updated. See <b>Annex B</b>)</li> <li>• Applicant's submission of documents requested (see <b>Annex B</b>)</li> <li>• Comments on Applicant's submissions (see <b>Annex B</b>) at <b>D3</b></li> <li>• Comments on any information requested by the ExA and received by <b>D3</b></li> <li>• Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	Tuesday 19 September 2023
21.	<p><b>Deadline 5 (D5)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Updated SoCGs (if updated. See <b>Annex B</b>)</li> <li>• Updated PADSs (if updated. See <b>Annex B</b>)</li> <li>• Applicant's submission of documents requested (see <b>Annex B</b>)</li> <li>• Comments on Applicant's submissions (see <b>Annex B</b>) at <b>D4</b></li> <li>• Comments on any information requested by the ExA and received by <b>D4</b></li> </ul>	Tuesday 3 October 2023



Item	Matters	Date
	<ul style="list-style-type: none"> <li>Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	
22.	<p><b>Opening of Relevant Representations</b> in relation to change requests EC01, EC02 and MRC03 pursuant to Regulation 10 of the CA Regulations (CA Regs RRs)<sup>5</sup></p> <p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>Examining Authority's further Written Questions (ExQ) (if required)</li> </ul>	Tuesday 10 October 2023
23.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>Open Floor Hearings (OFH) (if required)</li> <li>Issue Specific Hearings (ISH) (if required)</li> <li>Compulsory Acquisition Hearings (CAH) (if required)</li> <li>Further ASIs (if required)</li> </ul>	Monday 16 to Tuesday 24 October 2023
24.	<p><b>Deadline 6 (D6)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Post-event submissions, including written submission of oral comments made at the hearings held 16 to 24 October 2023 (if held)</li> <li>Responses to further ExQ (if issued)</li> <li>Updated SoCGs (if updated. See <b>Annex B</b>)</li> <li>Updated PADSs (if updated. See <b>Annex B</b>)</li> <li>Applicant's submission of documents requested (see <b>Annex B</b>)</li> <li>Comments on Applicant's submissions (see <b>Annex B</b>) at <b>D5</b></li> <li>Comments on any information requested by the ExA and received by <b>D5</b></li> <li>Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	Tuesday 31 October 2023
24A	<p><b>Closing of CA Regs RRs<sup>5</sup></b></p> <p><b>CA Regulations Deadline 1 (CA Regs D1)</b></p> <p>For receipt by the ExA of:</p>	Friday 10 November 2023

<sup>5</sup> References to CA Regs Relevant Representations (CA Regs RRs), to CA Regs Written Representations (CA Regs WRs) and to CA Regs Interested Parties (CA Regs IPs) in items 22, 24A, 26, 27A and 28A of this timetable relate to persons making written and oral representations about the effects of the CA Regs proposed provisions for change requests EC01, EC02 and MRC03. They are confined in effect to those matters and do not invite the submission of any written or oral representations of a general nature.

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• CA Regs Written Representations (CA Regs WRs)<sup>5</sup> relating to the effect of the change requests</li> <li>• Summaries of any CA Regs WRs over 1500 words</li> <li>• Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	
25.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES) and any associated questions (if required)</li> <li>• ExA's commentary on, or schedule of changes to, the dDCO (if required)</li> <li>• Examining Authority's further Written Questions (ExQ) (if required)</li> </ul>	Tuesday 14 November 2023
26.	<p><b>Deadline 7 (D7)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Applicant's submission of draft s106 agreement(s) and any other draft legal agreements</li> <li>• Comments on responses to further ExQ (if applicable)</li> <li>• Updated SoCGs (if updated. See <b>Annex B</b><sup>6</sup>)</li> <li>• Updated PADSS (if updated. See <b>Annex B</b><sup>4</sup>)</li> <li>• Applicant's submission of documents requested (see <b>Annex B</b>)</li> <li>• Comments on Applicant's submissions (see <b>Annex B</b>) at <b>D6</b></li> <li>• Comments on any information requested by the ExA and received by <b>D6</b></li> <li>• Requests from a CA Regulations Interested Party to be heard at: <ul style="list-style-type: none"> <li>○ An Open Floor Hearing held under Regulation 16 of the CA Regs (OFH/CA Regs)</li> <li>○ An Issue Specific Hearing held under Regulation 14 of the CA Regs (ISH/CA Regs)</li> <li>○ A Compulsory Acquisition Hearing held under Regulation 15 of the CA Regs (CAH/CA Regs) (if required)</li> </ul> </li> <li>• Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	Friday 17 November 2023
27.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>• Open Floor Hearings (OFH) (if required)</li> </ul>	Monday 20 to Tuesday 28 November 2023

<sup>6</sup> See clarifying amendments to Procedural Decisions 27, 28 & 29.

