

All Interested Parties, Statutory Parties
and any other person invited to the
Preliminary Meeting

Your Ref:

Our Ref: TR010039

Date: 30 November 2021

Dear Sir/ Madam

**Planning Act 2008 – Section 88 and The Infrastructure Planning
(Examination Procedure) Rules 2010 – Rule 4, Rule 6 and Rule 9 and Rule 13**

**Application by Highways England for an Order Granting Development Consent
for the A47 Wansford to Sutton scheme**

**Appointment of the Examining Authority and invitation to the Preliminary
Meeting and Notification of Hearings**

I, Robert Jackson, write to you following my appointment by the then Secretary of State for Housing, Communities and Local Government, (now the Department for Levelling up, Housing and Communities), as the Examining Authority (ExA) to carry out an examination of the above application. A copy of the appointment notice can be viewed under the [Documents tab](#) on the project webpage on the National Infrastructure Planning website.

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.

Examinations during Coronavirus (COVID-19)

In the light of ongoing public health constraints, I will be carrying out at least the initial stages of this Examination using virtual methods. Please see the Planning Inspectorate's [guidance related to Coronavirus \(COVID-19\)](#) for more information.

This guidance is updated periodically to align with the most up to date Government guidance relating to Coronavirus (COVID-19). On that basis we will remain flexible so that, should public health controls allow, I may have the option of holding physical 'in person' events during the Examination if it is safe to do so. If I hold 'in person' events then I am hoping that these will be both livestreamed, but also available so that somebody who is unable to physically attend may attend and participate virtually; this is generally known as a 'blended' approach.

If you have received this letter and intend to participate in virtual events held during this Examination, including the virtual Preliminary Meeting, please read the Planning Inspectorate's [Advice Note 8.6: Virtual Examination events](#) carefully. Advice Note 8.6

contains important information about how virtual events will be held and how you can participate.

If you wish to make representations to me about the use of virtual procedures to carry out this Examination, please submit them for **Procedural Deadline A (7 January 2022)** which is established before the Preliminary Meeting takes place (see **Annex D** to this letter).

Invitation to the Preliminary Meeting

On 15 November 2021 National Highways (formerly Highways England) (the Applicant) wrote to request that to ensure the wellbeing of its staff, consultants, advisors and contractors that the Preliminary Meeting (PM) be delayed until early January so that they would not be required to work over the Christmas and New Year period. I have taken this into account, and the circumstances of other participants in setting the date of the PM.

As a recipient of this letter, you are invited to the Preliminary Meeting to discuss the procedure for the examination of this application.

Date of meeting: 11 January 2022

Arrangements Conference: From 9:30 a.m.

Meeting begins: 10.00 a.m.

Venue: Virtual event (Microsoft Teams)

If a Part 2 meeting is required, see below, this will commence at 2.00 p.m. on **Tuesday 11 January 2022** with the Arrangements Conference from 1.30 p.m.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to me about how the application should be examined. I cannot hear representations about the merits or disadvantages of the application at the Preliminary Meeting. The merits or disadvantages of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed. See **Annex B** to this letter and the Planning Inspectorate's [Advice Note 8.3: the Preliminary Meeting](#) for more information.

The agenda for the meeting is at **Annex A** to this letter. This has been set following my Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations received. The Initial Assessment of Principal Issues is set out in **Annex C** to this letter.

The draft Examination Timetable is set out at **Annex D** to this letter, and I wish to hear from you if you consider changes need to be made to the timetable.

Attendance at the Preliminary Meeting

Because participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, if you intend to participate you must **register** by **7 January 2022** (see Procedural Deadline A at Annex D to this letter).

If you wish to participate at the Preliminary Meeting, to assist the management of the meeting it is important that when you register you tell us on which agenda items you wish to speak, listing the points you wish to make.

The Preliminary Meeting is scheduled in two parts, separated by an adjournment period. At this stage I do not anticipate the need for the second part unless there are significant technology issues which make such a meeting necessary. Therefore, if you are unable to make oral representations at Part 1 of the Preliminary Meeting then you can make written submissions about the Examination procedure prior the Preliminary Meeting at **Procedural Deadline A, 7 January 2022** (see **Annex D**).

A link to a public livestream of Part 1 of the Preliminary Meeting will be made available on the [project webpage on the National Infrastructure Planning website](#) shortly before the event is scheduled to begin. A recording of Part 1 of the Preliminary Meeting will be published as soon as practicable after the event takes place. Part 2 of the Preliminary Meeting, if held, will be also be livestreamed and a recording published in the same way.

In the event that the Preliminary Meeting Part 1 takes place satisfactorily then it would be my intention to close the Preliminary Meeting at the end of the Part 1 meeting without Part 2 taking place. Therefore, **Interested Parties should not rely on Part 2 of the Preliminary Meeting taking place to make oral representations about the Examination procedure and should attend the Part 1 meeting.**

Please note that **you are not required to make oral or written submissions at the Preliminary Meeting in order to participate in the Examination. Whether or not you attend the Preliminary Meeting**, if you are an Interested Party you can make a Written Representation and comment on the Written Representations made by other Interested Parties during the Examination. 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 using the contact details at the top of this letter.

After the Preliminary Meeting

After the Preliminary Meeting you will be sent a letter (known as the Rule 8 letter) setting out the finalised Examination Timetable. A note of the meeting will also be published on the [project webpage on the National Infrastructure Planning website](#).

The Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

The Planning Act 2008 establishes a principally written process for the examination of applications for Development Consent Orders and **representations made in writing carry equal weight to oral representations** at all stages of the process.

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.

Examining Authority's Written Questions

As part of the process, I will set out my Written Questions (ExQ1) arising from the documentation submitted to date, that is the Application and accompanying documents and the Relevant Representations.

As can be seen from the draft Examination Timetable (**Annex D**) it is anticipated that responses will be required by **Deadline 2 (15 February 2022)**, although this will be confirmed following the PM. I will seek to ensure that there is sufficient time to allow them to be comprehensively responded to.

Notification of initial hearings

I have made a Procedural Decision to hold the following initial hearings

- An Issue Specific Hearing (ISH1) on **Wednesday 12 January 2022** on the draft Development Consent Order.

Important information about this hearing is contained within **Annex E** to this letter.

Because participation in a virtual hearing relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, if you intend to participate **you must register by Procedural Deadline A, 7 January 2022** (see **Annex D**).

Other Procedural Decisions made by the Examining Authority

I have made some further Procedural Decisions which are set out in detail at **Annex F** to this letter. They are summarised as follows:

1. Statements of Common Ground
2. The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations)
3. Draft itinerary for Accompanied Site Inspection
4. Deadline for Written Representations
5. Deadline for Local Impact Reports (LIR)
6. Guide to the Application
7. Deadline for Notification by Statutory Parties, or certain Local Authorities of their wish to be considered as an Interested Party
8. Virtual events

9. Low resolution documents for possible sharing on screen at virtual events
10. Acceptance of Additional Submissions into the Examination

Managing Examination correspondence

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 as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a postcard but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage on the National Infrastructure Planning website](#).

After the Preliminary Meeting a 'Make a submission' tab will become available on the [project website](#) which provides a portal through which parties will be able to make written submissions at relevant deadlines during the Examination. Further information about the 'Make a submission' portal will be included in the Rule 8 letter which will be issued as soon as practicable after the Preliminary Meeting.

