



National Infrastructure Planning
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Email: A428.Blackcat@planninginspectorate.gov.uk

Your Ref: -

All Interested Parties;
Statutory Parties; and
any other person

Our Ref: TR010044

Date: 9 July 2021

Dear Sir/ Madam

**Planning Act 2008 – Section 88 and The Infrastructure Planning
(Examination Procedure) Rules 2010 – Rule 4, Rule 6, Rule 9, Rule 10 and
Rule 13**

**Application by Highways England for an Order Granting Development Consent
for the A428 Black Cat to Caxton Gibbet Road Improvement Scheme**

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

I, Menaka Sahai, write to you following my appointment by the Secretary of State for Housing, Communities and Local Government as the lead member of the Examining Authority (ExA) to carry out an examination of the above application. The other members of the ExA are Andrew Parkin and Matthew Scriven. A copy of the appointment notice can be viewed under the documents tab on the [project webpage on the National Infrastructure Planning website](#).

We would like to thank those of you who submitted Relevant Representations. These representations have assisted us in preparing our approach to examining this application.

1. Examinations during Coronavirus (COVID-19)

In the light of ongoing public health controls we will be carrying out 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, we may have the option of holding physical 'in person' events during the Examination if it is safe to do so.

If you intend to participate in virtual events held during this Examination, please read the Planning Inspectorate's [Advice Note 8.6: Virtual Examination events](#), which contains important information about how virtual events will be held and how you can participate.

If you wish to make representations to us about the use of virtual procedures to carry out this Examination, please make them by **Procedural Deadline A, Tuesday 3 August 2021** which is before the Preliminary Meeting takes place.

2. Purpose and content of this letter

The purpose of this letter is to invite you to the Preliminary Meeting to discuss the procedure for the examination of this application, provide notification of hearings and details of several Procedural Decisions. The letter also includes several annexes setting out the initial assessment of principal issues, Examination Timetable, and other details. Please read the letter and its annexes fully, and make note of the responses required from you at specific deadlines.

Rule 6 main letter	<ul style="list-style-type: none">• Invitation to the Preliminary Meeting and details• Notification of hearings• Other Procedural Decisions made by the ExA• Managing Examination Correspondence• Your status in the Examination• Awards of costs• Management of information
Annex A	Preliminary Meeting Agenda
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Annex F	ExA's Procedural Decisions and other notifications
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3. Invitation to the Preliminary Meeting

As a recipient of this letter you are invited to the Preliminary Meeting to discuss the procedure for the Examination of this application. The Examination will start after the Preliminary Meeting has closed.

Please note that the Preliminary Meeting will adjourn at the end of Part 1. The date specified below has been reserved for Preliminary Meeting Part 2 to resume, if required. Should the ExA decide that Part 2 of the meeting is not required, we will notify you in writing and formally close the meeting. The meeting agenda is in **Annex A**.

Date of Preliminary Meeting Part 1:	Tuesday 10 August 2021
Date of Preliminary Meeting Part 2:	Wednesday 18 August 2021
Arrangements Conference:	09:30 am on both days
Preliminary Meeting begins at:	10:00 am on both days
Venue:	Virtual event (Microsoft Teams)

4. Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is for you to put your views to us about how the application should be examined. We 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 the Planning Inspectorate's [Advice Note 8.3: the Preliminary Meeting](#) for more information.

Please note that **you are not required to attend or make a representation at the Preliminary Meeting in order to participate in the Examination**. If you are an Interested Party or an Other Person, whether or not you attend or participate in the Preliminary Meeting, you can make a Written Representation and comment on the Written Representations made by other Interested Parties at specific deadlines 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.

The agenda for the meeting is in **Annex A**. At the meeting we will discuss our Initial Assessment of Principal Issues (**Annex C**) arising from our reading of the application documents and the Relevant Representations received. We will also discuss the draft Examination Timetable (**Annex D**), and we wish to hear your views.

5. Attendance and participation at the Preliminary Meeting

Participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance. If you wish to attend the Preliminary Meeting, you must register by **Procedural Deadline A, Tuesday 3 August 2021**.

If you wish to participate at the Preliminary 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. This will assist the ExA in the management of the meeting.

You must register via the Submissions Portal by selecting the 'Make a submission' tab on the [project webpage on the National Infrastructure Planning website](#). More information about the portal can be found in **Annex H**.

6. Format of the Preliminary Meeting

The Preliminary Meeting is scheduled in two parts, separated by an adjournment period. During the adjournment period any Interested Parties who did not, or could not, make oral representations in Part 1 of the Preliminary Meeting can make written submissions about the examination procedure. This representation must be received by **Procedural Deadline B** on **Monday 16 August 2021**. Please refer to **Annex A** and **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 also be published on the website 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 submissions to **Procedural Deadline B** do not justify the resumption of the Preliminary Meeting Part 2, the ExA may decide to close the Preliminary Meeting in writing, without Part 2 taking place. Therefore, **Interested Parties should not rely on Part 2 of the Preliminary Meeting to make oral representations about the Examination procedure.**

7. After the Preliminary Meeting

After the Preliminary Meeting a note of the meeting will be published on the [project webpage on the National Infrastructure Planning website](#). Subsequently, you will be sent a Rule 8 letter which confirms the final Examination Timetable.

