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Planning
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All Interested Parties, Statutory
Parties and any Other Person invited
to the Preliminary Meeting

Your Ref:

Our Ref: TR010060

Date: 12 December 2022

Dear Sir/ Madam

Planning Act 2008 – Section 88 and 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 4, 6, 9 and 13

Application by National Highways for an Order Granting Development Consent for the A12 Chelmsford to A120 widening scheme

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

Following my appointment by the Secretary of State as the lead member of the Examining Authority (ExA) to carry out an Examination of the above application, I am writing to introduce myself and the other members of the ExA. My name is Adrian Hunter and the other members of the ExA are Max Wiltshire and Jonathan Gorst. A copy of the appointment notice can be viewed under the [Documents tab](#) on the project webpage of the National Infrastructure Planning website ([project webpage](#)).

We would like to thank those of you who submitted Relevant Representations. These representations have assisted us when considering how we will examine this application.

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.



Date	Start time	Venue and joining details
Thursday 12 January 2023	Seating available at venue from: 9:30am Virtual Arrangements Conference from: 9:30am Preliminary Meeting starts: 10:00am	Witham Public Hall, Collingwood Road, Witham, CM8 2DY and Online using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
IMPORTANT: It is expected that the Preliminary Meeting will be completed by 1:00pm on 12 January 2023.		

You must register by Tuesday 3 January 2023 if you intend to participate in the Preliminary Meeting and provide all the information requested (see below).

If you simply wish to observe the Preliminary Meeting, then you do not need to register as you will be able to either:

1. Attend the physical event to observe the proceedings;
2. watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
3. watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to us about how the application should be examined. The ExA will therefore limit the scope of the Preliminary Meeting to consideration of **how the application will be examined**. See **Annex B** to this letter and the Planning Inspectorate's [Advice Note 8.3 - Influencing how an application is Examined: the Preliminary Meeting](#) for more information.

The Preliminary Meeting is **not an opportunity for you to give your views** about what you like or do not like about the application. The merits or disadvantages of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed. All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for the Department for Transport, who will take the final decision in this case. **Annex B** to this letter contains further details on the Examination process.



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

Written submissions about how the application should be examined

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

We are now requesting written submissions from recipients of this letter about how the application should be examined. We particularly wish to hear from you if:

- You consider changes need to be made to the draft Examination Timetable set out at **Annex D** to this letter; and/or
- you wish to comment about the arrangements for future Examination hearings, including the use of virtual methods.

You are invited to make a written submission about how the application is to be examined by **Procedural Deadline A, Tuesday 3 January 2023** (see **Annex D** to this letter).

We request that all submissions are made using the [Make a submission tab](#) on the project webpage on or before **Procedural Deadline A, Annex H** to this letter provides further information about using the [Make a submission tab](#).

Requests to participate at the Preliminary Meeting

Please note that **you are not required to attend, or make written submissions to the Preliminary Meeting, in order to participate in the Examination.** If you are an Interested Party, you can make a Written Representation and comment on the Written Representations made by other Interested Parties during the Examination. You will also be able to participate in any hearings that are arranged.

If you wish to participate at the Preliminary Meeting you are required to notify the ExA in writing on or before **Procedural Deadline A, Tuesday 3 January 2023.**

Please register using the [online questionnaire](#). To participate you must provide the following information:

- Name and unique reference number (found at the top of your letter or email from the Planning Inspectorate)
- Email address (if available) and contact telephone number
- If you are representing a person or organisation, please provide their name and unique reference number



- Confirmation of whether you will attend online or in-person
- Agenda items which you wish to speak and a list of the points you wish to make.

Please contact the Case Team using the contact details at the top of this letter if you require any support to attend the Preliminary Meeting.

Format of Examination Events – Preliminary Meeting and Hearings

The Examination of the application 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 ExA expects that Hearings during this Examination will be blended events. We will however remain flexible and will confirm the format of any hearings when we provide formal notification of each hearing at least 21 days in advance of it taking place. A blended event is part in-person and part online.

As such we are providing formal notification that the **Preliminary Meeting will be a blended event and that the Open Floor Hearings referred to in Annex E to this letter will also all be blended events.**

After the Preliminary Meeting

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

Notification of initial Hearings

We have made a Procedural Decision to hold the following initial hearings:

- **Open Floor Hearing 1 (OFH1) on Thursday 12 January 2023 from 2:00pm to 4:00pm** (Blended event)
- **Open Floor Hearing 2 (OFH 2) on Thursday 12 January from 6:30 pm to 8:30pm** (Blended event)

Annex E to this letter contains the agenda and the details which need to be provided with a request to be heard at a hearing and the procedure that will be followed.

Relevant Representations

We have made a Procedural Decision to request the Applicant to provide responses to as many of the Relevant Representations as practical at Procedural Deadline A in advance of the Preliminary Meeting. We consider this will assist the examination process in providing the opportunity to deal with matters which can be addressed in advance of us publishing Written Questions following the Preliminary Meeting.



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 letter 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](#).