There is a function on the right-hand side of the [project webpage](#) called 'Email updates'. This provides you with an opportunity to register to receive automatic email updates at key stages during the Examination.

Your status in the Examination

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with: 'A47-0', 'A47W-AP', 'A47W-S57' 'A47W-APL' or '200' you are in Group A.

If your reference number begins with: 'A47W-SP' you are in Group B.

If your reference number begins with: 'A47W-OP' you are in Group C.

The meaning and purpose of those groups are explained in the document published at the link above. If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Awards 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](#).

Management of information

Information, including representations, submitted in respect of this examination (if accepted by the Examining Authority) and a record of any advice which has been

provided by the Planning Inspectorate is published on the [project webpage on the National Infrastructure Planning website](#).

Examination Documents can also be viewed electronically at the locations listed in **Annex G** to this letter.

Please note that in the interest of facilitating an effective and fair Examination, it is 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

Robert Jackson

Robert Jackson
Examining Authority

Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Draft Examination Timetable
- E** Notification of initial hearings
- F** Other Procedural Decisions made by the Examining Authority
- G** Availability of Examination Documents

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

Agenda for the Preliminary Meeting PART 1

Because participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, if you intend to participate at Part 1 **you must register by Friday 7 January 2022 (see Procedural Deadline A at Annex D to this letter).**

Date: **11 January 2022**

Arrangements Conference: **Join from 9.30am**

Meeting start time: **10.00am**

Venue: **Virtual event (Microsoft Teams)**
Full instructions on how to join online or by phone will be provided in advance of the meeting to those who register to participate

Attendees: **Invited Parties who have pre-registered**

9.30am	Event lobby Please arrive at 9.30am to enter the lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted, and given further instructions.
9.50am	Arrangements Conference The Arrangements Conference will commence at 9.50am. This will be hosted by the Case Team and cover the housekeeping arrangements for Part 1 of the Preliminary Meeting and allow for any questions to be asked about how to take part.
10.00am	Preliminary Meeting
Item 1	The Preliminary Meeting will formally open at 10.00am. The Examining Authority will join, welcome participants and lead introductions.
Item 2	The Examining Authority's remarks about the Examination process.
Item 3	Initial Assessment of Principal Issues – Annex C to Rule 6 letter.
Item 4	Draft Examination Timetable – Annex D to Rule 6 letter.
Item 5	Procedural Decisions taken by the ExA – Annex F to Rule 6 letter.
Item 6	Any other matters.
Adjournment/ Close of the Preliminary Meeting	

A public livestream of the meeting will be made available on the [project webpage](#) shortly before the meeting is due to open. The livestream is available to anybody who wishes to observe the meeting. Please ensure that you attend the PM Part 1 because the Part 2 meeting will not take place if it is not necessary. The aim will be to complete everything in the PM Part 1.

Agenda for the Preliminary Meeting PART 2 (if necessary)

Because participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, if you intend to participate at Part 2 **you must register by 7 January 2022** (see **Procedural Deadline A** at **Annex D** to this letter).

Date: **11 January 2022**

Arrangements Conference: **Join from 1.30pm**

Meeting start time: **2.00pm**

Venue: **Virtual event (Microsoft Teams)**
Full instructions on how to join online or by phone will be provided in advance of the meeting to those who register to participate

Attendees: **Invited Parties who have pre-registered**

1.30pm	Event lobby Please arrive from 1.30pm to enter the lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted and given further instructions.
1.50pm	Arrangements Conference The Arrangements Conference will commence at 1.50pm. This will be hosted by the Case Team and cover the housekeeping arrangements for Part 2 of the Preliminary Meeting and allow for any questions to be asked about how to take part.
2.00pm Item 7	Preliminary Meeting (if necessary) If necessary, the Preliminary Meeting will formally continue at 2.00pm. The Examining Authority will join, welcome participants and lead introductions.
Item 8	To undertake any matters which were unable to be completed in Part 1 of the Preliminary Meeting.
Item 9	Any other matters.
Close of the Preliminary Meeting	

A public livestream of the meeting will be made available on the [project webpage](#) shortly before the meeting is due to open. The livestream is available to anybody who wishes to observe the meeting.

If you are joining as an active participant of the Preliminary Meeting, please join the Arrangements Conference lobby promptly using the instructions that are sent to you. In common with Preliminary Meetings held in physical locations, the event will start at the time specified irrespective of any late arrivals, for whom access to the event may not be possible.

The agenda for both parts of the Preliminary Meeting is subject to change at the ExA's discretion, although the need to provide opportunities for fair involvement to all Interested Parties will be considered.

Introduction to the Preliminary Meeting

Background

The Preliminary Meeting (PM) for the A47 Wansford to Sutton Dualling project will take place virtually, using Microsoft Teams, but the format, content and procedure will be very similar to the physical, face-to-face PMs that have been held for other National Infrastructure Examinations.

The Examining Authority (ExA) is conscious of videoconferencing fatigue and will aim to keep the proceedings focussed and as efficient as possible. This annex provides advance access to information that would usually be included in the ExA's introductory remarks following the opening of the PM. Please read this carefully. The ExA will only present a summary of the key points set out here at the Preliminary Meeting, in order to ensure that the time available for participants to speak is maximised.

The Examining Authority

The ExA, Robert Jackson, appointed by the then Secretary of State for Housing, Communities and Local Government, (now the Department for Levelling up, Housing and Communities), will introduce himself at the start of the PM. The ExA's appointment letter can be found in the Examination Library under reference [[PD-004](#)].

The Case Team

The ExA will be supported by the Planning Inspectorate Case Team. Deborah Allen is the Case Manager and Joe Saffer, and Max Baldwin are the Case Officers. During the Arrangements Conferences a member of the Case Team will welcome and admit participants into the virtual PM and will be available to answer questions. You are also welcome to contact us before the event to ask any questions about the process, please use the contact details at the top of this letter.

The purpose of the Preliminary Meeting

The PM is being held to discuss the arrangements for the examination of the application for a Development Consent Order (DCO) for the A47 Wansford to Sutton scheme, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the PM and Examination as the 'Proposed Development'.

When the Application was submitted the Applicant was named Highways England, they have since become National Highways, which will be reflected in all future submissions. National Highways will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for the Examination on the Planning Inspectorate's National Infrastructure Planning website ('NI Planning website'). This has a dedicated [webpage for the project](#) with links to Examination procedure, the Examination Timetable, Relevant Representations and Examination documents.

You are encouraged to explore the NI Planning webpage if you haven't already done so, because it will be used to communicate with you and to provide access to documents throughout the Examination. There is the option on the project page to register to receive updates and we would also encourage you do this so that you will receive a notification via e-mail at key stages during the Examination.

The main purpose of the PM is to discuss how the application should be examined. It focuses on the process only, and it will not be looking at the substance of the proposals: Questions, discussions and representations about the merits or disadvantages of the Proposed Development are for the Examination itself which will begin the day after the close of the PM.

The PM will be your opportunity to influence the process that we intend to follow, and you should read this Rule 6 letter and all accompanying annexes thoroughly beforehand. The agenda for the PM is attached to this Rule 6 letter at **Annex A**. It is important to have the letter and the agenda in front of you and to refer to them during the course of the PM. If you are not experienced with videoconferencing and using multiple documents on screen, you may wish to print these in advance of the PM for reference.

