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All Interested Parties and Statutory  
Parties

Your Ref:

Our Ref: TR010059

Date: 19 November 2020

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Dear Sir/ Madam

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

**Application by Highways England for an Order Granting Development Consent  
for the A1 in Northumberland – Morpeth to Ellingham**

**Appointment of the Examining Authority**

I write to you following my appointment by the Secretary of State as the lead member of a Panel who will be the Examining Authority (the ExA) to carry out an examination of the above application. I am Kevin Gleeson and the other member of the Panel is Andre Pinto. A copy of our appointment notice can be viewed at:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-in-northumberland-morpeth-to-ellingham/?ipcsection=docs>

Thank you for the contributions you have made so far, including your Relevant Representations and the return of the completed procedural questionnaire requesting information to help us decide how we might examine the application.

We have now made proposals taking account of your input and the current and likely effect of ongoing public health controls. We propose to start the Examination using virtual methods but to remain flexible so that, should public health requirements allow, we have the option of holding physical events later in the Examination if we can.

**[Advice Note 8.6: Virtual examination events](#)** explains how virtual events will be held and how you can get involved. Please read this material carefully.

## Invitation to the Preliminary Meeting

This letter is an invitation to the Preliminary Meeting which will discuss Examination procedures for the A1 in Northumberland – Morpeth to Ellingham project. It contains a number of important annexes, including **Annex A** (the Agenda) and **Annex B** which introduces the Preliminary Meeting, explains how it will be conducted and how you can participate.

**Dates of meeting:** **Tuesday 15 December 2020 (Preliminary Meeting Part 1) and Tuesday 5 January 2021 (Preliminary Meeting Part 2)**

**Arrangements conference:** **Joining from 9.20am on both days**

**Meeting begins:** **10.00am on both days**

**Venue:** **Virtual event  
(please refer to annexes A, B of this letter and [Advice Note 8.6](#))**

**Please note that the Preliminary Meeting (Part 1) will adjourn on Tuesday 15 December 2020 rather than close. Tuesday 5 January 2021** has been reserved for the resumption of the Preliminary Meeting (Part 2). The adjournment period is to allow for the consideration of any written submissions by Interested Parties who did not, or could not, make oral submissions at Part 1 of the event on 15 December 2020.

## Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to the ExA about the way in which the application is to be examined. At this stage the ExA is looking at the procedure and not the merits of the application. The merits of, or concerns about, the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed.

The agenda for the meeting has been set following our Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex C**.

As a result of this assessment we wish to hear from the Applicant, Local Authorities, Interested Parties and Statutory Parties where they consider changes may be needed to the draft Examination Timetable, which is set out in **Annex D**.

Up-to-date information about the project and the Examination can be obtained from:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-in-northumberland-morpeth-to-ellingham/>

This is the address for the project webpage on the National Infrastructure (NI) Planning website, from which the Planning Inspectorate will make copies of all Examination Documents available to the public. As the Examination process makes

substantial use of electronic documents, it will be useful for you to become familiar with this resource.

There is a function on the right-hand side of the project web page called 'E-mail updates'. This provides you with an opportunity to register to receive e-mail updates at key stages of the process and we would encourage you to make use of this. The link to the livestream of the Preliminary Meeting and further examination events will be made available on the project page shortly before the event takes place.

### **Attendance at the Preliminary Meeting**

We wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As the Preliminary Meeting will be held virtually, it will be held in two parts separated by an adjournment period. A full explanation of the approach is provided in [Advice Note 8.6](#).

Because participation in a virtual Preliminary Meeting relies on the provision of a joining link or telephone number in advance, it is important that you think about whether you wish to speak and confirm your involvement. You must confirm your involvement by pre-registering with the Case Team using the details set out at the top of this letter **no later than Procedural Deadline A (Thursday 10 December 2020)**. When you pre-register please tell us which agenda items you intend to speak against, listing points you wish to make. Alternatively, if you feel that you are unable to engage in the Preliminary Meeting and further examination events through any of the methods described in [Advice Note 8.6](#), please contact the Case Team **by Procedural Deadline A (10 December 2020)** to discuss how you can participate in the Preliminary Meeting.

The Preliminary Meeting will be livestreamed and recorded. The recording will be published on the project page of the NI Planning website as soon as practicable after Part 1 has adjourned and then again after Part 2 when the Preliminary Meeting formally closes.

We strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group. People who have not made a request to participate will still be able to access the livestream and/or the recording.

On receipt of requests to participate from Interested Parties, we will consider them and may contact parties to confirm their type of involvement in advance of the Preliminary 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**. If you are an Interested Party, you will still be able to 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.

### **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.

The Examination will be held using a combination of written and hearing procedures that are explained in **Advice Note 8.6**. The Advice Note also answers questions on procedure and the methods of conducting virtual events.

All hearings are held in public. Where hearings take place virtually, they will be recorded and made available to view on the project page of the NI Planning website by livestream and shortly after each event. Where physical hearings can take place, a recording will be published on the website.

All relevant and important matters will be taken into account when the ExA makes a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

### **Procedural Decisions made by the Examining Authority**

We have made some Procedural Decisions which are set out at **Annex E** of this letter. These are summarised as follows:

- The setting of deadlines for the submission of Statements of Common Ground and Local Impact Reports.
- The notification by Interested Parties of their wish to attend an Accompanied Site Inspection and their nomination of locations including justifications for the consideration of the ExA for their nominations.
- The issuing of First Written Questions in advance of the Examination commencing.
- The notification by Statutory Parties, or certain Local Authorities of their wish to be considered as an Interested Party by the ExA.
- The submission of low-resolution documents for use at virtual events.
- The submission and acceptance of post-application documents.