A [Make a submission tab](#) is available on the website which provides a portal through which parties should make written submissions at relevant deadlines during the Examination. Further information about the [Make a submission tab](#) is provided at **Annex H** to this letter.

There is also 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. We would urge you to register to receive these updates.

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 '2003', 'A12C-00', 'A12C-AFP', 'A12C-ISP', 'A12C-S57' or 'A12C-APP' you are in Group A. If your reference number begins with 'A12C-SP' you are in Group B. If your reference number begins with 'A12C-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Awards of costs

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).



Management of information

Information, including representations, submitted in respect of this Examination (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage](#).

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

Adrian Hunter

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** Notification of initial hearings
- F** Other Procedural Decisions made by the Examining Authority
- G** Availability of Examination Documents
- H** Information about the 'Make a submission' tab

This communication does not constitute legal advice.

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



Annex A

Agenda for the Preliminary Meeting

You must register by Tuesday 3 January 2023 if you intend to participate in the Preliminary Meeting.

Please register using the [online questionnaire](#). To participate you must provide the following information:

- Name and unique reference number (found at the top your letter or email from the Planning Inspectorate)
- Email address (if available) and contact telephone number
- If you are representing a person or organisation, please provide their name and unique reference number
- Confirmation of whether you will attend online or in-person
- Agenda items which you wish to speak and a list of the points you wish to make.
- the [Examination Library \(EL\)](#) reference number (with paragraph and or page number where appropriate) of any documents you wish to refer to.

Date: Thursday 12 January 2023

Arrangements Conference: 9.30am

Meeting start time: 10.00am

Venue: In person, and online event using Microsoft Teams
Venue: Witham Public Hall, Collingwood Road,
Witham, CM8 2DY
Online or by phone: please register

Attendees: Invited parties who have registered to attend

Agenda for the Preliminary Meeting	
9.30am	In-person Seating will be available from 9.30am at the venue for in-person attendees
9.30am	Online Arrangements Conference Please arrive at 9.30am. You will enter a lobby which will be silent. You will be admitted to the Arrangements Conference by the Case Team, greeted and given further information about participating.
10.00am Item 1	Preliminary Meeting

	The Preliminary Meeting will formally open at 10.00am . The Examining Authority will join, welcome participants and lead introductions.
Item 2	The Examining Authority's remarks about the Examination process – Annex B to Rule 6 Letter
Item 3	Initial Assessment of Principal Issues – Annex C to Rule 6 letter
Item 4	Draft Examination Timetable – Annex D to Rule 6 letter
Item 5	Procedural Decisions – Annex F to the Rule 6 Letter
Item 6	Any other matters
Close of the Preliminary Meeting	

The agenda for 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 invited parties.

If you are participating online or by phone, please join promptly using the instructions that will be sent to you. The Preliminary Meeting will start at **10.00am** irrespective of any late arrivals, for whom access may not be possible.

It may take some time to admit participants from the online lobby which will be silent. Your patience whilst you are waiting is appreciated.

If you wish to observe the hearings, you do not need to register as you can:

- Attend the physical event to observe the proceedings
- Watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin
- Watch the recording of the event which will be published on the project webpage shortly after the event has finished

Please contact the Case Team using the contact details at the top of this letter if you require any support to attend the Preliminary Meeting.

Annex B:**Introduction to the Preliminary Meeting****Background**

The Preliminary Meeting (PM) will be a blended event with some participants attending in person and some taking part virtually using Microsoft Teams.

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. Please read this carefully. The ExA will only present a summary of the key points set out here in order to ensure that the time available for participants to speak is maximised.

The Examining Authority and the Case Team

The ExA will introduce themselves at the start of the PM.

The ExA will be supported by the Planning Inspectorate Case Team. During the Arrangements Conferences a member of the Case Team will welcome and admit participants from the virtual lobby, and will be available to answer questions by email before and after the PM. The contact email address is:

A12chelmsfordA120@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 a Development Consent Order (DCO) for the A12 Chelmsford to A120 widening 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 National Highways, who 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 [project webpage](#) of the National Infrastructure Planning website. The project webpage has links to the Examination Timetable, Relevant Representations, Examination documents and Examination procedure.

You are encouraged to look at 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.

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 after the close of the PM.

The PM will be your opportunity to influence the process that the ExA intends to follow. The agenda for the PM is attached to this Rule 6 letter at **Annex A**. It is important to have

the letter and the agenda in front of you and to refer to them during the PM. 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 and 22. The designated National Policy Statement on National Networks (NPSNN) applies to this Examination and to decision-making relating to this application.

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

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

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

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

Everyone who has made a valid Relevant Representation has been registered as an Interested Party (IP) and has been invited to the PM. All IPs are entitled to involvement in the 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) and has been invited to the PM. 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. All APs are IPs, whether or not they have made a valid Relevant Representation.

Certain bodies are Statutory Parties and they have been invited to the PM. Statutory Parties can elect to become IPs without having made a valid Relevant Representation by notifying the ExA in writing.