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. **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 we make a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

8. Notification of hearings

We have made a Procedural Decision to hold the following hearings. Important information about these hearings is contained within **Annex E**

1. Virtual Issue Specific Hearing (ISH1) on Wednesday 18 August 2021
2. Virtual Open Floor Hearing (OFH1) on Thursday 19 August 2021 (morning)
3. Virtual Open Floor Hearing on Thursday 19 August 2021 (afternoon)

We have reserved a date to hold a further hearing, if required:

4. Virtual Issue Specific Hearing or Open Floor Hearing on Tuesday 24 August 2021.

Participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance. If you wish to attend the Preliminary Meeting, you must register by **Procedural Deadline A, Tuesday 3 August 2021**.

9. Other Procedural Decisions made by the ExA

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

1. Nomination of sites for Accompanied Site Inspection from Interested Parties and Other Persons, by **Procedural Deadline A, Tuesday 3 August 2021**
2. Applicant's proposed draft itinerary for the ASI by **Deadline 1, Tuesday 31 August 2021**
3. Requests for Compulsory Acquisition Hearings by Interested Parties by **Procedural Deadline A, Tuesday 3 August**
4. Requests for Open Floor Hearings by Interested Parties by **Deadline 1, Tuesday 31 August**
5. Written Representations from Interested Parties and Other Persons, in line with Rule 13 of the Examination Procedure Rules 2010 by **Deadline 1, Tuesday 31 August**
6. Notification of publication of ExA's first Written Questions on **Wednesday 21 July 2021**, and request of responses by **Deadline 1, Tuesday 31 August 2021**
7. Request for updates to the draft Development Consent Order and Compulsory Acquisition schedule

10. 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. There is a function on the right-hand side of the project webpage called '**E-mail updates**'. This provides you with an opportunity to register to receive automatic e-mail updates at key stages during the Examination. You will also find a '**Make a submission**' tab which provides access to a submissions portal through which parties will be able to make written submissions at relevant deadlines during the Examination. **Annex H** provides further information on the submissions portal.

11. 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 'BCCG', 'BCCG-2002', 'BCCG-AFP', 'BCCG-S57' 'BCCG-APL' you are in Group A. If your reference number begins with 'BCCG-ISP' you are in Group B. If your reference number begins with 'BCCG-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.

12. Awards of costs

We 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](#).

13. Management of information

Information including representations submitted to this Examination (if accepted by the ExA), 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](#).

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

Yours faithfully

Menaka Sahai

Lead Member of the Examining Authority

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

ANNEX A: Preliminary Meeting Agenda**PART 1**

Participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance. If you wish to attend the Preliminary Meeting, you must register by **Procedural Deadline A, Tuesday 3 August 2021**.

Date: **Tuesday 10 August 2021**

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**

09.25 am	<p>Event lobby</p> <p>Please arrive at 9.25am to enter the lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted and given further instructions.</p>
09.30 am	<p>Arrangements Conference</p> <p>The Arrangements Conference will commence at 9.30am. 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.</p>
10.00 am	<p>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.</p>
10.00am	<p>Preliminary Meeting Part 1</p> <p>Item 1 Welcome and introductions</p> <p>Item 2 Remarks about the Examination process</p> <p>Item 3 Initial Assessment of Principal Issues</p> <p>Item 4 Draft Examination Timetable</p> <p>Item 5 Any other matters</p>
Adjournment of the Preliminary Meeting	

PART 2

Participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance. If you wish to attend the Preliminary Meeting, you must register by **Procedural Deadline B, Monday 16 August 2021**.

Date: **Wednesday 18 August 2021**

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**

09.25 am	Event lobby Please arrive at 9.25am to enter the lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted and given further instructions.
09.30 am	Arrangements Conference The Arrangements Conference will commence at 9.30am. 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.
10.00 am	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.
10.00am	Preliminary Meeting Part 2 Item 6 Welcome and introductions Item 7 Remarks about written submissions received at Procedural Deadline B Item 8 Representations on matters that could not be raised at Preliminary Meeting Part 1 Item 9 Any other matters
Close 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 on time irrespective of any late arrivals, for whom access may not be possible.

The agenda for both parts of the Preliminary Meeting is subject to change at the discretion of the Examining Authority (ExA), although in making changes the

ExA will be mindful of the need to provide opportunities for fair involvement to all Interested Parties.

ANNEX B: Introduction to the Preliminary Meeting

Background

The Preliminary Meeting (PM) for the **A428 Black Cat to Caxton Gibbet Road Improvement Scheme** 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 efficient. 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 PM, in order to ensure that the time available for participants to speak is maximised.

The Examining Authority

The ExA, Menaka Sahai, Andrew Parkin and Matthew Scriven, appointed by the Secretary of State for Housing, Communities and Local Government, will introduce themselves at the start of the PM. The ExA's appointment letter can be found in the [Examination Library](#) [PD-003].