### **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 postal letter but are able to receive communications by email, please confirm this with the Case Team using the contact details at the top of this letter, as soon as possible.

### **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 '2002', 'A1IN-AFP', 'A1IN-S57', 'A1IN-APP' you are in Group A. If your reference number begins with 'A1IN-SP' you are in Group B.

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.

### **Management of information**

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided by the Planning Inspectorate is published on the project page on the NI Planning website.

All Examination Documents can also be viewed electronically at the locations listed in **Annex F** of this letter.

Please note that in the interest of facilitating an effective and fair Examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#) as amended by **Annex G** of this letter (Your Privacy).

Please note that all deadlines in the draft Examination Timetable and as referred to in this letter are at 23.59 on the deadline day. The Planning Inspectorate will be using an electronic portal, which parties will be able to use during the Examination, to make written submissions at the relevant deadline. The project page will reflect a new tab for parties to, "make a submission", which can be accessed ahead of each deadline. Further information will be included in the Rule 8 letter which will be issued as soon as practicable after the Preliminary Meeting.

### **Award 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' which applies to Nationally Significant Infrastructure Projects. This guidance is available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

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

Yours faithfully

*Kevin Gleeson*

**Lead Member of the 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** Procedural Decisions made by the Examining Authority
- F** Availability of Examination Documents
- G** Your Privacy

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) (and the Amendment to it in Annex G to this letter) before sending information to the Planning Inspectorate.

## Agenda

<b>Title of meeting:</b>	<b>A1 in Northumberland – Morpeth to Ellingham Preliminary Meeting Part 1</b>
<b>Meeting Date:</b>	<b>15 December 2020</b>
<b>Arrangements Conference:</b>	<b>Joining from 9.20am</b>
<b>Meeting start time:</b>	<b>10.00am</b>
<b>Venue:</b>	<b>Virtual Event (Microsoft Teams)</b> Full instructions on how to join online or by phone will be provided in advance of the meeting to those who register to participate
<b>Attendees:</b>	<b>Pre-registered parties</b>

This meeting will also be available for people to observe live online via a link, which will be advertised on the project page of the National Infrastructure Planning website shortly before the meeting is due to start.

<b>9.20am<sup>1</sup></b>	Please arrive at 9.20am to enter the Preliminary Meeting Lobby and join the virtual Arrangements Conference. From here, you will be admitted to the meeting by the Case Team, greeted and given further instructions
<b>9.45am</b>	The Arrangements Conference will commence at 9.45am. This will outline the house keeping for the Preliminary Meeting and allow for an opportunity to raise any concerns about participating in the meeting
<b>10.00am</b>	Welcome and introductions
<b>Item 1</b>	
<b>Item 2</b>	The Examining Authority's (ExA) remarks about the virtual PM process – <b>Annex B</b>
<b>Item 3</b>	The ExA's remarks about the Examination process – <b>Annex B</b>
<b>Item 4</b>	Initial Assessment of Principal Issues – <b>Annex C</b>
<b>Item 5</b>	Draft Examination Timetable – <b>Annex D</b> Deadlines for submissions and notifications

<sup>1</sup> If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect into the Preliminary Meeting in good time. In common with physical Preliminary Meetings, the event will start at 10.00am irrespective of any late arrivals, for whom access may not be possible

	Dates and format for hearings Arrangements for site inspections
<b>Item 6</b>	Procedural Decisions taken by the ExA – <b>Annex E</b>
<b>Item 7</b>	Any remaining questions or submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in writing in advance of the Preliminary Meeting
<b>Item 8</b>	Any other matters
<b>Adjournment of the Preliminary Meeting until Tuesday 5 January 2021</b>	

## Agenda

<b>Title of meeting:</b>	<b>A1 in Northumberland – Morpeth to Ellingham Preliminary Meeting Part 2</b>
<b>Meeting Date:</b>	<b>5 January 2021</b>
<b>Arrangements Conference:</b>	<b>Joining from 9.20am</b>
<b>Meeting start time:</b>	<b>10.00am</b>
<b>Venue:</b>	<b>Virtual Event (Microsoft Teams)</b> Full instructions on how to join online or by phone will be provided in advance of the meeting to those who register to participate
<b>Attendees:</b>	<b>Pre-registered parties</b>

This meeting will also be available for people to observe live online via a link, which will be advertised on the project page of the National Infrastructure Planning website shortly before the meeting is due to start.

<b>9.20am</b>	Please arrive at 9.20am to enter the Preliminary Meeting Lobby and join the virtual Arrangements Conference. From here, you will be admitted to the meeting by the Case Team, greeted and given further instructions
<b>9.45am</b>	The Arrangements Conference will commence at 9.45am. This will outline the house keeping for the Preliminary Meeting and allow for an opportunity to raise any concerns about participating in the meeting
<b>Item 1</b>	Resumption of the Preliminary Meeting and welcome
<b>Item 2</b>	The ExA's remarks about the Examination process
<b>Item 3</b>	Any Procedural Decisions made by the ExA
<b>Item 4</b>	Any other matters
<b>Close of the Preliminary Meeting</b>	

**Please note:**

Please be available from the start and throughout the meeting. The agenda is subject to change at the discretion of the ExA, although in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all IPs. The ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items and may introduce breaks in the proceedings.