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 an IP 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

The ExA estimate that the PM will take approximately two hours to complete.

During the PM participants may have to make allowances and be patient if there are delays associated with the technology used. In recognition of the fatigue associated with on-screen communication, the ExA will provide breaks during the PM as appropriate.

A digital recording of the PM will be made available on the project webpage as soon as practicable following the close of the PM. The 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. The making and publication of these recordings are a means by which the ExA meets the legal requirement to hold the PM (and any other hearings) 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 close of the PM.

As the 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 providing any information which should otherwise 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 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 are participating virtually and 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 (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 a 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 hears evidence from the various parties. The draft Examination Timetable includes a Deadline (**Procedural Deadline A, Tuesday 3 January 2023**) for participants to notify the ExA that they wish to speak at an Open Floor Hearing or a Compulsory Acquisition Hearing.

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. 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 (AP) (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 dates reserved for ISHs and IPs may make suggestions for topics to be discussed at an ISH 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 by the Applicant with the application, 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 or information can be provided in writing following the event by the relevant Deadline.

The draft Examination Timetable includes a Deadline (**Procedural Deadline A, Tuesday 3 January 2023**) 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, and all will be subject to any public health restrictions 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.

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 allowed during an ASI.

The ExA may decide to hold USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material if this would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time-consuming to conduct (for example if public health restrictions are in place). The ExA may also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of a USI on an access required basis (ARSI). Notes of Unaccompanied Site Inspections (USIs) are published on the [project webpage](#).

The draft Examination Timetable includes a Deadline for IPs to suggest sites and locations that the ExA should visit. These will be used to inform any future site inspections.

Annex C

Initial Assessment of Principal Issues

This is the Initial Assessment of Principal Issues prepared as required under section 88(1) of the Planning Act 2008 (PA2008). It has been prepared by the Examining Authority (ExA) following its reading of:

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

This initial assessment has guided the Examining Authority in forming a provisional view as to how the application is to be examined. It is not a comprehensive or exclusive list of the issues that will be subject to examination and inevitably some issues will overlap or interrelate. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Transport after the Examination has concluded.

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

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

It should also be noted that whilst the effects of the proposal in relation to human rights and equalities duties are not listed as main issues, the ExA will conduct all aspects of the Examination with these in mind.

1. Air Quality and Emissions

- The approach to air quality assessment, including baseline conditions and robustness of surveys.
- Construction impacts, including dust, upon human and ecological receptors.
- Operational impacts upon human and ecological receptors.
- The effects of Nitrogen Deposition, in particular upon identified ecological receptors.
- The suitability of mitigation, monitoring and the Environmental Management Plan.

2. Biodiversity, Ecology and the Natural Environment

- The approach to assessment, including baseline conditions and robustness of surveys.
- Implications for European sites and their qualifying features, including in-combination assessment.
- Potential impacts on other designated sites, including National, County and Local levels.
- Potential impacts on species and habitats, included protected species.
- Potential impacts on protected habitats and habitats of conservation concern, including ancient woodland, other woodland, trees, hedgerows, grassland and ponds.
- Biodiversity Net Gain and No Net Loss.

- Design, mitigation and enhancement measures.

3. Climate Change

- The approach to climate change and greenhouse gas (GHG) emissions assessment, including baseline conditions.
- Design, mitigation, enhancement, adaptation and monitoring measures.
- Compliance with the under review National Networks National Policy Statement.

4. Compulsory Acquisition (CA) and Temporary Possession (TP)

- Whether all relevant statute and guidance has been complied with, including compliance with the PA2008 and with relevant guidance, including “Planning Act 2008: guidance related to procedures for the compulsory acquisition of land Department for Communities and Local Government (DCLG) September 2013”.
- Accuracy of the Book of Reference; and accuracy of the Land Plans.
- Whether the full extent of the land, rights and powers that are sought to be compulsorily acquired, including access for maintenance, temporary possession, powers to override easements are necessary to facilitate or are incidental to the Proposed Development.
- Whether the resulting creation of a number of island sites as a result of the Proposed Development is necessary and reasonable.
- Whether the powers sought are required for the development to which the order relates, whether they are legitimate, necessary and proportionate and whether it is clear how the Applicant intends to use the land.
- Whether there is a compelling case in the public interest for the compulsory acquisition of the land, rights and powers that are sought by the draft DCO that justifies interference with the human rights of those affected.
- Whether the temporary possession powers sought are needed to enable the construction of the Proposed Development; the notice period for obtaining temporary possession; the total period of time for which the land may be subject to temporary possession; and whether the powers sought are compatible with Human Rights tests.
- Minimisation of the need for acquisition of land and rights, including full consideration of acquisition by agreement and the exercise of any existing land option agreements.
- Whether all reasonable alternatives to compulsory acquisition have been explored.
- The effects of the proposed acquisition on any statutory undertakers’ land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question.
- The adequacy of the Protective Provisions set out in the draft DCO and the need for any other Protective Provisions to safeguard relevant interests.
- Potential impediments to development.
- Any objections, the Applicant’s responses, and related evidence; updates on attempts to negotiate with landowners.
- Whether adequate funding would be available to enable the Applicant to carry out the compulsory acquisition within the statutory period.