The Case Team

The ExA will be supported by the Planning Inspectorate Case Team. Candice Patten is the Case Manager and George Harrold is the Case Officer. During the Arrangements Conferences the Case Team will welcome and admit participants into the virtual PM, and will be available to answer questions by email before and after the PM. The contact email address is:
A428.Blackcat@planninginspectorate.gov.uk.

The purpose of the Preliminary Meeting

The PM is being held to discuss the arrangements for the Examination of the application for an Order Granting Development Consent for the A428 Black Cat to Caxton Gibbet Road Improvement 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'. The application has been made by Highways England, which 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 landing page for the project with links to Examination procedure, the Examination Timetable, Relevant Representations and Examination documents. The relevant NI Planning website landing page or project webpage is:
<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a428-black-cat-to-caxton-gibbet-road-improvement-scheme/>

You are encouraged to explore the project 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 webpage 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. The focus at the PM will be the process only, and not 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 in **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 sections 14(1)(h) and 22(1)(a). The Proposed Development comprises construction of a highway which is wholly in England, and the Secretary of State is the highway authority. The area of development is greater than 12.5 hectares for the new road which will have a speed limit of 50 miles per hour or greater.

The Proposed Development also includes the diversion of a high-pressure gas pipeline which will be treated as an NSIP pursuant to section 14(1)(f) if it meets the thresholds as set out in section 20 of the PA 2008. The relevant thresholds are the construction of a gas pipeline by a gas transporter, which wholly in England and is likely to have a significant effect on the environment. It must also have a design operating pressure of more than 7 bar gauge and when constructed, will convey gas for the supply (directly or indirectly) to at least 50,000 customers, or potential customers, of one or more gas suppliers.

The designated **National Networks National Policy Statement** (NPS NN) applies to this Examination and to decision-making relating to this application. The ExA will consider the Proposed Development in accordance with the NPS NN 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 NPS NN. 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 an 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 given the opportunity to reply to any representations made in writing after the close of the PM.

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, they are not automatically or

eligible to elect to become an IP 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 one half or a full day 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, one day has been timetabled for Part 1. One day has also been timetabled for Part 2 of the PM, subject to the progress made at Part 1 of the PM. 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 technology. 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.

A digital recording will be made available on the project page of the NI Planning website as soon as practicable following Part 1 of the PM and again following Part 2 (if the PM is resumed). 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 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's 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 (WRs) and comment on WRs made by other parties.
- IPs can respond to the ExA's written questions (WQs) and comment on responses to these WQs 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.

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.

It may be necessary for the ExA to hold more than one ISH 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.

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.

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.

The draft Examination Timetable includes a deadline for IPs to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform further USIs as well as possible ASIs. It should be noted that public health restrictions may limit the scope for ASIs and, if these have not lifted by the end of the Examination, the ExA may decide that holding USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time-consuming to conduct.

ANNEX C: Initial Assessment of Principal Issues

This is the Initial Assessment of the Principal Issues prepared under section 88(1) of the Planning Act 2008 (PA2008). This initial assessment has had regard to consideration by the Examining Authority (ExA) of the Application documents, 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 relevant matters. The ExA will have regard to all important and relevant matters during the Examination and in writing a Recommendation Report to the Secretary of State for Transport after the Examination has concluded.

It should be noted that a number of the Principal Issues set out below have an interrelationship and overlap and these will be reflected in the Examination. It should also be noted that whilst the effects of the proposal in relation to human rights and equalities duties are not listed as Principal Issues, the ExA will conduct all aspects of the Examination with these in mind.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not set out as separate Principal Issues.

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

Principal Issues	Brief Amplification to include but not necessarily limited to:
Air Quality	<ul style="list-style-type: none"> • Effects on human and ecological receptors • The effectiveness of mitigation measures, including screening
Biodiversity and Ecological Conservation	<ul style="list-style-type: none"> • Effects on statutory and non-statutory designated sites • Effects on protected species and species of conservation concern • Quantitative and qualitative effects on terrestrial and aquatic habitats, including fragmentation effects • Adequacy of proposed mitigation for terrestrial and aquatic habitats and species; monitoring and management measures and their likely effectiveness • Issues relating to Biodiversity Net Gain and No Net Loss
Climate Change and Carbon Emissions	<ul style="list-style-type: none"> • Overall change in carbon emissions arising from the Construction and Operation of the proposed development

Principal Issues	Brief Amplification to include but not necessarily limited to:
	<ul style="list-style-type: none"> • Implications for Carbon budgeting • Resilience of the Proposed Development to climate change
Compulsory Acquisition and Temporary Possession	<ul style="list-style-type: none"> • The requirement for the powers sought and whether a compelling case in the public interest has been established • The need for the amount of land proposed to be subject to Compulsory Acquisition / Temporary Possession • Alternatives in relation to individual plots • Effects on Statutory Undertaker land and apparatus, including the approach to Protective Provisions • Veracity of the Book of Reference
Development Consent Order	<ul style="list-style-type: none"> • Definition and scope of the Proposed Development and construction programme • Consistency, reasonableness and alignment with the Environmental Statement • Adequacy to cover the effects of the diversion of the High-Pressure Pipeline if it meets the thresholds for an NSIP
Diversion of high-pressure pipeline	<ul style="list-style-type: none"> • Scope, location, and consideration against the thresholds in PA 2008 S20(3)(b) • Proposed Planning route and timescales • Assessment of the effects, including on the significance of impact on archaeology
Flood Risk	<ul style="list-style-type: none"> • The sequential approach to route selection and design • Construction phase effects • Passing the Exception Test as required • Interactions between different sources of flooding • Attenuation measures, including floodplain storage re-provision • Climate Change resilience
Good Design	<ul style="list-style-type: none"> • Design development process and selection of preferred designs, including routes and junctions • Consideration of good design in the development of the scheme, including highways and structures, interfaces with existing and proposed land uses / Public Rights of Way (PRoW), biodiversity, landscape and visual impact, historic environment