Please make sure that you read the following documents before attending the Preliminary Meeting:

- **The National Infrastructure Planning Privacy Notice:**  
<https://infrastructure.planninginspectorate.gov.uk/help/privacy-notice/>
- **Advice Note 8.6: Virtual examination events:**  
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>

## **Introduction to the Preliminary Meeting**

### ***Background***

The Preliminary Meeting (PM) for the A1 in Northumberland – Morpeth to Ellingham 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 two Members of the ExA, appointed by the Secretary of State for Housing, Communities and Local Government, Kevin Gleeson and Andre Pinto will introduce themselves 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. Candice Patten, George Harrold and Katy O'Loan are respectively the Case Manager and Case Officers for this application. 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 by email before and after the PM. The contact email address is: [A1inNorthumberland@planninginspectorate.gov.uk](mailto:A1inNorthumberland@planninginspectorate.gov.uk)

### ***The purpose of the Preliminary Meeting***

The PM is being held to discuss the arrangements for Examination of the application for Development Consent for the A1 in Northumberland – Morpeth to Ellingham project, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the PM and Examination as the 'Proposed Development' or 'the Scheme'. The application has been made by Highways England, which will be referred to as 'the Applicant'.

You will find information about the applications 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 is: <https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-in-northumberland-morpeth-to-ellingham/>

You are encouraged to look at the NI Planning website landing page 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 encourage you to 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 the arrangements for the Examination of the application. 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 the Rule 6 letter and all accompanying annexes thoroughly beforehand. The agenda for the PM is attached to the 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) regime as a consequence of sections 14(1)(h), 22(1)(a) and 22(1)(b): it includes the construction of a highway for the offline sections of the Scheme (section 22(1)(a)) and the alteration of a highway for the online sections of the Scheme (section 22(1)(b)). The designated **National Networks National Policy Statement** (NNNPS) applies to this Examination and to decision-making relating to this application.

We will consider the Proposed Development within the parameters of the NNNPS and any other applicable policy or considerations that we 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. 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 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, either orally at the time or in writing during the adjournment of the meeting.

Everyone who has made a Relevant Representation has been registered as an IP and has been sent a copy of the 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. Affected Persons are IPs, whether or not they have made a Relevant Representation.

Certain bodies are 'Prescribed Consultees' or statutory parties. They are bodies that 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 for a good reason 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, one day has been timetabled for Part 1.

An adjournment has been provided between Part 1 and Part 2 of the PM to allow for the consideration of any written submissions by Interested Parties who did not, or could not, make oral submissions at Part 1 of the event on 15 December 2020. Part 1 of the PM will not end until we have considered all oral submissions made at the meeting and written submissions made by **Procedural**

**Deadline B (22 December 2020)** following the adjournment and any final requests to be heard. We will then resume PM Part 2 on **5 January 2021** to enable any further discussions that may be required, and for the ExA to make any procedural decisions necessary to govern the Examination and close 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, we may provide a short break during the PM. 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 each part of 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 making and publication of these recordings are a critical 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 following the closure of the PM (at the conclusion of Part 2).

As the digital recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation (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 place personal and private information into the public domain.

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 Development Consent Order (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.

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. We 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 comments on WRs made by other parties.
- IPs can respond to the ExA's written questions (ExQs) 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 everyone must strive for a 'right first time' approach to matters set out in writing. 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 restricting their representation to the written form; 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 will 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 multiple 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 our ultimate recommendation is, we 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 a deadline (**Deadline 1 on 12 January 2021**) 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.

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.

## Initial Assessment of Principal Issues

This is the Initial Assessment of the Principal Issues prepared under s88(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.

The order of the issues listed is 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 set out as separate Principal Issues.

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.

Principal Issues	Brief Amplification to include but not necessarily limited to:
Air Quality and Emissions	<ul style="list-style-type: none"> <li>• Construction effects including dust.</li> <li>• Operational effects of the proposed development on human and ecological receptors.</li> <li>• Mitigation of impacts.</li> <li>• The approach to the air quality assessment and the impact on the River Coquet and the Coquet Valley Woodlands SSSI.</li> </ul>
Biodiversity, Ecology and the Natural Environment	<ul style="list-style-type: none"> <li>• Implications for European/ international sites and their qualifying features, including in-combination assessment.</li> <li>• Effects on other designated sites.</li> <li>• Effects on protected species and species of conservation concern including bats, badgers, otters, water voles, white-clawed crayfish and great crested newts.</li> <li>• Effects on protected habitats and habitats of conservation concern including ancient woodland, other woodland, trees and hedgerows.</li> <li>• Adequacy of proposed mitigation, monitoring management and compensatory measures and their effectiveness.</li> </ul>