Item	Matters	Date
	<ul style="list-style-type: none"> <li>Issue Specific Hearings (ISH) (if required)</li> <li>Compulsory Acquisition Hearings (CAH) (if required)</li> <li>Further ASIs (if required)</li> </ul>	
<b>27A</b>	<p><b>CA Regulations Deadline 2 (CA Regs D2)</b></p> <ul style="list-style-type: none"> <li>Comments on CA Regs WRs</li> <li>Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	<b>Monday 27 November 2023</b>
<b>28.</b>	<p><b>Deadline 8 (D8)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Post-event submissions, including written submission of oral comments made at the hearings held 20 to 28 November 2023 (if held)</li> <li>Comments on RIES (if issued)</li> <li>Comments on ExA's DCO/Commentary (if issued)</li> <li>Responses to further ExQ (if issued)</li> <li>Applicant's submission of updated s106 agreement(s) and any other updated legal agreements</li> <li>Updated SoCGs (if updated. See <b>Annex B<sup>4</sup></b>)</li> <li>Updated PADSs (if updated. See <b>Annex B<sup>4</sup></b>)</li> <li>Applicant's submission of documents requested (see <b>Annex B</b>)</li> <li>Comments on Applicant's submissions (see <b>Annex B</b>) at <b>D7</b></li> <li>Comments on any information requested by the ExA and received by <b>D7 or CA Regs D2</b></li> <li>Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	<b>Tuesday 5 December 2023</b>
<b>28A</b>	<p><b>Dates reserved for:</b></p> <ul style="list-style-type: none"> <li>An Open Floor Hearing held under Regulation 16 of the CA Regs (OFH/CA Regs) (if required)</li> <li>An Issue Specific Hearing held under Regulation 14 of the CA Regs (ISH/CA Regs) (if required)</li> <li>A Compulsory Acquisition Hearing held under Regulation 15 of the CA Regs (CAH/CA Regs) (if required)</li> </ul> <p>A hearing held pursuant to Regulations 14, 15 or 16 of the CA Regulations may be notified and held (if required) concurrently with another hearing notified and held under the CA Regulations.</p>	<b>Tuesday 12 and Wednesday 13 December 2023</b>

Item	Matters	Date
29.	<p><b>Deadline 9 (D9)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to further ExQ (if applicable)</li> <li>• Final SoCGs<sup>4</sup></li> <li>• Final PADSs<sup>4</sup></li> <li>• Applicant’s final documents: <ul style="list-style-type: none"> <li>○ dDCO, with Statutory Instrument validation report</li> <li>○ Book of Reference (BoR) and schedule of changes</li> <li>○ Statement of Commonality</li> <li>○ Status of Negotiations / Compulsory Acquisition schedule</li> <li>○ Status of Negotiations with Statutory Undertakers</li> <li>○ National Policy Statement (NPS) tracker</li> <li>○ Final signed and dated s106 agreement(s) or any other final legal agreements</li> <li>○ Stakeholder Actions and Commitments Register (SAC-R)</li> <li>○ Consents Position Statement</li> <li>○ Errata, if applicable</li> </ul> </li> <li>• Comments on Applicant’s submissions (see <b>Annex B</b>) at <b>D8</b></li> <li>• Comments on any information requested by the ExA and received by <b>D8</b></li> <li>• Any further information requested by the ExA under Rule 17 of the EPR</li> </ul>	Friday 15 December 2023
30.	<p><b>Deadline 10 (D10)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on any information requested by the ExA and received by <b>D9</b></li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	Wednesday 20 December 2023
31.	The ExA is under a duty to complete the examination of the application by the end of the period of six months	Wednesday 20 December 2023

### Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

## **Publication dates**

All information received will be published on the [project webpage](#) as soon as practicable after the Deadlines for submissions.

## **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 Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

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