Principal Issues	Brief Amplification to include but not necessarily limited to:
Highways – Network and Structures	<ul style="list-style-type: none"> • Construction and Operational phase effects • Effects on existing transport infrastructure, including the safety of all users • Safety of all users of proposed infrastructure, including NMUs • Management and maintenance responsibilities • Road layout and design, including junctions and bridges • Temporary and permanent road closures and access to existing properties • Approach to monitor and manage • Effectiveness of mitigation measures
Historic Environment	<ul style="list-style-type: none"> • Effects on designated heritage assets including Brook Cottages • Effects on non-designated heritage assets • Effects on archaeological remains • Adequacy of proposed mitigation
Landscape and Visual Effects	<ul style="list-style-type: none"> • The approach to landscape and visual impact assessment including landscape sensitivity • The effects of artificial lighting • The effects on tranquillity • The effects on landscape character and landscape designations • Cumulative effects • The approach to mitigation, including appropriate replacement planting and approach to the Borrow Pits
Land use including open space, green infrastructure and Green Belt	<ul style="list-style-type: none"> • Construction and Operational phase effects • The approach to land use, particularly Best and Most Versatile (BMV) agricultural land • Fragmentation and viability of remaining BMV agricultural land • Effects on minerals resources • Proposed mitigation
Need for Development and Consideration of Alternatives	<ul style="list-style-type: none"> • Parameters and description of the scheme, including objectives • Business case and benefits of the scheme • Evidence of long-term need for the scheme and effect of induced demand • Effects of alternative modal solutions • Alternative route and junction options and selection process • Adequacy of EIA process including engagement

Principal Issues	Brief Amplification to include but not necessarily limited to:
	<ul style="list-style-type: none"> • Adequacy of the baseline data and forecast data • Implications of COVID-19 on demand for travel • The effectiveness of mitigation measures including the content of the First Iteration Environmental Management Plan
Noise and Vibration	<ul style="list-style-type: none"> • Construction and Operational effects on sensitive receptors • Proposed mitigation, management and monitoring of operational noise and vibration effects
Significant Cumulative Effects	<ul style="list-style-type: none"> • Cumulative effects with other major projects • Interrelated effects on the living conditions of local residents
Socio-economic effects	<ul style="list-style-type: none"> • Effects on local and national economic activity and employment • Effects on agriculture and farming operations • Effects on green infrastructure • Social and economic effects on individuals and communities • Inter-related effects on human health and community well-being
Water quality and resources	<ul style="list-style-type: none"> • Construction effects on groundwater, watercourses, and water bodies • Operational effects on surface water drainage, outfalls, the use and extent of detention basins • Compliance with the requirements of the Water Framework Directive particularly in the light of changes to water courses and water bodies • Climate change resilience • The effectiveness of mitigation and compensation measures

ANNEX D: Draft Examination Timetable

The Examining Authority (ExA) is under a duty by the Planning Act 2008 Section 98, to complete the Examination of this Application by the end of the six months period, beginning with the day after the close of the Preliminary Meeting. In the following draft timetable, the ExA has set out the deadlines for the receipt of representations and other information, and dates reserved for Hearings, during the six months Examination period.

Please note:

1. The Examination of the Application primarily takes the form of the consideration of written submissions and oral representations made at Hearings.
2. The time for submission of requested documents is **23:59 on the relevant deadline date**, unless instructed otherwise by the ExA.
3. 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 F** for more information.

Hearing agendas

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a draft agenda on the project webpage on the National Infrastructure Planning website at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. For Open Floor Hearings agendas may not be published.

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 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.