	<ul style="list-style-type: none"> <li>• Issues relating to Biodiversity Net Gain and No Net Loss.</li> <li>• The effect of changes to watercourses including the creation of new culverts on biodiversity.</li> <li>• Age and validity of ecological surveys.</li> </ul>
Climate Change	<ul style="list-style-type: none"> <li>• The overall change in greenhouse gas emissions which may arise from the construction of the Proposed Development.</li> <li>• Emissions of greenhouse gases arising from the Proposed Development during its operational phase.</li> </ul>
Compulsory Acquisition and/or Temporary Possession	<ul style="list-style-type: none"> <li>• The need for, and the amount of land, proposed to be subject to Compulsory Acquisition and/ or Temporary Possession.</li> <li>• The requirement for the powers sought and whether a compelling case in the public interest has been established.</li> <li>• Alternatives in relation to individual plots.</li> <li>• Effects on Statutory Undertaker land and apparatus including the approach to Protective Provisions.</li> <li>• Whether the proposals meet the requirements of PA2008 in all other respects.</li> </ul>
Draft Development Consent Order (dDCO)	<ul style="list-style-type: none"> <li>• The structure of the draft DCO.</li> <li>• The appropriateness of proposed provisions.</li> <li>• Relationships with other consents.</li> <li>• The extent of highway adoption in relation to the de-trunked A1 and the new local highway network.</li> <li>• Whether the dDCO is satisfactory in all other respects.</li> </ul>
Economic and Social Effects	<ul style="list-style-type: none"> <li>• Alternatives to the submitted scheme.</li> <li>• Economic and employment effects on the local and wider economy, during construction and when operational.</li> <li>• Effects on local communities including on agriculture, business and nearby residents, during construction and when operational.</li> <li>• The approach within the application to human health and equalities.</li> </ul>
Historic Environment	<ul style="list-style-type: none"> <li>• Effects on designated and non-designated heritage assets and their settings particularly North Charlton Medieval Village, the camp at West Linkhall and the Grade II Listed milepost (NHL 1153544).</li> <li>• Whether further archaeological investigation is required to understand potential significant deposits;</li> <li>• The effectiveness of mitigation measures.</li> </ul>
Landscape and Visual Effects	<ul style="list-style-type: none"> <li>• The approach to landscape and visual impact assessment including landscape sensitivity.</li> </ul>

	<ul style="list-style-type: none"> <li>• Design of the Proposed Development.</li> <li>• Artificial lighting.</li> <li>• The effects on landscape character and landscape designations.</li> <li>• Long-term and short-term visual effects.</li> <li>• Cumulative effects.</li> <li>• Effect on hedgerows and trees, particularly ancient woodland.</li> <li>• The approach to mitigation and the approach to replacement planting including for Coronation Avenue.</li> </ul>
Noise and Vibration	<ul style="list-style-type: none"> <li>• Construction effects.</li> <li>• Operational effects.</li> <li>• Management and monitoring of operational noise effects.</li> </ul>
Scope of Development and Environmental Impact Assessment	<ul style="list-style-type: none"> <li>• The parameters and description of the Proposed Development.</li> <li>• Adequacy of surveys and baseline data, the approach to flexibility and definitions of the significance of impacts in the Environmental Statement.</li> <li>• Exploration of reasonable alternatives relevant to the Proposed Development particularly concerning route selection.</li> <li>• The effectiveness of mitigation measures including the content of the Construction Environmental Management Plan.</li> <li>• Whether all other necessary consents and licences have been considered.</li> <li>• Cumulative and in-combination effects on, and with, other major projects and proposals.</li> </ul>
Transportation and Traffic	<ul style="list-style-type: none"> <li>• Scheme context – strategic vision, objectives and alternative design solutions.</li> <li>• The case for and benefits of the scheme.</li> <li>• Construction effects on the surrounding road network including access to existing properties</li> <li>• Effects on the use of the Public Right of Way (PRoW) network both during construction and when operational.</li> <li>• Operational effects on traffic movements and the safety of users.</li> <li>• The effect on, and potential for, non-motorised users both during construction and when operational.</li> <li>• The effect of proposed changes to the Causey Park Bridge and Fenrother junctions on southbound traffic.</li> </ul>
Water Environment	<ul style="list-style-type: none"> <li>• Construction effects on groundwater, water courses and water bodies.</li> <li>• Surface water drainage.</li> </ul>

	<ul style="list-style-type: none"><li>• Potential land contamination and stability issues.</li><li>• Operational effects including the use and extent of detention basins.</li><li>• Compliance with the requirements of the Water Framework Directive particularly in the light of loss of watercourses and/ or the use of culverts.</li><li>• The adequacy of the geomorphology assessment in respect of the proposed new River Croquet bridge.</li><li>• The use of climate change allowances in the Flood Risk Assessment.</li><li>• The effectiveness of mitigation and compensation measures.</li></ul>
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## 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.

<b>Item</b>	<b>Matters</b>	<b>Due Dates</b>
1.	<p><b>Procedural Deadline A</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written submissions on Examination procedure; and</li> <li>• requests to be heard orally at the Preliminary Meeting Part 1.</li> </ul>	<b>10 December 2020</b>
2.	<b>Preliminary Meeting Part 1</b>	<b>15 December 2020 at 10.00am</b>
3.	<p><b>Procedural Deadline B</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written submissions on Examination procedure including submissions responding to matters raised orally in the Preliminary Meeting Part 1; and</li> <li>• requests to be heard orally at the Preliminary Meeting Part 2.</li> </ul>	<b>22 December 2020</b>
4.	<b>Preliminary Meeting Part 2</b>	<b>5 January 2021 at 10.00am</b>
5.	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul>	<b>As soon as practicable after the close of the Preliminary Meeting</b>
6.	<p><b>Deadline 1 (D1)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to The ExA's Written Questions (ExQ1) issued on 19 November 2020;</li> <li>• Local Impact Reports (LIR) from Local Authorities;</li> </ul>	<b>12 January 2021</b>