Government guidance and policy

The application is a NSIP under the Planning Act 2008 (PA2008) as a consequence of section (s)22: it includes the construction of a highway. The designated National Policy Statement for National Networks applies to this Examination and to decision-making relating to this application.

The ExA will consider the Proposed Development in accordance with the National Policy Statement for National Networks and any other applicable policy or considerations the ExA deem to be important and relevant. The PA2008 makes it clear that, in making a decision, the relevant Secretary of State (SoS) "must decide the application in accordance with any relevant NPS" (s104(3)), subject to certain provisos. Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the Proposed Development would not outweigh its benefits.

The SoS is entitled to disregard any representations that relate to the merits of the designated National Policy Statement (NPS). In practice, this means that the ExA will not spend time examining representations that challenge policy set out in NPSs, or the validity of NPSs themselves. The focus will be on the merits or disadvantages of the Proposed Development, tested to the appropriate extent using the tests set out in relevant designated NPSs that are in force.

Other important and relevant planning policies that the ExA may consider include policies in the relevant local authorities' development plans. However, if these conflict with policy in a NPS, then the NPS will take precedence.

In summary, the PM will establish the procedures and timetable for the Examination of the Proposed Development. It will set a framework for the ExA to enable the SoS to consider and decide the application, by identifying relevant

policy and examining the application in the light of it. In doing so, the ExA will have regard to:

- The positions and representations of all Interested Parties (IPs);
- any Local Impact Reports (LIR) prepared and provided by relevant local authorities;
- other prescribed matters; and
- any other matters that appear to be both relevant and important to the relevant SoS's decision.

Preliminary Meeting invitees

The Applicant is invited to the PM and is generally given the opportunity to reply to any representations made, preferably orally at the time or, if this is not possible, in writing after the meeting.

Everyone who has made a Relevant Representation has been registered as an IP and has been sent a copy of this Rule 6 letter. Each IP is entitled to participate in this Examination.

Each person or organisation with an interest in land or rights that are affected by a Compulsory Acquisition request in this application is an Affected Person (AP). In addition to a general entitlement to involvement in the Examination, APs have a right to be heard in relation to any objection about the effects of Compulsory Acquisition on their interests in land, and a right to be notified of any Compulsory Acquisition Hearing. APs are IPs, whether or not they have made a Relevant Representation.

Certain bodies are Statutory Parties. Statutory Parties can elect to become IPs without having made a Relevant Representation.

The ExA has the power to involve people who are not IPs in the Examination as though they are IPs, including by inviting them to the PM. However, this is only done in exceptional circumstances, for example if it was clear that the application would materially affect a person and they had been unable to take the necessary action to register as an IP.

Conduct of the Preliminary Meeting

Past experience suggests that a PM for a project of this size and complexity could take two to three hours to complete. However, in running the event virtually there are limitations on the number of people who can speak at any one time. Therefore, in order to ensure that everyone who wishes to speak can do so in one morning it is necessary to register that a participant wishes to speak prior to the event. It is anticipated that the meeting will be completed in that single part. Only if necessary, will Part 2 of the PM take place. The reasons for programming the PM in two parts, and the circumstances in which Part 2 may not occur, are explained in the cover to this Rule 6 letter.

During the PM participants may have to make allowances and be patient if there are delays associated with the technology used. In recognition of the fatigue associated with on-screen communication, the ExA will provide breaks during the PM as appropriate. For those who pre-register to be involved your joining instructions will provide more information about this.

The PM will also be 'livestreamed' via the [project page](#) so that those who wish to observe but not participate will be able watch the proceedings. Details will be made available on the project page shortly before the PM. A digital recording will be made available on the project page of the NI Planning website as soon as practicable following the PM. The digital recording allows any member of the public who is interested in the application and the Examination to find out what has been discussed at the PM, whether they are able to attend or observe the meeting or not.

The 'livestreaming', making and publication of these recordings are a means by which we meet the legal requirement to hold these events in public. In this regard, anyone speaking at the PM will need to introduce themselves each time they speak, to ensure that someone listening to the recording after the event is clear who was speaking. A written note of the PM will be produced and published as soon as practicable following the closure of the PM.

As the digital recordings are retained and published, they form a public record that can contain personal information to which the UK General Data Protection Regulation (UK GDPR) applies. Participants must do their best to avoid making public any information which they would otherwise wish to be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they include personal and private information in any submissions.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the SoS' decision on the DCO. If you actively participate in the PM, it is important that you understand that you will be recorded and that the recording will be made available in the public domain. Please see our [Privacy Notice](#) for more information about how we handle your data.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the meeting in accordance with the agenda. If you prefer not to have your image recorded, you can switch off your camera at any point.

The Examination process

The examination of NSIPs follows different processes to those, for example, of a Public Inquiry into a planning appeal following the refusal of planning permission. The main differences are that the examination of NSIPs are primarily a written process and hearings take on an inquisitorial approach as opposed to an adversarial one.

This means that the ExA will probe, test and assess the evidence primarily using written questions. While some hearings are held to provide supplementary evidence, questions to the Applicant or to witnesses will come from the ExA. Questioning or cross-examination of witnesses by other parties will not generally be allowed.

In terms of opportunities to provide evidence in writing, the draft Examination Timetable makes provision for the following written processes:

- Local authorities can submit LIRs if they wish. Whilst these are voluntary, the PA2008 provides that if they are provided, they must be considered by the SoS in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to the ExA, the SoS and their residents.
- IPs can make Written Representations (WR) and comment on WRs made by other parties.
- IPs can respond to the ExA's written questions (ExQ) and comment on responses to these written questions provided by others.
- IPs may be asked to contribute to the making of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicant agrees, and if it would be useful for this to be clarified. SoCGs most usefully extend to catalogue matters that are not agreed or are outstanding.

The draft Examination Timetable includes a series of numbered deadlines for receipt of written submissions. Timely submissions received by the relevant deadline and that address its purpose will be accepted. Documents received after the relevant deadline are only accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties. Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties can amount to unreasonable behaviour.

These written processes will be the principal means used by the ExA to gather information, evidence and views about the application. However, the Examination will only be effective if all parties resolve to give timely, full, frank, clear and evidenced answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of WRs and SoCGs.

There is no merit in withholding or delaying information, or in failing to co-operate, and should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party.

The ExA has discretion to make amendments to the Examination Timetable for the wider benefit of the Examination. If possible, events will be arranged for times when all relevant parties are available, but the ExA is under a duty to complete the Examination by the end of the six-month period beginning with the day after the close of the PM. This requirement is set by legislation, and while

the ExA will try to rearrange event dates to accommodate all relevant parties, in practice there will be limited scope to alter dates set out in the draft Examination Timetable.

The statutory time limit for the Examination means that where there are matters that still need to be discussed and agreed between the Applicant and IPs, it will be very helpful to the ExA if these could be progressed as early as possible.

Should it be clear to the ExA that all parties have had sufficient time to submit all their representations and he has no further questions then the ExA does have the discretion to complete the Examination in less than six months. If this were to occur then the ExA would ensure that there was appropriate publicity to enable final submissions to be made before the Examination is formally closed.

Hearings

The draft Examination Timetable includes provision for hearings, at which the ExA takes oral evidence from the various parties.

Any registered IP may request an Open Floor Hearing (OFH) to make oral representations about the application if they believe this to be preferable to relying on their written representation though both carry equal weight. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail and explanation to help inform the ExA. There should be no new or unexpected material in oral representations. A written summary note with any supporting evidence or references will be requested of each speaker following the hearing.