Item	Matters	Dates
1.	Procedural Deadline A for receipt by the ExA: <ul style="list-style-type: none"> • Confirmation of attendance at Preliminary Meeting • Confirmation of attendance at the Issue Specific Hearing and Open Floor Hearings • Notification to make an oral representation at the Preliminary Meeting with brief summary of issues intended to raise • Notification to make an oral representation at the Issue Specific Hearing and Open Floor Hearings with brief summary of issues intended to raise • Nomination for sites for Accompanied Site Inspection • Requests for Compulsory Acquisition Hearing 	Tuesday 3 August 2021
2.	Preliminary Meeting Part 1	Tuesday 10 August 2021
3.	Procedural Deadline B	Monday 16 August 2021
4.	Preliminary Meeting Part 2	Wednesday 18 August 2021
5.	Issue Specific Hearing (ISH1)	Wednesday 18 August 2021
6.	Morning Open Floor Hearing 1 (OFH1)	Thursday 19 August 2021
7.	Evening Open Floor Hearing 2 (OFH2)	Thursday 19 August 2021
8.	Reserved for (if any are required): <ul style="list-style-type: none"> • Issue Specific Hearing • Open Floor Hearing 	Tuesday 24 August 2021
9.	Publication by the ExA: <ul style="list-style-type: none"> • Examination Timetable 	As soon as practicable
10.	Deadline 1 (D1) for receipt by the ExA: <ul style="list-style-type: none"> • Notification by Statutory Parties and persons of their wish to be considered as an Interested Party by the ExA • Written Representations, including summaries of all Written Representations exceeding 1500 words 	Tuesday 31 August 2021

Item	Matters	Dates
	<ul style="list-style-type: none"> • Local Impact Reports from relevant Local Authorities • Responses to the ExA's First Written Questions (WQ1) • Written summaries of oral representations made at the Open Floor Hearings • Post-Hearing submissions as requested by ExA • Notification of wish to participate in Compulsory Acquisition Hearing with brief summary of issues intended to raise • Notification of wish to participate in Issue Specific Hearings with brief summary of issues intended to raise • Responses to Relevant Representations • Applicant's proposed itinerary for the Accompanied Site Inspection <p>Updates</p> <ul style="list-style-type: none"> • Applicant's Compulsory Acquisition Schedule • Statements of Common Ground (Set 1) • Statement of Commonality • Updated Guide to the Application • Updated draft Development Consent Order (dDCO) • Updated Explanatory Memorandum • Updated Schedule of changes to dDCO <ul style="list-style-type: none"> • Any other information requested by the ExA 	
11.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Issue Specific Hearings • Compulsory Acquisition Hearing 	Tuesday 21 September 2021
12.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Issue Specific Hearings • Compulsory Acquisition Hearing 	Wednesday 22 September 2021
13.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Issue Specific Hearings • Compulsory Acquisition Hearing 	Thursday 23 September 2021
14.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection 	Friday

Item	Matters	Dates
	<ul style="list-style-type: none"> • Issue Specific Hearings • Compulsory Acquisition Hearing 	24 September 2021
15.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Issue Specific Hearings • Compulsory Acquisition Hearing 	Tuesday 28 September 2021
16.	<p>Deadline 2 (D2) for receipt by the ExA:</p> <ul style="list-style-type: none"> • Comments on Written Representations received at D1 • Comments on responses to the ExA's First Written Questions (WQ1) • Comments on the Local Impact Reports • Comments on any other submissions received at D1 • Written summaries of oral representations made at the Issue Specific Hearings and Compulsory Acquisition Hearings (if hearings are held) • Post-Hearing submissions as requested by the ExA (if hearings are held) <p>Updates</p> <ul style="list-style-type: none"> • Updated Guide to the Application • Updated draft Development Consent Order (dDCO) • Updated Explanatory Memorandum • Updated Schedule of changes to dDCO • Updated Compulsory Acquisition Schedule <ul style="list-style-type: none"> • Any other information requested by the ExA 	Tuesday 5 October 2021
17.	<p>Publication by the ExA:</p> <ul style="list-style-type: none"> • Second Written Questions (WQ2) (if required) 	Friday 15 October 2021
18.	<p>Deadline 3 (D3) for receipt by the ExA:</p> <ul style="list-style-type: none"> • Responses to the ExA's Second Written Questions (WQ2) (if WQ2 is issued) • Comments on any other submissions received at D2 <p>Updates</p> <ul style="list-style-type: none"> • Updated Statements of Common Ground (Set 2) 	Monday 1 November 2021

Item	Matters	Dates
	<ul style="list-style-type: none"> • Statement of Commonality • Updated Guide to the Application • Updated draft Development Consent Order (dDCO) • Updated Explanatory Memorandum • Updated Schedule of changes to dDCO • Updated Compulsory Acquisition Schedule • Any other information requested by the ExA 	
19.	<p>Deadline 4 (D4) for receipt by the ExA:</p> <ul style="list-style-type: none"> • Notification of wish to participate in Open Floor Hearing with brief summary of issues intended to raise (only if Hearing notification is issued) • Notification of wish to participate in Compulsory Acquisition Hearing with brief summary of issues intended to raise (only if Hearing notification is issued) • Notification of wish to participate in Issue Specific Hearings with brief summary of issues intended to raise (only if Hearing notification is issued) • Any other information requested by the ExA 	Tuesday 16 November 2021
20.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Open Floor Hearing • Compulsory Acquisition Hearing • Issue Specific Hearings 	Tuesday 30 November 2021
21.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Open Floor Hearing • Compulsory Acquisition Hearing • Issue Specific Hearings 	Wednesday 1 December 2021
22.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Open Floor Hearing • Compulsory Acquisition Hearing • Issue Specific Hearings 	Thursday 2 December 2021
23.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection 	Friday 3 December 2021