	<ul style="list-style-type: none"> <li>• Comments on Relevant Representations;</li> <li>• Notification by Statutory Parties of their wish to be considered as an Interested Party (IP);</li> <li>• Statements of Common Ground (SoCG) requested by the ExA;</li> <li>• Statement of Commonality for SoCG;</li> <li>• The Compulsory Acquisition Schedule;</li> <li>• Notification of wish to speak at an Open Floor Hearing;</li> <li>• Notification of wish to speak at a Compulsory Acquisition Hearing; and</li> <li>• Notification of wish to attend Accompanied Site Inspection (ASI);</li> <li>• Provision by IPs of suggested locations and justifications for ASI.</li> </ul>	
7.	<p><b>Deadline 2 (D2)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses for D1;</li> <li>• Comments on responses to ExQ1;</li> <li>• Written Representations (WRs) including summaries of all WRs exceeding 1500 words;</li> <li>• Progressed SoCG;</li> <li>• Progressed Statement of Commonality for SoCG;</li> <li>• An updated Guide to the Application in clean and tracked versions;</li> <li>• An updated version of the draft Development Consent Order (dDCO) in clean and tracked versions;</li> <li>• Schedule of changes to dDCO;</li> <li>• An updated Compulsory Acquisition Schedule in clean and tracked versions;</li> <li>• Submission by Applicant of draft ASI arrangements and itinerary;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules<sup>2</sup>.</li> </ul>	<b>26 January 2021</b>
8.	<p><b>Deadline 3 (D3)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses submitted for D2;</li> <li>• Comments on LIR(s);</li> <li>• Comments on WRs;</li> <li>• An updated Guide to the Application in clean and tracked versions;</li> </ul>	<b>9 February 2021</b>

	<ul style="list-style-type: none"> <li>• An updated Compulsory Acquisition Schedule in clean and tracked versions;</li> <li>• Progressed Statement of Common Ground;</li> <li>• Progressed Statement of Commonality for SoCG;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	
9.	<b>Open Floor Hearing (OFH1)</b>	<b>Monday 22 Feb February 2021 10.00am</b>
10.	<b>Open Floor Hearing (OFH2)</b>	<b>Monday 22 February 2021 6.30pm</b>
11.	<b>Issue Specific Hearing into the dDCO (ISH1)</b>	<b>Tuesday 23 February 2021</b>
12.	<b>Compulsory Acquisition Hearing 1 (CAH1)</b>	<b>Wednesday 24 February 2021 10.00am</b>
13.	<b>Issue Specific Hearing 2 (ISH2)</b>	<b>Thursday 25 February 2021 10.00am</b>
14.	<b>Issue Specific Hearing 2 (if required)</b>	<b>Friday 26 February 2021 10.00am</b>
15	<b>Hearing</b>  Date reserved for any further Issue Specific Hearing required	<b>Tuesday 2 March 2021</b>
16.	<b>Deadline 4 (D4)</b>  Deadline for receipt by ExA of: <ul style="list-style-type: none"> <li>• Comments on responses submitted for D3;</li> <li>• Written summaries of oral submissions to hearings held during the week 22 February 2021 and 2 March 2021 (if required);</li> <li>• Any post-hearing notes requested at the Hearings;</li> <li>• An updated Guide to the Application in clean and tracked versions;</li> <li>• An updated version of the dDCO in clean and tracked versions;</li> <li>• An updated Schedule of changes to the dDCO;</li> <li>• Comments on the Applicant's draft ASI arrangements and itinerary;</li> <li>• An updated Compulsory Acquisition Schedule in clean and tracked versions;</li> <li>• Progressed SoCG;</li> </ul>	<b>12 March 2021</b>

	<ul style="list-style-type: none"> <li>Progressed Statement of Commonality for SoCG;</li> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	
17.	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>Further Written Questions (ExQ2) (if required);</li> <li>Report on the Implications for European Sites (RIES) (if required)</li> </ul>	<b>19 March 2021</b>
18.	<b>Accompanied Site Inspections</b>	<b>w/c 29 March 2021</b>
19.	<p><b>Deadline 5 (D5)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>Responses to ExQ2 (if required);</li> <li>Comments on responses submitted for D4;</li> <li>An updated Guide to the Application in clean and tracked versions;</li> <li>An updated version of the dDCO in clean and tracked versions;</li> <li>An updated Schedule of changes to dDCO;</li> <li>An updated Compulsory Acquisition Schedule in clean and tracked versions;</li> <li>Progressed SoCG;</li> <li>Progressed Statement of Commonality for SoCG;</li> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	<b>1 April 2021</b>
20.	<p><b>Hearings</b></p> <p>Dates reserved for further:</p> <ul style="list-style-type: none"> <li>Issue Specific Hearing(s) (if required);</li> <li>Open Floor Hearing(s) (if required);</li> <li>Compulsory Acquisition Hearing(s) (if required).</li> </ul>	<b>Week commencing 19 April 2021</b>
21.	<p><b>Hearing</b></p> <p>Date reserved for a further:</p> <ul style="list-style-type: none"> <li>Issue Specific Hearing (if required).</li> </ul>	<b>Tuesday 27 April 2021</b>
22.	<b>Deadline 6 (D6)</b>	<b>4 May 2021</b>