As with all Examination events, OFHs are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the deadline shown in the Examination Timetable and in accordance with the instructions an agenda may be circulated. It is common practice for the ExA to set a time limit for each speaker and speakers with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, so as to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role.

The Applicant's draft DCO provides for the Compulsory Acquisition of land and rights, and the Temporary Possession of land. Affected Persons (ie those whose land or rights over land are affected) have a right to request and be heard at a Compulsory Acquisition Hearing (CAH). If one or more APs request to be heard then a CAH must be held. Provisional dates for CAHs are included in the draft Examination Timetable along with deadlines by which requests to be heard must be submitted.

The ExA has the discretion to hold Issue Specific Hearings (ISHs) if it would aid in the Examination and there is a specific reason this would be more helpful than reliance on written evidence only. The lack of an ISH on one or more topics does not suggest that that topic is less important than others which are subject to a

hearing. Rather, it is an indication that the ExA is satisfied that the issues can be fully considered through written submissions and responses to its written questions and that each party has had a fair opportunity to put its case.

The draft Examination Timetable includes a number of reservations for ISHs and IPs may make suggestions for topics in their written or oral representations to the PM.

The ExA has made a procedural decision to hold an ISH on the draft DCO at the beginning of the Examination. It may also be necessary for the ExA to hold further ISHs on the draft DCO. This is normal practice, and they are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCO provided with the Proposed Development applications by the Applicant, without prejudicing their overall position on the application.

Holding such hearings does not imply that the ExA has reached any judgements on the merits of the application. Whatever the ultimate recommendation is, the ExA must make sure that the draft DCO is fit for purpose if the SoS decides to grant consent, as any consent will be subject to Requirements (ie conditions) set out in the DCO.

At hearings it will not normally be necessary for parties to make long and detailed submissions that require (for example) PowerPoint presentations. Any supporting detail/information can be provided in writing following the event by the relevant deadline.

The draft Examination Timetable includes Deadline 1, **25 January 2022** for participants to notify the ExA that they wish to speak at an OFH or a CAH.

Site inspections

As part of the Examination process the ExA may undertake site inspections. These can be either unaccompanied or accompanied, though all would be subject to any Government restrictions relating to COVID-19 in force at the time.

The purpose of these is for the ExA to see features of the proposals within the context of the evidence put forward. Notes of Unaccompanied Site Inspections (USIs) are published on the project webpage on the NI Planning website. The ExA has already [undertaken an USI and the notes](#) have already been published.

Accompanied Site Inspections (ASI) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The purpose of ASIs is familiarisation only and no discussion of the merits of the Proposed Development will be entertained during an ASI.

If the public health situation does not allow an ASI, then the ExA will consider whether necessary visits to private land can be made as Access Required Site Inspections (ARSI). Here, the ExA is provided with access to private land by the relevant landowner/ occupier and undertakes the visit(s) on their own.

Should it not be possible to arrange any necessary ARSIs then the ExA will look to alternatives such as asking the Applicant to arrange 360°-degree photography (similar to Google Streetview) and/ or videos at appropriate locations. These would then be published, and IPs would be able to make written representations to highlight matters they would wish the ExA to appreciate in the same way that they would have been able to point matters out at an ASI.

Initial Assessment of Principal Issues

This is the Initial Assessment of Principal Issues prepared under s88(1) of the Planning Act 2008 (PA2008). It has been prepared by the Examining Authority (ExA) following its reading of:

- the application documents;
- the Relevant Representations received in respect of the application; and
- its consideration of any other important and relevant matters.

It is not a comprehensive or exclusive list of all the issues that will be subject to examination and inevitably some issues will overlap or interrelate. 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 order of the issues listed is primarily alphabetic and does not imply any order of prioritisation or importance.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not listed as main issues.

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 Principal Issues; and
- whilst the effects of the proposal in relation to human rights and equalities duties are not listed as specific Principal Issues

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

Principal Issue	Including (but not limited to) issues relating to:
1. Air Quality (AQ) and Emissions (including Greenhouse Gas (GHG) emissions)	1.1 Adequacy of baseline assessment 1.2 Whether receptors have been appropriately identified 1.3 Construction effects of the Proposed Development 1.4 Operational Effects of the Proposed Development 1.5 Ability of the UK to meet its international air quality obligations 1.6 Construction and operational embedded GHG emissions 1.7 Effect on the achievement of the Government's carbon reduction targets and carbon budget 1.8 Any cumulative impacts

Principal Issue	Including (but not limited to) issues relating to:
2. Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment)	2.1 Adequacy of baseline assessment 2.2 Implications for statutorily and locally protected sites including Sites of Special Scientific Interest, County Wildlife sites 2.3 Biodiversity net gain and developing policy position 2.4 Future management and maintenance regimes 2.5 Need for Habitats Regulations Assessment/Appropriate Assessment
3. Compulsory Acquisition (CA) and/or Temporary Possession (TP)	3.1 The case for CA/TP generally. 3.2 The need for the land proposed to be compulsorily acquired and/or temporarily possessed where specific objections remain. 3.3 Effects on those affected by CA and/or TP, including statutory undertakers/infrastructure and infrastructure providers. 3.4 Adequacy and security of funding for compensation. 3.5 Access for construction and maintenance. 3.6 Human Rights Act considerations and the Public Sector Equality Duty. 3.7 Consideration of alternatives to CA/TP. 3.8 Tests set out in sections 122/123/127/132/135/138 of the Planning Act 2008. 3.9 Book of Reference.
4. Cultural Heritage	4.1 Adequacy of baseline assessment 4.2 The effect on designated heritage assets and their settings 4.3 The effect on non-designated heritage assets and their settings 4.4 Whether sufficient information has been provided to allow consideration of the effects on archaeology
5. Draft Development Consent Order	5.1 The structure of the dDCO. 5.2 Definitions. 5.3 Scope of the Proposed Development and its Associated Development. 5.4 The appropriateness of Articles and Requirements.

Principal Issue	Including (but not limited to) issues relating to:
	5.5 The appropriateness of proposed protective provisions. 5.6 Relationships with other consents. 5.7 Whether the dDCO is satisfactory in all other respects.
6. Geology and Soils	6.1 The effect on the Best and Most Versatile agricultural land including restoration
7. Landscape and Visual	7.1 The effect on landscape character 7.2 Short and long-term visual effects 7.3 Effects of construction 7.4 The effect of lighting 7.5 Design of landscape mitigation
8. Noise and Vibration	8.1 Baseline Assessment 8.2 Construction effects including mitigation 8.3 Operational effects including mitigation
9. Socio-Economic Matters	9.1 The effect on local communities of the Proposed Development in terms of severance and connectivity 9.2 The effects on walkers, cyclists and horse riders 9.3 The effect on viability of farm holdings
10. Traffic and Transport	10.1 The case for, and the benefits of the Proposed Development. 10.2 Strategic vision and objectives for national networks. 10.3 Adequacy of baseline assessment. 10.4 Adequacy of modelling. 10.5 The effect on the existing network 10.6 The effect on walkers, cyclists and horse riders 10.7 Whether the Proposed Development would meet the scheme objectives 10.8 Whether the proposals would ensure appropriate connectivity between communities.
11. Water Environment and Flood Risk	11.1 Surface and ground water effects 11.2 The effect on the River Nene and its environment 11.3 The effect on the Wittering Brook and its environment