5. Draft Development Consent Order (dDCO)

- The overall structure of the dDCO and adequacy of the Explanatory Memorandum.
- The clarity of definitions and the consistency of use of terms and phrases within the dDCO.
- Relationships with other consents, permits and licences and any impediments of them being granted.
- Design flexibility and justification.
- Whether the proposed Requirements effectively secure the mitigation identified in the Environmental Statement.
- Whether the proposed Requirements are relevant to planning, relevant to the development to be consented, enforceable, precise and reasonable,
- Whether there is a need for any additional Requirements.
- Matters for which detailed approval needs to be obtained, the discharging authority and the roles of the local authorities and of other independent statutory and regulatory authorities.
- The identification of all relevant statutory undertakers for which protective provisions are required and the adequacy and agreement of those provisions.
- Other provisions in the dDCO, including for removal of consent requirements, compulsory acquisition and documents to be certified.
- Whether the dDCO is satisfactory in all other respects.

6. Gas Pipeline Diversion

- Design principles for gas pipeline diversion.
- Consideration of diversion route and alternative routes.
- Assessment of environmental impacts of gas pipeline diversion and mitigation proposals.

7. Geology and Soils

- Potential impacts upon agricultural land and soil quality.
- The protection of soils during construction.
- Agricultural land restoration matters.

8. Good Design

- How the proposed development meets the criteria for 'good design'.
- The design principles and scheme objectives.

9. Historic Environment

- The extent to which the effects of the construction and operational phases of development on the Cultural Heritage and archaeology of the site have been considered and if the post development interpretation details are appropriate.
- The impacts on designated and non-designated heritage assets including the two scheduled monuments, and listed buildings.
- The effects on the historic landscape.
- Archaeological assets discovered during construction.

- Adequacy of proposed mitigation.
- Whether any harm would be substantial or less than substantial and weighting against public benefits.

10. Land Use

- The effects on economic development and regeneration.
- The effects on construction employment.
- The effects on the labour market, businesses, business opportunities and the supply chain.
- The impacts on housing delivery arising from land-take and construction works.
- The effects of displacing existing residential dwellings.
- The effects on community uses, including open spaces, public rights of way and other recreational or community facilities, and the associated effects on local communities.
- The effects on human health and well-being, including the effects on the living conditions of surrounding residents from construction and operational activities and changes to the natural environment.
- Proposed mitigation.

11. Landscape and Visual

- The approach to the assessment of landscape and visual effects including baseline conditions.
- Potential landscape and visual impacts and assessment of likely significant effects.
- Stakeholder engagement and resulting actions taken.
- Design, mitigation and enhancement measures.

12. Material assets and Waste

- The impacts on local and regional waste infrastructure.
- The safeguarding of mineral resources.
- Materials management and re-use.
- The impact of the proposed development upon existing and future extraction operations.
- The suitability of proposed mitigation measures and the Environmental Management Plan.

13. Need for proposed development

- The need case in terms of the National Networks National Policy Statement.
- Relevant alternatives, particularly concerning route selection and overall junction strategy.

14. Noise and Vibration

- The approach to noise and vibration assessment, including baseline conditions and robustness of surveys.
- Potential construction impacts upon identified receptors.

- Potential operational impacts upon identified receptors.
- Proposed mitigation measures and its effectiveness, including noise barriers and the use of low and ultra-low noise road surfacing.
- Residual effects and their significance.
- Design, Mitigation and enhancement measures.

15. Population and Human Health

- The approach to the assessment of population, human health and equalities and baseline conditions.
- Non-motorised users and public rights of way, accessibility, suitability of replacements, impacts on recreation and opportunities for improvement.
- Potential impacts on businesses, agriculture, and social or community facilities.
- Potential impacts on living conditions of surrounding residents, both from construction and operational activities.
- Design, mitigation and enhancement measures.

16. Scope of Development and Environmental Impact Assessment

- The parameters and description of the Proposed Development.
- Assessment of reasonable alternatives.
- Scope of surveys and baseline data, the approach to flexibility and definitions of the significance of effects in the Environmental Statement.
- The effectiveness of mitigation measures including the content of the Environmental Management Plan and the Record of Environmental Actions and Commitments.
- Whether all other necessary consents and licences have been considered.
- Cumulative effects on, and with, other major projects and proposals.
- Whether the mitigation identified in the Environmental Statement is adequately secured by the dDCO and how this relates to other consents, permits and licences that may be necessary.
- Whether the proposal maximises the opportunities for environmental benefits.
- The significance of residual effects after mitigation.

17. Socio-economic

- Effects on local economic activity and employment including the labour market, business opportunities and the supply chain.
- Effects on green infrastructure.
- Impacts on farming and agriculture operations and in particular the fragmentation and viability of remaining agricultural land,
- Social and economic effects on individuals and communities including community facilities.
- Potential impediments to future development.
- Effects on the living conditions of surrounding residents from the construction and operational activities.