	<p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses submitted for D5;</li> <li>• Written summaries of oral submissions to Hearings held during the week commencing 19 April 2021 and if held 27 April 2021;</li> <li>• Any post-hearing notes requested at the Hearings;</li> <li>• Comments on the RIES (if required);</li> <li>• An updated Guide to the Application in clean and tracked versions;</li> <li>• An updated version of the dDCO in clean and tracked versions;</li> <li>• An updated Schedule of changes to dDCO;</li> <li>• An updated Compulsory Acquisition Schedule in clean and tracked versions;</li> <li>• Progressed SoCG;</li> <li>• Progressed Statement of Commonality for SoCG;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	
23.	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• The ExA's proposed schedule of changes to the dDCO (if required).</li> </ul>	<b>11 May 2021</b>
24.	<p><b>Deadline 7 (D7)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to comments on the RIES (if required);</li> <li>• Comment on responses submitted for Deadline 6;</li> <li>• Updated SoCG;</li> <li>• Updated Statement of Commonality for SoCG;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	<b>11 May 2021</b>
25.	<p><b>Deadline 8 (D8)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Updated SoCG;</li> <li>• Update Statement of Commonality for SoCG;</li> <li>• An updated Guide to the Application in clean and tracked versions;</li> <li>• An updated Book of Reference;</li> <li>• An updated Statement of Reasons;</li> </ul>	<b>25 May 2021</b>

	<ul style="list-style-type: none"> <li>• Signed and dated s106 Agreements (if required);</li> <li>• Comments on the ExA's proposed schedule of changes to the dDCO (if issued);</li> <li>• An updated version of the dDCO in clean and tracked versions;</li> <li>• An updated Schedule of changes to dDCO;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules (if required).</li> </ul>	
26.	<p><b>Hearings</b></p> <p>Date reserved for a further:</p> <ul style="list-style-type: none"> <li>• Issue Specific Hearing(s) (if required);</li> <li>• Open Floor Hearing(s) (if required);</li> <li>• Compulsory Acquisition Hearing(s) (if required)</li> </ul>	<b>Week commencing 7 June 2021</b>
27.	<p><b>Deadline 9 (D9)</b></p> <ul style="list-style-type: none"> <li>• Written summaries of oral submissions to hearings held during the week commencing 7 June 2021;</li> <li>• Any post-hearing notes requested at the hearings.</li> </ul>	<b>15 June 2021</b>
28.	<p><b>Deadline 10 (D10)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Finalised SoCG;</li> <li>• Finalised Statement of Commonality for SoCG;</li> <li>• Finalised Statement of Compulsory Acquisition Schedule in clean and tracked versions;</li> <li>• A finalised Guide to the Application in clean and tracked versions;</li> <li>• A finalised version of the dDCO in clean and tracked versions;</li> <li>• A finalised Schedule of changes to the dDCO;</li> <li>• Any further information requested by the ExA after Deadline 9 (if required), under Rule 17 of the Examination Rules (if required).</li> </ul>	<b>29 June 2021</b>
29.	<p><b>Deadline 11 (D11)</b></p>	<b>2 July 2021</b>

	<ul style="list-style-type: none"> <li>Any further information requested by the ExA after D10 (if required), under Rule 17 of the Examination Rules (if required).</li> </ul>	
30.	The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months.	<b>5 July 2021</b>

### Submission times for deadlines

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

### Publication dates

All information received will be published on the project webpage on the National Infrastructure Planning website as soon as practicable after the deadlines for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the 'Documents' tab on the project webpage. Each document will be given a unique reference. These references will be used by the ExA during the Examination:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-in-northumberland-morpeth-to-ellingham/?ipcsection=docs>

### Hearing agendas

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will aim to 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 agendas will not be published unless, in consideration of the number of participants notified to the Planning Inspectorate, the ExA decides that establishing a running order will facilitate the process on the day.

### 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 relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/ or Regulation 28 of The Offshore Marine Regulations.

## Procedural Decisions made by the Examining Authority (ExA)

The ExA has made the following Procedural Decisions under Section 89(3) of the PA2008:

### 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 provides a deadline for submission of initial and finalised SoCG. The deadline for initial SoCG is **Deadline 1** on 12 January 2021 and the deadline for finalised SoCG is **Deadline 10** on 29 June 2021.

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. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. 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.

The Applicant has indicated that it is proposing to prepare SoCG with Northumberland County Council, Natural England, the Environment Agency and Historic England. In addition, the ExA requests that SoCG are also prepared with the Forestry Commission, the Woodland Trust and affected statutory undertakers. The topics which the ExA would wish to see included in these SoCG are set out below.