Principal Issue	Including (but not limited to) issues relating to:
	<p>11.4 The effect on Mill Stream and its environment</p> <p>11.5 Flood risk</p> <p>11.6 Drainage</p> <p>11.7 Future management and maintenance regimes</p> <p>11.8 The effect of climate change on the water environment</p>
12. Cumulative and Cross-cutting effects	<p>12.1 The cumulative effects of the Proposed Development with other schemes</p> <p>12.2 Whether the Proposed Development adequately balances the effects on cultural heritage, ecology and flood risk</p>

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.	Procedural Deadline A Deadline for receipt by the ExA of: <ul style="list-style-type: none"> Written submissions on Examination procedure, including draft timetable Requests to speak at the Preliminary Meeting Part 1 Requests to speak at Issue Specific Hearing 1 on the draft Development Consent Order 	Friday 7 January 2022
2.	Preliminary Meeting Part 1	Tuesday 11 January 10.00am
3.	Preliminary Meeting Part 2, if required	Tuesday 11 January 2.00pm
4.	Issue Specific Hearing 1 <ul style="list-style-type: none"> Draft Development Consent Order 	Wednesday 12 January 10.00am
5.	Issue by the ExA of: <ul style="list-style-type: none"> Examination Timetable 	As soon as practicable following the Preliminary Meeting
6.	Deadline 1 (D1) Deadline for: <ul style="list-style-type: none"> Comments on RRs. Comments on updated application documents. Post Hearing submissions. Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA. Notification of wish to speak at an Open Floor Hearing (OFH). Notification of wish to speak at a Compulsory Acquisition Hearing (CAH). Request to receive future correspondence by email. 	Tuesday 25 January

	<ul style="list-style-type: none"> Proposed itinerary for Accompanied Site Inspection (ASI) from the Applicant. Notification of wish to attend an ASI, if one is required and suggested locations, with justifications. The Applicant to provide the Habitats Screening matrices in MS Word format. Any information requested by the ExA for this deadline. 	
7.	<p>Deadline 2 (D2)</p> <p>Deadline for:</p> <ul style="list-style-type: none"> Responses to ExQ1. Written Representations (WR) and summaries of any WR exceeding 1500 words. Local Impact Reports (LIR) from local authorities. Comments on the Applicant's proposed ASI itinerary. Comments on any submissions received by D1. Any further information requested by the ExA under Rule 17 of the Examination Rules. 	Tuesday 15 February
8.	<p>Deadline 3 (D3)</p> <p>Deadline for:</p> <ul style="list-style-type: none"> Comments on responses to the ExQ1. Comments on WRs. Responses to comments made on RRs Comments on LIRs. Comments on any submissions received by D2. Any further information requested by the ExA under Rule 17 of the Examination Rules. <p>Requested from the Applicant only:</p> <ul style="list-style-type: none"> Progressed SoCGs and Statement of Commonality of the Statements of Common Ground (SCSoCG) An updated version of the dDCO in clean and tracked versions and a schedule of changes An updated Compulsory Acquisition Schedule (CAS) in clean and tracked versions Schedule of changes to the BoR Updated Guide to the Application 	Tuesday 1 March
9.	<p>Hearings 1 & Accompanied Site Inspection</p> <p>If required, dates reserved for:</p> <ul style="list-style-type: none"> Accompanied Site Inspection 	Week commencing 14 March, if required

	<ul style="list-style-type: none"> • Issue Specific Hearings • Open Floor Hearing • Compulsory Acquisition Hearing 	
10.	<p>Deadline 4 (D4)</p> <p>Deadline for:</p> <ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case • Comments on any submissions received by D3 • Any further information requested by the ExA under Rule 17 of the Examination Rules <p>Requested from the Applicant only:</p> <ul style="list-style-type: none"> • Progressed SoCG and SCSO CG • An updated version of the dDCO in clean and tracked versions and a schedule of changes • An updated CAS in clean and tracked versions • Updated Guide to the Application 	Thursday 24 March
11.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • The ExA's further Written Questions (ExQ2), if required 	Tuesday 5 April
12.	<p>Deadline 5 (D5)</p> <p>Deadline for:</p> <ul style="list-style-type: none"> • Responses to ExQ2 if required • Comments on any submissions received by D4 • Any further information requested by the ExA under Rule 17 of the Examination Rules <p>Requested from the Applicant only:</p> <ul style="list-style-type: none"> • Progressed SoCG and SCSO CG • An updated version of the dDCO in clean and tracked versions and a schedule of changes • An updated CAS in clean and tracked versions • Updated Guide to the Application • Schedule of changes to the BoR 	Wednesday 20 April
13.	<p>Deadline 6 (D6)</p> <p>Deadline for:</p> <ul style="list-style-type: none"> • Comments on responses to ExQ2, if required • Comments on any submissions received by D5 	Tuesday 3 May

	<ul style="list-style-type: none"> Any further information requested by the ExA under Rule 17 of the Examination Rules 	
14.	<p>Hearings 2</p> <p>If required, dates reserved for:</p> <ul style="list-style-type: none"> Issue Specific Hearings Open Floor Hearing Compulsory Acquisition Hearing 	Week commencing 9 May, if required
15.	<p>Deadline 7 (D7)</p> <p>Deadline for:</p> <ul style="list-style-type: none"> Post Hearing submissions including written submissions of oral case, if required Comments on any submissions received by D6 Any further information requested by the ExA under Rule 17 of the Examination Rules <p>Requested from the Applicant only:</p> <ul style="list-style-type: none"> Progressed SoCG and SCSO CG An updated version of the dDCO in clean and tracked versions and a schedule of changes An updated CAS in clean and tracked versions Updated Guide to the Application 	Tuesday 17 May
16.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> Report on the Implications for European Sites (RIES) (if required) The ExA's proposed changes to the draft DCO, if required 	Tuesday 24 May
17.	<p>Deadline 8 (D8)</p> <p>Deadline for:</p> <ul style="list-style-type: none"> Comments on the RIES (if required) Comments on the ExA's proposed changes to the draft DCO Comments on any submissions received by D7 Any further information requested by the ExA under Rule 17 of the Examination Rules <p>Requested from the Applicant only:</p> <ul style="list-style-type: none"> Progressed SoCG and SCSO CG An updated version of the dDCO in clean and tracked versions and a schedule of changes An updated CAS in clean and tracked versions 	Tuesday 14 June

	<ul style="list-style-type: none"> Updated Guide to the Application Schedule of changes to the BoR 	
18.	<p>Deadline 9 (D9)</p> <ul style="list-style-type: none"> Comments on any submissions received by D8 Any further information requested by the ExA under Rule 17 of the Examination Rules <p>Requested from the Applicant only:</p> <ul style="list-style-type: none"> Final SoCGs and SCSocG Final dDCO in MS Word clean and tracked versions Final Schedule of changes to the dDCO SI template validation report Final Book of Reference, and schedule of changes Final Compulsory Acquisition Schedule, in clean and tracked versions Final updated Guide to the Application 	Tuesday 28 June
19.	<p>Deadline 10 (D10)</p> <ul style="list-style-type: none"> Comments on any submissions received by D9 Any further information requested by the ExA under Rule 17 of the Examination Rules 	Tuesday 5 July
20.	<p>Deadline 11 (D11)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Any further information requested by the ExA under Rule 17 of the Examination Rules <p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p> <p>The ExA may close the Examination earlier if satisfied that all relevant matters have been addressed.</p>	Tuesday 12 July

Submission times for deadlines

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

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. See Annex G of this letter for more information.