Item	Matters	Dates
	<ul style="list-style-type: none"> • Open Floor Hearing • Compulsory Acquisition Hearing • Issue Specific Hearings 	
24.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Accompanied Site Inspection • Open Floor Hearing • Compulsory Acquisition Hearing • Issue Specific Hearings 	Tuesday 7 December 2021
25.	<p>Deadline 5 (D5) for receipt by the ExA:</p> <ul style="list-style-type: none"> • Comments on responses to the ExA's Second Written Questions (WQ2) (if WQ2 is issued) • Comments on any other submissions received at D3 and D4 • Written summaries of oral representations made at the Hearing(s) (if hearings are held) • Post-Hearing submissions as requested by the ExA (if hearings are held) <p>Updates</p> <ul style="list-style-type: none"> • Updated Statements of Common Ground (Set 3) • Statement of Commonality • Updated Guide to the Application • Updated draft Development Consent Order (dDCO) • Updated Explanatory Memorandum • Updated Schedule of changes to dDCO • Updated Compulsory Acquisition Schedule <ul style="list-style-type: none"> • Any other information requested by the ExA 	Tuesday 14 December 2021
26.	<p>Publication by the ExA:</p> <ul style="list-style-type: none"> • The Report on Implications for European Sites (REIS) (if required) 	Friday 17 December 2021
27.	<p>Publication by the ExA:</p> <ul style="list-style-type: none"> • Third Written Questions (WQ3) (if required) • Any other information requested by the ExA 	Wednesday 22 December 2021
28.	<p>Deadline 6 (D6) for receipt by the ExA:</p> <ul style="list-style-type: none"> • Responses to the ExA's Third Written Questions (WQ3) (if WQ3 is issued) 	Tuesday 11 January 2022

Item	Matters	Dates
	<ul style="list-style-type: none"> • Comments on the REIS (only relevant if REIS is published) • Comments on any other submissions received at D5 <p>Updates</p> <ul style="list-style-type: none"> • Updated Guide to the Application • Updated draft Development Consent Order (dDCO) • Updated Explanatory Memorandum • Updated Schedule of changes to dDCO • Updated Compulsory Acquisition Schedule <ul style="list-style-type: none"> • Any other information requested by the ExA 	
29.	<p>Publication by the ExA:</p> <ul style="list-style-type: none"> • The ExA's proposed schedule of changes to the dDCO 	Friday 14 January 2022
30.	<p>Deadline 7 (D7) for receipt by the ExA:</p> <ul style="list-style-type: none"> • Comments on responses to the Third Written Questions (WQ3) (only if WQ3 are issued) • Comments on any other submissions received at D6 • Comments on the ExA's proposed schedule of changes to the dDCO 	Tuesday 25 January 2022
31.	<p>Reserved for (if any are required):</p> <ul style="list-style-type: none"> • Issue Specific Hearings • Compulsory Acquisition Hearing 	Tuesday 8 February 2022
32.	<p>Deadline 8 (D8) for receipt by the ExA:</p> <ul style="list-style-type: none"> • Written summaries of oral representations made at the Issue Specific Hearings and Compulsory Acquisition Hearings (if hearings are held) • Post-Hearing submissions as requested by the ExA (if hearings are held) <p>Final Updates</p> <ul style="list-style-type: none"> • Final Statements of Common Ground (Set 4) • Final Statement of Commonality • Final Guide to the Application • Final draft Development Consent Order (dDCO) 	Tuesday 15 February 2022

Item	Matters	Dates
	<ul style="list-style-type: none"> • Final draft Development Consent Order (dDCO) in MS word for validation • Final Explanatory Memorandum • Final Schedule of changes to dDCO • Final Compulsory Acquisition Schedule • Final updated Book of Reference 	
33.	<p>Close of Examination by the ExA:</p> <ul style="list-style-type: none"> • The 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 	<p>Friday 18 February 2022</p>

ANNEX E: Notification of Hearings

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

Date	Hearing	Time	Joining
Wednesday 18 August 2021	Issue Specific Hearing (ISH1) <ul style="list-style-type: none"> • Need for the Proposed Development • Assessment of Alternatives • Environmental Effects • draft Development Consent Order 	Arrangements Conference: 1:30 pm Hearing: 2:00 pm	These hearings will be held virtually using Microsoft Teams A joining link/ telephone number will be provided to pre-registered participants in advance
Thursday 19 August 2021	Open Floor Hearing (OFH1)	Arrangements Conference: 9:30 am Hearing: 10:00 am	
Thursday 19 August 2021	Open Floor Hearing (OFH2)	Arrangements Conference: 5:30 pm Hearing: 6:00 pm	

Reserved hearing dates

The ExA intends to cover all necessary matters as set out above. However, notification is also made of further Hearings on the following date, in the event that the ExA considers they are required, for example if a Hearing is disrupted by technical issues. Reserved hearings that are not required may be cancelled in the banner on the project webpage and no other notice is required.