#### Northumberland County Council to include:

- Development Consent Order
- Economic and Social effects
- Environmental Impact Assessment, including issues related to cumulative effects
- Noise and disturbance including construction and operational
- Landscape and visual impact
- Historic environment
- Design
- Air quality
- Ecology, habitats and nature conservation effects
- Traffic and transport
- Effects on motorised road traffic
- Effects on the Public Rights of Way (PRoW) network and on cyclists, pedestrians and horse riders
- Construction Environmental Management Plan

<b>Natural England</b> to include:
<ul style="list-style-type: none"> <li>• Development Consent Order</li> <li>• Ecology, habitats and nature conservation, including issues related to: <ul style="list-style-type: none"> <li>i. Protected habitats</li> <li>ii. Protected species</li> <li>iii. European sites and features relevant to Habitat Regulations Assessment</li> <li>iv. Monitoring, mitigation and enhancement</li> </ul> </li> <li>• Air quality</li> <li>• Water Quality</li> </ul>
<b>The Environment Agency</b> to include:
<ul style="list-style-type: none"> <li>• Development Consent Order</li> <li>• Water environment effects including, drainage, flooding and the Water Framework Directive</li> <li>• Waste management issues</li> <li>• Construction Environmental Management Plan</li> </ul>
<b>Historic England</b> to include:
<ul style="list-style-type: none"> <li>• The effect on heritage assets including archaeology</li> <li>• Proposals in respect of listed milestones</li> </ul>
<b>The Forestry Commission</b> to include:
<ul style="list-style-type: none"> <li>• The effect on trees and woodlands and in particular the effect on ancient woodland</li> <li>• Proposed mitigation in respect of trees and woodlands</li> </ul>
<b>The Woodland Trust</b> to include:
<ul style="list-style-type: none"> <li>• The effect on trees and woodlands and in particular the effect on ancient woodland</li> <li>• Proposed mitigation in respect of trees and woodlands</li> </ul>
<b>Relevant Statutory Undertakers</b> to include:
<ul style="list-style-type: none"> <li>• Relevant Protective Provisions in the dDCO</li> </ul>

**All of the SoCGs listed above should cover the Articles and Requirements in the dDCO.** Any Interested Party seeking for an Article or Requirement to be reworded should provide in the SoCG the form of words which are being sought.

Where a particular SoCG cannot be agreed between the parties by **Deadline 9**, or in so far as any local authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted **by the Applicant** to **Deadline 10**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs is necessary to help inform the ExA as to the need to hold any Issue Specific Hearings, 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. Local Impact Reports**

The ExA requests Local Impact Reports (LIRs) from the host Local Authority and welcomes LIRs from any other relevant local authorities who may wish to submit one. All LIRs are requested to be submitted into the Examination no later than by **Deadline 1 on Tuesday 12 January 2021**.

## **3. Accompanied Site Inspection (ASI)**

The ExA requests the submission by Interested Parties of their wish to attend an ASI and suggested locations/ sites for the ExA to visit as part of an ASI including the issues to be observed there, information on whether the site can be accessed via public land and the reason why the site has been nominated by **Deadline 1 on Tuesday 12 January 2021**.

The Applicant is requested to prepare a draft itinerary for the ASI which should include relevant sites and locations referred to in the Relevant Representations received, location/ sites suggested by IPs at Deadline 1 and any other sites and locations at which the Applicant has predicted likely significant environmental effects.

The Applicant's draft ASI itinerary should be submitted to the ExA at **Deadline 2 Tuesday 26 January 2021**.

Comments on the Applicant's draft ASI arrangements and itinerary should be submitted to the ExA at **Deadline 4 Friday 12 March 2021**.

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

## **4. Written Questions**

First Written Questions (ExQ1) [[PD-007](#)] are published alongside this Rule 6 letter. Responses to these questions are due by **Deadline 1 (12 January 2021)** as outlined on the draft Examination Timetable at **Annex D** of this Rule 6 letter. They should not be submitted until the Examination starts, which is the day after the Preliminary Meeting is closed. If a question is addressed to you, a full and comprehensive written response is requested. This does not prevent other parties from providing a response or pertinent information on the topic. The responses will be published on the project page of the Planning Inspectorate's National Infrastructure website and all parties can provide representations on the responses by **Deadline 2 (26 January 2021)**.

## **5. Guide to the Application**

The ExA requests that, at each deadline, the Applicant provides an updated Application Document Tracker [AS-002] which provides a list of

the most up-to-date documents before the Examination. A final version must be submitted at **Deadline 10** before the close of the Examination.

## **6. Low-resolution documents for possible sharing on screen at virtual events**

As Examination events will be held virtually, the ExA requests for compressed/low-resolution versions of land and works plans to be submitted by the Applicant. Several of the plans and drawings provided with the application are over 20MB in size which is likely to mean they are difficult or impossible to share in a Microsoft Teams environment.

The ExA therefore requests the Applicant to re-provide the drawings in accordance with the following specification by **Deadline 2 (26 January 2021)**. For avoidance of doubt this also includes Figures to the Environmental Statement.

- No individual drawing/set of plans to exceed an absolute maximum of 10 MB - as a guide 5 to 6 MB should be achievable;
- 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.

Low-resolution versions of plans and drawings are duplicate evidence. They are requested to assist the carrying out of virtual events only and will not form part of the Examination Library or be published on the National Infrastructure Planning website.

## **7. Acceptance of Additional Submissions into the Examination**

Following the acceptance of the application, the Applicant submitted a range of correspondence on 14 September 2020 to the Planning Inspectorate in response to the ExA's Procedural Decision dated 5 August 2020 [[PD-003](#)].

On 16 September the ExA exercised its discretion to accept the [Additional Submissions](#) submitted by the Applicant in response to the s55 checklist

issued 4 August 2020 and the Procedural Decision dated 5 August 2020. The documents have now been published on the project page on the National Infrastructure Planning website.