18. Traffic and Transport

- The approach to the transport assessment including baseline, current and future conditions.
- The likely impacts of the proposed scheme.
- Traffic impacts on the local communities.
- Construction stage traffic impacts and mitigation measures.
- Impacts on public rights of way.
- Stakeholder engagement and resulting actions taken.

19. Water, drainage and Flood Risk

- The approach to the assessment of the water environment, including baseline conditions and robustness of surveys.
- Potential construction impacts upon groundwater, existing water courses and water bodies, including ponds.
- Flood risk including site drainage and surface water flooding and hydrogeology.
- Climate change allowances.
- Surface water drainage proposals.
- Compliance with the Water Framework Directive.
- The effectiveness of mitigation, compensation and enhancement measures.

Annex D

Draft Examination Timetable

The Examining Authority (ExA) is under a duty to complete the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Date
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> Written submissions on the Examination Procedure, including any submissions about the use of virtual methods Requests to be heard orally at the Preliminary Meeting and the Open Floor Hearings Suggested locations for site inspections (Accompanied or Unaccompanied), including justifications the Applicant's responses to as many of the Relevant Representations as practical 	Tuesday 3 January 2023
2.	Preliminary Meeting	Thursday 12 January 10am
3.	Open Floor Hearings (OFH) (if requested)	Thursday 12 January 2pm
4.	Open Floor Hearings (OFH) (if requested)	Thursday 12 January 6.30pm
5.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> Examination Timetable <p>Publication of:</p> <ul style="list-style-type: none"> The ExA's Written Questions (ExQ1) 	As soon as practicable after the close of the Preliminary Meeting
6.	<p>Deadline 1</p> <p>For receipt by the ExA of documents from the Applicant only:</p> <ul style="list-style-type: none"> Applicant's draft itinerary for ASI Application Document Tracker National Policy Statement (NPS) tracker 	Monday 30 January

	<ul style="list-style-type: none"> • Status of negotiations CA schedule • Status of negotiations with Statutory Undertakers • Additional plans requested by the ExA <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on Relevant Representations (RR) • Summaries of all RR exceeding 1500 words • Requests by Interested Parties to be heard at an Open Floor Hearing (OFH) • Requests to be heard at a Compulsory Acquisition Hearing (CAH) • Notification of wish to be an IP from Statutory Parties or Local Authorities. • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any submissions accepted by the ExA prior to the Preliminary Meeting 	
<p>7.</p>	<p>Deadline 2</p> <p>For receipt by the ExA of documents from the Applicant only:</p> <ul style="list-style-type: none"> • Draft Statements of Common Ground (SoCG) • Statement of Commonality <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written Representations (WR) and summaries • Responses to ExQ1 • Local Impact Report (LIR) • Comments on the Applicant’s draft itinerary for the ASI • Any further information requested by ExA • Comments on any further information received by the previous deadline 	<p>Monday 13 February</p>
<p>8.</p>	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • ExA’s final itinerary for the ASI 	<p>Monday 20 February</p>
<p>9.</p>	<p>Hearings and accompanied site inspection</p> <p>Dates reserved for OFH, ISH, CAH Hearings, and site inspection (if required)</p>	<p>w/c 27 February</p>

10.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions of oral representations made at Hearings • Comments on WR • Comments on LIR • Comments on draft SoCG & statement of commonality • Comments on responses to ExQ1 • Any further information requested by ExA • Comments on any further information received by the previous deadline 	Thursday 9 March
11.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • ExA's Second Written Questions (ExQ2) (if required) 	Monday 20 March
12.	<p>Deadline 4</p> <p>For receipt by the ExA of documents from the Applicant only:</p> <ul style="list-style-type: none"> • Draft SoCG • Updated Statement of Commonality • Updated Application Document Tracker • Updated NPS tracker • Updated BoR and schedule of changes to BoR • Updated Status of negotiations CA schedule • Updated status of negotiations with Statutory Undertakers <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to ExQ2 (if required) • Any further information requested by ExA • Comments on any further information received 	Tuesday 11 April
13.	<p>Hearings</p> <p>Dates reserved for OFH, ISH, CAH Hearings (if required)</p>	w/c 24 April
14.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions of oral representations made at Hearings • Comments on draft SoCG and Statement of Commonality 	Monday 8 May