Date	Hearing	Time	Joining
Tuesday 24 August 2021	Issue Specific Hearing or Open Floor Hearing	Arrangements Conference: 9:30 am Hearing: 10:00 am	These hearings will be held virtually using Microsoft Teams A joining link/ telephone number will be provided to pre-registered participants in advance

Participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance. If you wish to attend any of these hearings, you must register by **Procedural Deadline A, Tuesday 3 August 2021**. Please see **Annex A** and **Annex D**.

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

High-level agendas for these hearings have been published alongside this notification on the National Infrastructure Planning website to help inform your decision about whether to register to participate.

For Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a detailed draft agenda on the project website at least five working days in advance of the Hearing date. However, the actual agenda on the day of each Hearing may be subject to change at the discretion of the ExA. For Open Floor Hearings an agenda may not be published.

Public livestream

A public livestream of these hearings will be made available on the project webpage shortly before the hearings are due to open. The livestreams are available to anybody who wishes to observe the hearings.

ANNEX F: Other Procedural Decisions made by the ExA

1. Nomination of sites for Accompanied Site Inspection

It is common practice for the ExA to make site visits to familiarise themselves with the Proposed Development area in line with Rule 16 of the Examination Procedure Rules 2010. The ExA may conduct Unaccompanied Site Inspections (USI) before, or during the examination, without giving notice to the persons entitled to take part in the Examination. So far the ExA has conducted USIs on Wednesday 30 June and Thursday 1 July 2021. The USI note is published in project webpage.

The Rules also allow the ExA to make Accompanied Site Inspections (ASI) during the examination which it will notify to all Interested Parties. The ExA welcomes the attendees to draw the ExA's attention to particular features of the site and its surroundings, but the ExA will not hear evidence or other submissions during any ASI.

The ExA requests submissions by Interested Parties of their wish to attend an ASI by **Procedural Deadline A, Tuesday 3 August 2021**. Please include suggested locations and sites for the ExA to visit, the issues that you consider are important to be observed, and access details if the location can or cannot be accessed by public land.

During the ASI, the ExA, the Case Team and all attendees will be expected to follow social distancing guidelines in place at that time. If the number of attendees wishing to attend the ASI are greater than what is allowed by the Government then the ExA may make a decision to split the nominated sites over more than a single session.

2. Applicant's proposed draft itinerary for the ASI

The Applicant is requested to prepare a draft itinerary for the ASI, which should include locations and sites referred to in the submitted Relevant Representations, those suggested by Interested Parties in the submissions at Procedural Deadline A, and any other sites suggested by the Applicant. The Applicant's draft itinerary for the ASI should be submitted to the ExA by **Deadline 1, Tuesday 31 August 2021**.

3. Requests for Compulsory Acquisition Hearings

The ExA requests submissions by Interested Parties of their wish to attend and participate in a Compulsory Acquisition (CA) Hearing by **Procedural Deadline A, Tuesday 3 August 2021**. If the ExA receives one or more requests for a CA Hearing from affected persons within the date specified, we will hold a Hearing on the relevant dates in the Examination Timetable (**Annex D**). The ExA may choose to hold a CA Hearing even if it receives no requests. If the ExA decides to hold a Hearing then it will give adequate notice to all parties, in line with Rule 13 of the Examination Procedure Rules 2010.

4. Requests for Open Floor Hearings

Annex E contains notifications of two Open Floor Hearings that the ExA intends to hold at the outset of the Examination. The ExA requests submissions by Interested Parties of their wish to attend and participate in a further Open Floor Hearing by **Deadline 1, Tuesday 31 August 2021**, with clear reasons setting out why a further Open Floor Hearing is required. If the ExA receives one or more requests for an Open Floor Hearing, we will hold a Hearing on the relevant dates in the Examination Timetable (**Annex D**) and give adequate notice to all parties, in line with Rule 13 of the Examination Procedure Rules 2010.

5. Written Representations

Written representations will be the primary means by which the ExA will examine application. They will also be one of main types of evidence which the Secretary of State will take into account when taking a decision. Many of you may have already submitted relevant representations in line with Rule 13 of the Examination Procedure Rules 2010, which is first round of representations received by the ExA. The ExA is inviting a further round of detailed Written Representations from Interested Parties, other persons and statutory parties, in line with Rule 13 of the Examination Procedure Rules 2010 by **Deadline 1, Tuesday 31 August 2021**. The written representations should include your detailed case and set out the reasons why they support or oppose the application. Please provide any data, methodology and assumptions used to support your submissions.

6. ExA's first Written Questions

We are notifying parties that the ExA's First Written Questions (WQ1) will be published on **Wednesday 21 July 2021**. The Applicant, Interested Parties, other persons and statutory parties are requested to read WQ1 as soon as it is published on the [project webpage on the National Infrastructure Planning website](#). Responses to these questions are due by **Deadline 1, Tuesday 31 August 2021**. Responses should not be submitted until the Examination starts, which is the day after the Preliminary Meeting is closed.

7. Updates to the draft Development Consent Order and CA schedule

The ExA has requested updates to the draft Development Consent Order (dDCO) and the CA schedule on most Deadlines in the Examination Timetable. The ExA requests the Applicant to provide two versions of the relevant documents – one version to highlight the changes, and a clean version which is most up-to-date – both suitably titled. For the documents where changes are highlighted, the Applicant is requested to colour code the changes made at each subsequent Deadline. For instance, the updated dDCO submitted at Deadline 2, should highlight all changes made at Deadline 1 in one colour, and highlight the changes made at Deadline 2 in a different colour.