The revised/amended documents submitted by the Applicant are as follows:

- Response to the s55 checklist issued 4 August 2020 and the Procedural Decision dated 5 August 2020 - Covering Letter [[AS-001](#)]
- Response to Procedural Decision dated 5 August 2020 - 1.5 Application Document Tracker [[AS-002](#)]
- Response to Procedural Decision dated 5 August 2020 - 6.14 Habitats Regulations Assessment (HRA) Addendum Report [[AS-003](#)]
- Response to Procedural Decision dated 5 August 2020 - 6.14 Habitats Regulations Assessment (HRA) Report (Tracked Changes) (Rev 1a) [[AS-004](#)]
- Response to Procedural Decision dated 5 August 2020 - 6.14 Habitats Regulations Assessment (HRA) Report (Clean) (Rev 1) [[AS-005](#)]
- Response to the s55 checklist issued 4 August 2020 - Additional Statutory Consultation evidence [[AS-006](#)]
- Response to the s55 checklist issued 4 August 2020 - Additional Statutory Consultation evidence [[AS-007](#)]
- Response to the s55 checklist issued 4 August 2020 - Additional Statutory Consultation evidence [[AS-008](#)]
- Book of Reference (Tracked Changes) (Rev 1) [[AS-009](#)]
- Book of Reference (Clean) (Rev 1) [[AS-010](#)]

## **Availability of Examination Documents**

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-in-northumberland-morpeth-to-ellingham/?ipcsection=overview>

All further documents submitted in the course of the Examination will also be published at the above location.

For ease of navigation, please refer to the [Examination Library](#) (EL) which is accessible via a 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.

Documents can be viewed electronically, free of charge, at the following locations. Please note that you may need to bring a form of identification to use a computer at these locations.

### **Electronic deposit locations**

Documents can be viewed electronically, free of charge, at the electronic deposit locations overleaf. 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.

**Please Note** - Opening hours and the availability of information technology is set out in the table overleaf but may be subject to local changes or additional limitations to address Coronavirus public health requirements. 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 the location with care. Please check the current circumstances with the relevant location before you attend.

**Annex F**

<b>Local authority</b>	<b>Library/address</b>	<b>Opening hours</b>	<b>Printing costs</b>
Northumberland County Council	Morpeth Library Royal Sovereign House Manchester St Morpeth NE61 1AF	Monday 10:00 – 16:00 Tuesday 10:00 – 16:00 Wednesday 10:00 – 16:00 Thursday 10:00 – 16:00 Friday 10:00 – 16:00 Saturday Closed  Sunday Closed	A4 B&W – 15p  Colour – 50p  A3 B &W – 30p Colour - £1
<b>Link to council library location</b>			
Morpeth Library <a href="http://www.mylibrary.co.uk">www.mylibrary.co.uk</a>			

If you require a hard copy of the application documents please contact the Applicant by email at [A1inNorthumberland@Highwaysengland.co.uk](mailto:A1inNorthumberland@Highwaysengland.co.uk) or by telephone on 0303 123 5000.

## Your Privacy

### Privacy Notice Amendment: Handling your Personal Information

Your privacy is important to us. The privacy notice amendment in this Annex explains the personal data that we will be processing specifically for virtual meeting and hearing events. The current [National Infrastructure Privacy Notice](#) should be read in conjunction with this amendment before sending information to the Planning Inspectorate. The amendment sets out how we have changed our data collection and the processing of that data in order to run virtual meetings and hearings.

#### What will be collected?

- E-mail address
- Phone number (if a participant joins by mobile)
- IP address
- Display Name
- Self-Image – If video is shared
- A livestream and a video or audio recording of the event

#### How is it collected?

- E-mail address requested in event invite.
- Phone numbers - If the participant joins by phone, then your phone number would be visible to all participants (this can be masked by the individual by turning off Caller ID, generally known as dialling 141) in which case a random number is displayed.
- IP address – Connections to Microsoft Teams will capture the IP address of the participant.
- Display Name – This is collected from the participants joining details
- Self-Image – This is collected when the participant activates their camera
- A video or audio livestream and recording of the event – This is collected when the participant activates their microphone and/ or camera

#### What metadata will be taken from joining?

- IP Address, joining account information (Email address), Browser Type (If browser is used instead of Teams App)

#### Where will it be stored?

- E-mail addresses, Phone numbers, Display Name and Self-Image will be stored in the virtual meeting room, within Exchange Online, MS Stream (Video Recording) and as appropriate will be transferred to an internal case management system.
- A video or audio recording of the event forms a document in the case record for all National Infrastructure casework and will be held within Exchange Online, MS Stream (Video Recording) and as appropriate will

be transferred to an internal case management system and will also be published (for streaming access or download) on the project page of the National Infrastructure Planning website:

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

- A livestream may be captured by an external provider for the purposes of providing a livestream link, but this process will not involve the transfer of any IP address or metadata, or data other than that which is already visible in the public domain to attendees of the virtual event and/or on the National Infrastructure Planning website to the provider.
- IP Address and Metadata will be stored in the Audit Log.

### **Cookies**

- The Planning Inspectorate does not use any of our own technology or storage for the creation and presentation, or collection of cookies or web-beacon analytics.
- Cookies are collected by Microsoft, which is covered in their Privacy Statement [here](#).