	<ul style="list-style-type: none"> • Comments on responses to ExQ2 • Any further information requested by ExA • Comments on any further information received 	
15.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • ExA's Third Written Questions (ExQ3) (if required) • Report on the Implications for European Sites (RIES) and any associated questions (if required) • ExA's commentary on, or schedule of changes to, the dDCO 	Monday 22 May
16.	<p>Deadline 6</p> <p>For receipt by the ExA of documents from the Applicant only:</p> <ul style="list-style-type: none"> • Draft SoCG • Updated Statement of Commonality • Updated Application Document Tracker • Updated NPS tracker • Updated BoR and schedule of changes to BoR • Updated Status of negotiations CA schedule • Updated status of negotiations with Statutory Undertakers <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to ExQ3 • Comments on the dDCO • Comments on the RIES • Any further information requested by ExA • Comments on any further information received 	Monday 12 June
17.	<p>Hearings</p> <ul style="list-style-type: none"> • Dates reserved for OFH, ISH, CAH Hearings (if required) 	Tuesday 27 and Wednesday 28 June
18.	<p>Deadline 7</p> <p>For receipt by the ExA of documents from the Applicant only:</p> <ul style="list-style-type: none"> • Closing submissions • Final DCO to be submitted by the Applicant in the SI template with the SI template validation report • Final updated BoR and schedule of changes to BoR 	Monday 3 July

	<ul style="list-style-type: none"> • Final SoCG • Final Statement of Commonality of SoCG • List of matters not agreed where SoCG could not be finalised • Final Application Document Tracker • Final NPS tracker • Final Status of Negotiations CA Schedule • Final Status of Negotiations with Statutory Undertakers <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions of oral representations made at Hearings • Comments on draft SoCG & statement of commonality • Comments on responses to ExQ3 • Any further information requested by ExA • Comments on any further information requested by the ExA and received by the previous deadline 	
19.	<p>Deadline 8</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any further information requested by ExA • Comments on any further information received by the previous deadline 	Wednesday 12 July
20.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Wednesday 12 July

Submission times for Deadlines

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

Publication dates

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

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The ExA may also raise questions in the RIES to confirm matters that remain outstanding. 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.

Annex E

Notification of hearings

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

Date	Hearing	Start time	Venue and joining details
Thursday 12 January	Open Floor Hearing 1	Seating available at venue from: 1.30pm Online Arrangements Conference from: 1.30pm Hearing starts: 2pm	Witham Public Hall, Collingwood Road, Witham, CM8 2DY Online and by phone using Microsoft Teams Please register to attend online or by phone.
Thursday 12 January	Open Floor Hearing 2	Seating available at venue from: 6pm Online Arrangements Conference from: 6pm Hearing starts: 6.30pm	Witham Public Hall, Collingwood Road, Witham, CM8 2DY Online and by phone using Microsoft Teams Please register to attend online or by phone.

If any of the above hearings are no longer required then notification will be published as soon as practicable on the [project webpage](#).

You must register by Tuesday 3 January 2023 if you intend to participate in the Open Floor Hearing.

Please register using the [online questionnaire](#). To participate you must provide the following information:

- Name and unique reference number (found at the top your letter or email from the Planning Inspectorate)
- Email address (if available) and contact telephone number
- If you are representing a person or organisation, please provide their name and unique reference number
- Confirmation of whether you will attend online or in-person
- Agenda items which you wish to speak and a list of the points you wish to make.
- the [Examination Library \(EL\)](#) reference number (with paragraph and page number where appropriate) of any documents you wish to refer to.

If you wish to observe the hearings, you do not need to register as you can:

- Attend the physical event to observe the proceedings
- Watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin
- Watch the recording of the event which will be published on the project webpage shortly after the event has finished

Please submit requests to participate in hearings separately from any other written submission.

How to make a written submission: On the website will be a [Make a submission tab](#). Select the appropriate Deadline and Submission Item. Ensure the submission is titled appropriately to allow us to quickly identify which event the notification relates to. Annex H provides further information about using the [Make a submission tab](#). Please contact the Case Team using the contact details at the top of this letter if you require any support to attend a hearing.

Agenda for Open Floor Hearings

Item	Matters
Item 1	Welcome, introductions and arrangements for the hearing
Item 2	Purpose of the OFH
Item 3	Confirmation of those who have notified the ExA of a wish to be heard at the OFH
Item 4	<p>Oral submissions from IPs</p> <p>Each IP who has indicated a wish to speak will be invited forward in turn to speak at a table set up in front of the ExA, or via Microsoft Teams if attending virtually. Following each submission the ExA may wish to ask the speaker questions. The Applicant is likely to be requested to briefly respond to any matters raised by each of the IPs or in summary at the close of the OFH.</p> <p>Oral submissions should be based on representations previously made in writing by the particular participant. However, representations made at the hearing should not simply repeat matters previously covered in a written submission, but rather provide further detail, explanation and evidential corroboration to help inform the ExA.</p>
Item 5	Response from the Applicant
Item 6	Close of the OFH

Participation, conduct and management of hearing

At an Open Floor Hearing, each Interested Party (IP) is entitled (subject to the ExA's powers of control over the conduct of the hearing) to make oral representations about the application.

The ExA may request those who wish to speak on the same topic to select one person to put forward their views.

If, on the day, there are other individuals present who wish to make submissions that have not already been made it will be open to the ExA to use its discretion to hear any relevant submissions from those present should time permit.

It would also assist the ExA if copies of any written summaries of the cases put orally are submitted to the Planning Inspectorate by Deadline 1 of the draft Examination Timetable (**Monday 30 January 2023**).