Report on the Implications for European Sites

The Applicant has provided a 'Report to Inform Habitats Regulations Assessment' with the application [[APP-140](#)]. 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 Habitats Regulations Assessment (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 Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).

Notification of initial hearings

The Examining Authority (ExA) provides notice of the following initial hearing:

Date	Hearing	Start time	Joining details
12 January 2022	Issue Specific Hearing on Development Consent Order	Arrangements Conference from: 9.30am Hearing starts: 10.00am	This hearing will be held virtually using Microsoft Teams A joining link/telephone number will be provided to pre-registered participants in advance

Because participation in a virtual hearing relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, **if you intend to participate at this hearing you must register by 7 January 2022** (see **Procedural Deadline A** at **Annex D**, above).

Draft Agenda for the Issue Specific Hearing (Draft Development Consent Order)

Date	Wednesday 12 January 2022
Arrangements Conference	Join from 9.30am
Start Time	10:00 am
Venue	Virtual on Microsoft Teams Full instructions on how to join online or by phone will be provided in advance of the meeting to those who register to participate
Attendees	Parties who have registered to attend

Item 1	Welcome, introductions and arrangements for the Hearing
Item 2	Purpose of the Issue Specific Hearing (ISH)

Item 3	<p>Draft DCO Articles</p> <p>3.1 The Applicant to provide a very brief overview of each part of the draft DCO, followed by general questions from the ExA, with responses where appropriate from the Applicant, the local authorities, and other Interested Parties.</p> <p>Interested Parties will also be invited to ask questions of clarification in relation to DCO Articles and Schedules.</p>
Item 4	<p>Part 1 – Preliminary matters</p> <p>4.1 The ExA will set out his questions relating to this part, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.</p>
Item 5	<p>Part 2 – Principal powers</p> <p>5.1 The ExA will set out his questions relating to this part, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.</p>
Item 6	<p>Part 3 - Streets</p> <p>6.1 The ExA will set out his questions relating to this part, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.</p>
Item 7	<p>Part 4 – Supplemental powers</p> <p>7.1 The ExA will set out his questions relating to this part, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.</p>
Item 8	<p>Part 5 – Powers of acquisition</p> <p>8.1 The ExA will set out his questions relating to this part, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.</p>
Item 9	<p>Part 6 - Operations</p> <p>9.1 The ExA will set out his questions relating to this part, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.</p>
Item 10	<p>Part 7 – Miscellaneous and general</p> <p>10.1 The ExA will set out his questions relating to this part, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.</p>

Item 11	Schedule 1 – Works descriptions 11.1 The ExA will set out his questions relating to this Schedule, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate.
Item 12	Schedule 2 - Requirements 12.1 The ExA will set out his questions relating to this Schedule, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate
Item 13	Schedules 3 to 8 – Classification of Roads, Stopping up and provision of highways and private means of access, Land for new rights, compensation where rights imposed, Land for Temporary Possession, Removal of trees and hedgerows 13.1 The ExA will set out his questions relating to these Schedules, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate
Item 14	Schedules 9 and 10 – Protective provisions, Documents to be certified 14.1 The ExA will set out his questions relating to these Schedules, and invite the Applicant, the local authorities and other Interested Parties to respond where appropriate
Item 15	Consents, licenses and other agreements 15.1 The Applicant will be asked to provide an update of progress and timescales for completion. The ExA will then ask questions, including discussing whether any section 106 agreements are proposed and if they are indicative timescales for finalising them.
Item 16	Review of issues and actions arising
Item 17	Close

Please Note:

1. The above Agenda does not seek to cover all matters that may need consideration during the Examination process and does not deal with typographic matters. The ExA will include within his Written Questions other matters where he wishes to be informed.
2. The ExA may well refer to the following documents during the Hearing and suggests that parties have copies to hand:

Title	Examination Library Reference
Land Plans	[AS-004]
Works Plans	[AS-006]

Rights of Way and Access Plan	[AS-008]
Crown Land Plans	[APP-011]
De-trunking Plan	[APP-012]
Traffic Regulation Plan	[APP-013]
Classification of Roads Plan	[APP-014]
Hedgerow Plans	[APP-015]
Draft Development Consent Order	[AS-010]

Participants should be aware that the Applicant has been asked to submit a number of low-resolution versions of documents at **Procedural Deadline A**. These should be available via the relevant webpage and may be easier to use during Hearings than the full-sized documents.

3. It is generally not appropriate to introduce documents at a Hearing. The ExA has set out a list of existing documents that it is likely to refer to above. Should a party consider that any other documents already submitted may need to be referred to in light of the areas for discussion set out above, they should contact the Case Team at A47WansfordtoSutton@planninginspectorate.gov.uk by **12.00 noon on Friday 7 January 2022**.

Advice and guidance

Please read the Planning Inspectorate's [Advice Note 8.6: Virtual examination events](#) for important information about the virtual hearing procedure.

Hearing agendas

A high-level agenda for this hearing has been published alongside this notification on the National Infrastructure Planning website to help inform your decision about whether to register to participate.

The ExA will publish a detailed draft agenda on the project website at least five working days in advance of the Issue Specific Hearings date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Hearing livestream

A public livestream of this hearing will be made available on the [project webpage](#) shortly before the hearing is due to open. The livestream is available to anybody who wishes to observe the hearing.

The ExA intends to cover all necessary matters as set out above. In the event that the Hearing was disrupted by technical issues then the ExA would allow for this matter to be discussed again during the February 2022 series of Hearings.

Other Procedural Decisions made by the Examining Authority

The Examining Authority (ExA) has made the following Procedural Decisions:

1. Statements of Common Ground (SoCG)

In relation to some of the Principal Issues identified in **Annex C**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft Examination Timetable at **Annex D** therefore established **Deadline 3** for submission of SoCGs.

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. 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**.

For each of those areas that are in dispute, it would be beneficial if each party would put their estimation as to the likelihood that disagreement will remain by the end of the Examination. This should be done on a "Low", "Medium" and "High" traffic light model. This will allow the ExA to assess those areas where oral discussions may be most beneficial.

SoCGs are requested to be prepared between the Applicant and:

A. The Applicant and Peterborough City Council, to include:

- The effect on air quality
- The effect on biodiversity
- The effect on cultural history
- Emissions during construction and operation
- Landscape and visual effects
- The effect on minerals and waste
- The effect of noise and vibration
- Socio-economic effects, including the effects on the delivery of development plan aims and objectives
- Traffic and transport effects, including the effects on non-motorised users
- Water environment effects, including any permits required from PCC as LLFA

B. The Applicant and Cambridge County Council, to include:

- Emissions during construction and operation
- The effect on minerals and waste
- Socio-economic effects, including the effects on the delivery of development plan aims and objectives
- Traffic and transport effects, including the effects on non-motorised users

- Water environment effects, including any permits required from CCC as LLFA

C. The Applicant and Huntingdonshire District Council, to include:

- The effect on air quality
- The effect on biodiversity
- The effect on cultural history
- Emissions during construction and operation
- Landscape and visual effects
- The effect of noise and vibration
- Socio-economic effects, including the effects on the delivery of development plan aims and objectives