ANNEX G: 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. **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 will need to bring a form of identification and register as a library member 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/address	Opening hours
Milton Keynes Council	Milton Keynes Central Library 555 Silbury Boulevard Central Milton Keynes MK9 3HL	Monday: 09:00-17:30 Tuesday: 09:00-17:30 Wednesday: 09:00-17:30 Thursday: 09:00-17:30 Friday: 09:00-17:30 Saturday: 09:00-17:30 Sunday: Closed Limited number of computers available for public use at Central

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		Library on a first come, first served basis
Bedford Borough Council	Bromham Library Springfield Drive Bromham MK43 8NT	Monday: 10:00-12:00 Tuesday: 14:00-17:00 Wednesday: 10:00-12:00 Thursday: 14:00-17:00 Friday: 10:00-12:00 Saturday: 10:00-13:00 Sunday: Closed
	Kempston Library Halsey Road Kempston MK42 8AU	Monday: 14:00-17:00 Tuesday: 10:00-17:00 Wednesday: 14:00-18:00 Thursday: 10:00-17:00 Friday: 14:00-17:00 Saturday: 09:30-16:00 Sunday: Closed
Central Bedfordshire Council	Sandy Library Market Square Sandy SG19 1EH	Monday: Closed Tuesday: 09:00-18:00 Wednesday: 09:00-18:00 Thursday: 09:00-18:00 Friday: 09:00-18:00 Saturday: 10:00-16:00 Sunday: Closed
Cambridgeshire County Council	St Neots Library Priory Lane St Neots PE19 2BH	Monday: 09:30-17:00 Tuesday: 09:30-17:00 Wednesday: 01:30-19:00 Thursday: 09:30-17:00 Friday: 13:00-17:00 Saturday: 09:30-16:00 Sunday: Closed
	Papworth Library Lower Pendrill Court Ermine Street North Papworth Everard CB23 3UY	Monday: Closed Tuesday: 10:00-14:00 Wednesday: Closed Thursday: 13:00-17:00 Friday: Closed Saturday: Closed Sunday: Closed
	Cambridgeshire Central Library 7 Lion Yard Cambridge CB2 3QD	Monday: 09:30-18:00 Tuesday: 12:00-18:00 Wednesday: 09:30-19:00 Thursday: 12:00-18:00 Friday: 09:30-18:00 Saturday: 10:00-18:00 Sunday: 12:00-16:00
	Cambourne Library Sackville House Sackville Way	Monday: 13:00-17:00 Tuesday: 09:00-13:00 Wednesday: Closed

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	Cambourne CB23 6HL	Thursday: Closed Friday: 09:00-17:00 Saturday: 09:00-13:00 Sunday: Closed
	Huntingdon Library Princes Street Huntingdon PE29 3PA	Monday: 09:30-17:00 Tuesday: 09:30-17:00 Wednesday: 09:30-19:00 Thursday: 09:30-13:30 Friday: 13:00-17:00 Saturday: 10:00-16:00 Sunday: Closed
Printing costs	Black and white	Colour
Milton Keynes Central Library		
A4	Single-sided: 20p	Single-sided: 75p
A3	n/a	n/a
Bromham and Kempston Library (No fees for limited amount of printing due to Covid) Pre-Covid charges as below:		
A4	Single-sided: 15p	Single-sided: 70p
A3	Single sided: 30p	Single-sided: £2.00
Sandy Library (No fees for limited amount of printing due to Covid) Pre-Covid charges as below:		
A4	Single-sided: 15p	Single-sided: £1.00
A3	Single sided: 30p	Single-sided: £1.50
Cambridgeshire Libraries – Central, St Neots, Papworth, Cambourne and Huntingdon		
A4	Single-sided: 20p	Single-sided: 75p
A3	Single-sided: 40p	Single-sided: £1.25

ANNEX H: Guidance on using the Submissions Portal

The Planning Inspectorate is using a submissions portal, which parties will be able to use to make written representation submissions at the relevant deadlines. There will be a **"Make a submission"** tab on the [project webpage on the National Infrastructure Planning website](#) which can be accessed ahead of each deadline.

The portal operates on a system where submissions are separated in accordance to the deadline submissions item requested. Please ensure documents are submitted to the correct deadline and select the relevant document type. Where this is not possible, please use "other" from drop down menu options.

Interested Parties will be able to make a representation by submitting a document and uploading a file, or making a text representation, or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB. Providing links to websites where your submissions can be viewed is not acceptable. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

Interested Parties will be able to send, if necessary, electronic copies of their submission as email attachments to the A428.Blackcat@planninginspectorate.gov.uk project mailbox on or before the applicable deadline, however we would encourage you in the first instance to use the submission form.

If you experience any issues when using this portal, please contact a member of the case team to assist. The Inspectorate will be monitoring the use of the new submission form and your feedback will help the Inspectorate identify and prioritise future service enhancements for our customers.