Please note that the agenda is indicative and may be amended by the ExA at the start of the hearing session.

Procedure at hearings

The Examination will principally be a written process (see the Planning Inspectorate's [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings. Please refer to the [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#) as these provide important information about hearing procedures.

The procedure to be followed at hearings is set out in Rule 14 of The Infrastructure Planning (Examination Procedure) Rules 2010. The ExA is responsible for the questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties.

Hearing livestream and recording

A link to a livestream for each hearing will be made available on the [project webpage](#) shortly before any hearing is due to open. The livestream is available to anybody who wishes to observe a hearing in real time.

All hearings are recorded, and the recordings will be made available on the [project webpage](#) as soon as practicable after the close of the hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed.

Annex F

Other Procedural Decisions made by the Examining Authority

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

1. Statements of Common Ground (SoCG)

In relation to some of the Principal Issues identified in **Annex C** to this letter, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft Examination Timetable at **Annex D** to this letter therefore provides a deadline for submission of initial and finalised SoCG. The deadline for initial SoCG is **Deadline 2 on Monday 13 February 2023** and the deadline for finalised SoCG is **Deadline 7 on Monday 3 July 2023**.

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.

The SoCG need not include a verbatim list of discussions to date but rather a concise summary of the overall timescale and principal events which have led to the current position of agreement and/ or disagreement.

It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant Interested Party or parties, and submitted **by the Applicant**. The draft Examination Timetable at Annex E to this letter therefore establishes the deadlines in which drafts and final submissions are expected.

SoCGs are requested to be prepared between the Applicant and:

- Braintree District Council
- Brice Aggregates Limited
- Cadent Gas
- Chelmsford City Council
- Colchester Borough Council
- Crown Estate
- Environment Agency
- Essex County Council
- Essex Waterways Limited
- Historic England
- Maldon District Council
- Natural England
- Network Rail

The above list may be added to during the Examination and should not be taken as precluding any IP not listed and the Applicant from drafting a SoCG.

For each of those areas that are in dispute, it would be beneficial if each party would put their estimation as to the likelihood that disagreement will remain by the end of the

Examination. This should be done on a 'Low', 'Medium' and 'High' traffic light model. This will allow the ExA to assess those areas where oral discussions may be most beneficial.

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

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

In addition, we request that at each deadline, the Applicant provides a Statement of Commonality of Statements of Common Ground to provide an update on progress with SoCG and an overview of where the areas of agreement and dispute between the Interested Parties are.

2. Accompanied Site Inspection – suggested locations

The draft Examination Timetable at **Annex D** to this letter includes a date reserved for an Accompanied Site Inspection (ASI) in the week commencing 27 February 2023.

The ExA requests that Interested Parties submit suggested locations for the ExA to visit as part of an ASI by **Procedural Deadline A (Tuesday 3 January 2023)**. The request must include:

- Sufficient information to identify the location;
- the issues to be observed at the location;
- information on whether the site can be accessed via public land; and
- the reason why the location has been suggested.

Interested Parties should be aware that ASIs are **not an opportunity to comment on the proposed development**. However, participants may be invited by the ExA to indicate specific features or sites of interest.

The Applicant is requested to prepare a draft itinerary for the ASI to be submitted by **Deadline 1 (Monday 30 January)**. This should include:

- Relevant locations referred to in the Relevant Representations received;
- any other locations at which the Applicant has predicted likely significant environmental effects; and
- the locations suggested by Interested Parties submitted by **Procedural Deadline A**.

Comments by Interested Parties on the Applicant's draft itinerary must be submitted by **Deadline 2 (Monday 13 February)**.

The ExA will consider each suggested site location, including those provided in the Applicant's draft itinerary, to determine if it could be viewed from public land on an unaccompanied basis or if it is necessary to view it on an accompanied basis. The ExA will also consider if it would be appropriate to make arrangements for access only to be

provided to specific sites such that they could be inspected as part of an Unaccompanied Site Inspection on an access required basis.

The ExA will publish its final itinerary at least five working days before the date of the ASI.

3. Local Impact Reports

We request Local Impact Reports (LIRs) from the host Local Authorities and welcome 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 2 (Monday 13 February 2023).

4. Closing submissions

The ExA request that the Applicant and all IPs submit their closing submissions at the final Deadline (**Deadline 7, Monday 3 July**), detailing the respondent's closing positions at the close of the Examination on their principal issues.

5. Guide to the Application

The ExA requests that, at each deadline, the Applicant provides an updated Guide to the Application document which provides a list of the most up-to-date documents before the Examination. A final version must be submitted at **Deadline 7, 3 July 2023** before the close of the Examination.