D. The Applicant and North Northamptonshire Council, to include:

- The effect on air quality
- The effect on biodiversity
- The effect on cultural history
- Emissions during construction and operation
- Landscape and visual effects
- The effect on minerals and waste
- The effect of noise and vibration
- Socio-economic effects, including the effects on the delivery of development plan aims and objectives
- Traffic and transport effects, including the effects on non-motorised users
- Water environment effects, including any permits required from NNC as LLFA

E. The Applicant and the Environment Agency, to include:

- Water environment effects, including abstraction and discharge
- Drainage including provision for containment and treatment /disposal of contaminated run-off
- Waste management issues, including permitting and formal exemption requirements, and the likelihood that any such requirements outside the DCO process may be obtained
- Emissions during construction and operation

F. The Applicant and Natural England, to include:

- Habitats, Ecology and Nature Conservation, including assessment of cumulative effects
- The loss of the Best and Most Versatile (BMV) Agricultural Land
- Effects on protected species and sites, including Sutton Heath and Bog SSSI
- Effects on areas of ancient woodland and veteran trees
- The need for and means of securing mitigation actions
- Need for Habitats Regulations Assessment/Appropriate Assessment

G. The Applicant and Historic England, to include:

- The effect on the Scheduled monument north of A47 (List entry 1006796) and its setting
- The effect on the setting of other listed buildings in the vicinity
- The effectiveness of the proposed and embedded mitigation to address any adverse effects

H. The Applicant and the relevant statutory undertakers, to include:

- Relevant Protective Provisions in the draft DCO

I. The Applicant and Upton Community Council

- Those issues raised in the Relevant Representation

J. The Applicant and Riverford Organic Farmers Ltd

- Those issues raised in the Relevant Representation

K. The Applicant and the William Scott Abbott Trust

- Those issues raised in the Relevant Representation

L. The Applicant and David Longfoot

- Those issues raised in the Relevant Representation

M. The Applicant and Milton (Peterborough Estates)/Sir Philip Naylor Leyland Bt

- Those issues raised in the Relevant Representation

All of the SoCGs listed above should cover the Articles and Requirements in the draft Development Consent Order. Any Interested Party seeking that an Article or Requirement is reworded should provide the form of words which are being sought in the SoCG.

Where a particular SoCG cannot be agreed between the parties by **Deadline 3**, or if any local authority position needs to be signed off at a higher level, draft versions of that SoCG are requested to be submitted **by the Applicant to Deadline 3**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs will help to inform the ExA about the need to hold any Issue Specific Hearings during the Examination, and to enable the ExA and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

2. The Conservation of Habitats and Species Regulations 2017

The Examination must include a process that provides sufficient information to enable the Secretary of State to meet their statutory duties as the competent authority under the Habitats Regulations relating to European protected sites. The Applicant's 'Report to Inform Habitats Regulations Assessment' [[APP-140](#)] was accompanied by matrices summarising the likely significant effects for each

European site assessed and the implications for the integrity of these sites, alone or in combination. However, these matrices were not provided in MS Word format and the Applicant is requested to provide them for **Deadline 1 (25 January 2022)**.

3. Draft itinerary for Accompanied Site Inspection

Annex B to this letter sets out the purposes and types of site inspections.

As the ExA has not been able to visit all relevant sites and locations referred to in the Relevant Representations received and any other sites and locations at which the Applicant has predicted likely significant environmental effects the Applicant is requested to prepare a draft itinerary for the Accompanied Site Inspection (ASI) to allow those sites to be visited.

The ExA considers it would not be a good use of Examination time to unnecessarily re-visit locations that were visited at Unaccompanied Site Inspection 1, unless there were particular reasons for doing so. Equally there is no need for the ASI to include locations which are publicly accessible which the ExA could visit unaccompanied at some future date.

The Applicant's draft ASI itinerary should be submitted to the ExA by **Deadline 1** and no later than **25 January 2022**. If appropriate, a list of additional publicly accessible locations which the Applicant considers that the ExA should visit can be appended separately.

On receipt of the Applicant's draft ASI itinerary and additional publicly accessible locations, the ExA will then publish the draft itinerary for Interested Parties to comment on at **Deadline 2, Tuesday 15 February**, in the Examination Timetable. The ExA will review the comments made about the draft ASI itinerary and may make changes to it.

The final ASI itinerary will be published at least three weeks in advance of the event taking place.

4. Deadline for Written Representations

All Interested Parties are now invited to submit Written Representations, and comments on Relevant Representations which are already submitted.

Written Representations need to be submitted by **Deadline 2, 15 February 2022** in the Examination Timetable (Annex A).

Written Representations can cover any relevant matter and are not restricted to the matters set out in the Initial Assessment of Principal Issues discussed at the Preliminary Meeting and included in the Rule 6 letter. Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations "the data, methodology and assumptions used to support their submissions".

The ExA may request further written submissions during the Examination. All written submissions exceeding 1500 words should be accompanied by a summary not exceeding 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

5. Deadline for Local Impact Reports (LIR)

A LIR is a written report which provides details of the likely impact of a Proposed Development on a local authority's area (or any part of that area).

Local authorities¹ are invited to submit LIRs by **15 February 2022 (Deadline 2, Annex D)**. For more information about the importance and content of LIRs see our Advice Note One: Local Impact Reports².

6. Guide to the Application

The ExA requests that, at each deadline, the Applicant provides an updated Guide to the Application document which provides a list of the most up-to-date documents before the Examination. A final version must be submitted before the close of the Examination.

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

The ExA has 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 Interested Party and notified the Planning Inspectorate of their decision by **Deadline 1** (25 January 2022).

8. Virtual events

As set out in the Rule 6 letter, the ExA has made the Procedural Decision to hold the Preliminary Meeting and the first Issue Specific Hearing on the draft Development Consent Order virtually, online.

Reasoned requests to participate actively or to comment on the Agenda must be received by Procedural Deadline A (**7 January 2022**).

It is hoped to hold later Issue Specific Hearings, Compulsory Acquisition Hearings and Open Floor Hearings on a blended basis. This means that those who are able would meet face-to-face but with those who are unable attend would be able to attend virtually. The virtual version of the hearings would be livestreamed. However, should the public health situation not allow this then all the remaining hearings would be held virtually.

The ExA will publish future decisions on this, including when parties would need to register to participate in plenty of time before such events.

¹ Defined in s56A of the Planning Act 2008

² <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Please note: It is the intention to hold the hearings during the period identified in the draft Examination Timetable, whether blended or virtually.

9. Low resolution documents for possible sharing on screen at virtual events

As the PM and ISH1 are being held virtually, it would considerably assist the ExA if the drawings could be provided by the Applicant at smaller file size. Several of the drawings are over 20MB in size which is likely to make them unwieldy for display in the MS Teams environment.

The ExA therefore requests the Applicant to re-provide the drawings set out in the table at the end of this Annex in accordance with the following specification by **Procedural Deadline A (7 January 2022)**. Additional lists will be provided before later hearings.

- No individual drawing/set of plans to exceed an absolute maximum of 10 MB, as a guide 5 to 6 MB should be achievable
- If the scheme has a large plan set, consider splitting the plans set into more than one 'book'
- Pay attention to the output of plans on .pdf from, for example, CAD systems, as certain systems output these in multiple layers which load successively and thus take a long time to load; layers should be merged/switched off
- Files should be given intelligent short names that enable the ExA and others to understand the content of the file from its filename or the beginning of its filename (ie 'Worksplans sheet 1' not 'E-may7746943_project_449_xbleep_large works_sheets44'); the name should be intelligible in the tab when multiple document windows are open in a browser
- Files should be read checked before submission to ensure that all relevant details can still be read when zoomed in, eg plot numbers on land plans and labels for road, field or property names
- Files should be given a 'screen share' test before submission, ensuring that when shared over the internet the plan distributes to multiple viewers in a timely manner, the cursor remains mobile and no unlooked-for behaviours (screen freezing, pixilation, judder, etc.) are experienced by multiple users

List of low-resolution drawings for ISH1 (draft Development Consent Order)

Title	Examination Library Reference
Land Plans	[AS-004]
Works Plans	[AS-006]
Rights of Way and Access Plan	[AS-008]
Crown Land Plans	[APP-011]

De-trunking Plan	[APP-012]
Traffic Regulation Plan	[APP-013]
Classification of Roads Plan	[APP-014]
Hedgerow Plans	[APP-015]
Draft Development Consent Order	[AS-010]

10. Acceptance of Additional Submissions into the Examination

Since the acceptance of the Application, the following documents have been accepted into the Examination. At the time these documents were submitted the Applicant was named Highways England, they have since become National Highways, which will be reflected in all future submissions.

AS-001	Highways England Additional Submission - Cover Letter
AS-002	Highways England Additional Submission - 1.3 Introduction to the Application (Tracked Changes) (Rev 1)
AS-003	Highways England Additional Submission - 1.3 Introduction to the Application (Clean) (Rev 1)
AS-004	Highways England Additional Submission - 2.2 Land Plans (Rev 1)
AS-005	Highways England Additional Submission - 2.3 Work Plans (Tracked Changes) (Rev 1)
AS-006	Highways England Additional Submission - 2.3 Work Plans (Clean) (Rev 1)
AS-007	Highways England Additional Submission - 2.4 Rights of Way and Access Plans (Tracked Changes) (Rev 1)
AS-008	Highways England Additional Submission - 2.4 Rights of Way and Access Plans (Clean) (Rev 1)
AS-009	Highways England Additional Submission - 3.1 Draft Development Consent Order (Tracked Changes) (Rev 1)
AS-010	Highways England Additional Submission - 3.1 Draft Development Consent Order (Clean) (Rev 1)
AS-011	Highways England Additional Submission - 5.1 Consultation Report (Rev 1)

AS-012	Highways England Additional Submission - 6.1 Environmental Statement Chapter 3 - Assessment of Alternatives (Tracked Changes) (Rev 1)
AS-013	Highways England Additional Submission - 6.1 Environmental Statement Chapter 2 - The Proposed Scheme (Rev 0)
AS-014	Highways England Additional Submission - 6.1 Environmental Statement Chapter 3 - Assessment of Alternatives (Clean) (Rev 1)
AS-015	Highways England Additional Submission - 6.1 Environmental Statement Chapter 8 - Biodiversity (Rev 0)
AS-016	Highways England Additional Submission - 6.1 Environmental Statement Chapter 12 - Population and Human Health (Rev 0)
AS-017	Highways England Additional Submission - 6.1 Environmental Statement Chapter 13 - Drainage and Water (Rev 1)
AS-018	Highways England Additional Submission - 6.1 Environmental Statement Chapter 15 - Cumulative Effects Assessment (Rev 0)
AS-019	Highways England Additional Submission - 6.3 Appendix 8.15 - Badger Survey Report (CONFIDENTIAL) (Rev 1)
AS-020	Highways England Additional Submission - 6.8 Environmental Masterplan (Tracked Changes) (Rev 1)
AS-021	Highways England Additional Submission - 6.8 Environmental Masterplan (Clean) (Rev 1)
AS-022	Highways England Additional Submission - 7.1 Case for the Scheme (Rev 1)
AS-023	Highways England Additional Submission - 7.2 National Policy Statement for National Networks Accordance Tables (Rev 0)
AS-024	Highways England Additional Submission - 7.3 Transport Assessment (Rev 1)
AS-025	Highways England Additional Submission - 7.4 Scheme Design Report (Tracked Changes) (Rev 1)
AS-026	Highways England Additional Submission - 7.4 Scheme Design Report (Clean) (Rev 1)
AS-027	Highways England Additional Submission - 7.5 Environmental Management Plan (Rev 0)

AS-028	Highways England Additional Submission - 7.7 Equality Impact Assessment (Rev 1)
AS-029	Highways England Additional Submission - 7.8 Public Consultation Report 2017 (Rev 0)
AS-030	Highways England Additional Submission - 7.9 Scheme Assessment Report 2018 (Rev 0)
AS-031	Highways England Additional Submission - 7.10 Scheme Assessment Report Appendices (Rev 0)
AS-032	Highways England Additional Submission - 7.11 Design Development Report 2020 (Rev 0)
AS-033	Highways England Additional Submission - DCO Validation Report August 2021

Availability of Examination Documents

The application documents and Relevant Representations are available on the [project webpage on the National Infrastructure Planning website](#).

All further documents submitted in the course of the Examination will also be published under the [Documents tab](#) at the above location.

The Examination Library

For ease of navigation, please refer to the Examination Library (EL) which is accessible by clicking the 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.**

Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below. Please note that you may need to bring a form of identification and register in order to use a computer at these locations.

The opening hours and availability of information technology set out in the table below may be subject to changes or limitations to address public health requirements as a result of Coronavirus (COVID-19).

Bearing in mind the availability of the documents on the National Infrastructure Planning website and the effect of public health restrictions, please consider your need to attend these locations with care.

Please check the current circumstances with the relevant locations before you attend.

Local authority	Venue and address	Opening days	Printing/ copy costs
Peterborough City Council	Peterborough Central Library Broadway, Peterborough PE1 1RX	Monday 10:00- 4:00pm Tuesday 10:00- 4:00pm Wednesday 10:00- 4:00pm Thursday 10:00- 4:00pm Friday: 10:00- 4:00pm Saturday 10:00- 2:00pm Sunday CLOSED	Black and white A4 sheet - 30p. Colour printing is 50p per A4 sheet.
Peterborough City Council	Sacrewell Farm Thornhaugh, Peterborough PE8 6HJ	Monday 9:00 - 4:30pm Tuesday 9:00 - 4:30pm Wednesday 9:00 - 4:30pm Thursday 9:00 - 4:30pm Friday 9:00 - 4:30pm Saturday 9:00 - 4:30pm Sunday 9:00 - 4:30pm	NA

All printing charges quoted are correct as of 12 November 2021

Submission of documents

The Examination Timetable has deadlines for submitting relevant information. You can submit documents through the project webpage of the National Infrastructure Planning website using the 'Make a submission' portal. You may also use email or letters; however these will take longer to process so please submit as early as you can. The portal separates submissions by date and type of submission, using drop-down menus. There is an 'other' option if you are not able to separate your submission into one of the categories.

- Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.
- The Planning Inspectorate cannot accept links to websites.
- All submissions must be made in a format that can be viewed in full on our website. For example, Word, PDF, presentations. If your submission exceeds 1500 words, please include a summary which is less than 10% of the original text. The Planning Inspectorate has found that readers can access your main points more quickly, before reading the details. Please contact a member of the case team if you have any questions: A47WansfordtoSutton@planninginspectorate.gov.uk

Overview	s51 advice	Exam Timetable	Documents	Make a submission	Rela
----------	----------------------------	--------------------------------	---------------------------	-----------------------------------	----------------------