6. Additional Submissions

In addition to the documentation submitted by **Procedural Deadline A** the ExA has exercised its discretion and made a Procedural Decision to accept the following Additional Submissions:

Additional Submissions	
EL Ref	Submission
AS-001	National Highways Additional Submission – Response to post-Acceptance s51 advice: Cover Letter
AS-002	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.2.1 Permanent Works Plans (Compressed Format)
AS-003	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.2.2 Utility Diversions (Compressed Format)
AS-004	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.2.3 Temporary Works Plans (Compressed Format)
AS-005	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.4 Classification of Roads Plans - Part 1 (Compressed Format)
AS-006	National Highways

	Additional Submission – Response to post-Acceptance s51 advice: 2.4 Classification of Roads Plans - Part 2 (Compressed Format)
AS-007	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.6 Streets, Rights of Way and Access Plans - Part 1 (Compressed Format)
AS-008	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.6 Streets, Rights of Way and Access Plans - Part 2 (Compressed Format)
AS-009	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.7 Land Plans - Rev 2
AS-010	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.9 General Arrangement Plans - Part 2 (Compressed Format)
AS-011	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.9 General Arrangement Plans - Part 3 (Compressed Format)
AS-012	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.9 General Arrangement Plans - Part 4 (Compressed Format)
AS-013	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.9 General Arrangement Plans - Part 5 (Compressed Format)
AS-014	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.10 De- Trunking and Stopping Up Plans - Part 1 (Compressed Format)
AS-015	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.10 De- Trunking and Stopping Up Plans - Part 2 (Compressed Format)
AS-016	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.11 Engineering Section Drawings - Part 4 (Compressed Format)
AS-017	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.14 Retained and Removed Vegetation Plans - Part 2 (Compressed Format)
AS-018	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.15 Construction Phase Plans - Part 1 (Compressed Format)
AS-019	National Highways Additional Submission – Response to post-Acceptance s51 advice: 2.15 Construction Phase Plans - Part 2 (Compressed Format)
AS-020	National Highways Additional Submission – Response to post-Acceptance s51 advice: 3.1 Draft Development Consent Order - Rev 2
AS-021	National Highways Additional Submission – Response to post-Acceptance s51 advice: 4.2 Funding Statement - Rev 2
AS-022	National Highways Additional Submission – Response to post-Acceptance s51 advice: 7.6 Interrelationship Document - Rev 2
AS-023	National Highways

	Additional Submission - Section 51 and 55 Post DCO-Application Response Cover Letter
AS-024	National Highways Additional Submission - 2.1 Location Plan
AS-025	National Highways Additional Submission - 2.2 Works Plans
AS-026	National Highways Additional Submission - 2.2.1 Permanent Works Plans
AS-027	National Highways Additional Submission - 2.6 Streets, Rights of Way and Access Plans - Part 1
AS-028	National Highways Additional Submission - 2.6 Streets, Rights of Way and Access Plans - Part 2
AS-029	National Highways Additional Submission - 2.9 General Arrangement Plans - Part 1
AS-030	National Highways Additional Submission - 2.9 General Arrangement Plans - Part 2
AS-031	National Highways Additional Submission - Section 51 and 55 Post DCO-Application Response Cover Letter
AS-032	National Highways Additional Submission - 9.1 Supplementary Bat Survey Report
AS-033	DWD Property Planning on behalf Countryside Zest (Beaulieu Park) LLP Additional Submission accepted at the discretion of the Examining Authority
AS-034	Colchester Model Car Club Additional Submission accepted at the discretion of the Examining Authority
AS-035	Anthony and Angela Carter Additional Submission accepted at the discretion of the Examining Authority
AS-036	National Highways Additional Submission - 9.2 Dormouse Survey Report - Accepted at the discretion of the Examining Authority

7. Relevant Representations

We have made a Procedural Decision to request the Applicant to provide responses to as many of the Relevant Representations as practical at Procedural Deadline A in advance of the Preliminary Meeting. We consider this will assist the examination process in providing the opportunity to deal with matters which can be addressed in advance of us publishing Written Questions following the Preliminary Meeting.

8. Additional plans

The ExA requests that additional plans (electronic and A3 size paper versions) are submitted by Deadline 1 (30 January 2023). The requirements for the plans are:

- to show key details including:
 - the existing A12 route;
 - the proposed route and junctions;
 - work no.U69 diversion of high pressure gas pipeline showing:
 - existing gas main;
 - proposed gas main;
 - the parcels of land with plot numbers affected by compulsory acquisition;

- the parcels of land with plot numbers affected by temporary possession; and
- the scheme limits.
- at a suitable scale to make them decipherable when reading electronically on a computer screen. We suggest that a minimum of 4 plans are required.
- The plans to be overlaid on Ordnance Survey maps.

9. Provision of low-resolution documents

As events are being held as blended events, and therefore include a virtual element, it would considerably assist the ExA if the drawings could be provided by the Applicant at small electronic size. Several of the drawings are over 20MB in size which is likely to make them unwieldy for display in the MS Teams environment.

The ExA therefore requests the Applicant to re-provide the drawings in accordance with the following specification by **Deadline 1 (30 January 2023)**. For avoidance of doubt this also includes Figures to the Environmental Statement.

- No individual drawing or set of plans to exceed an absolute maximum of 10 MB As a guide 5 to 6 MB should be achievable
- If the scheme has a large plan set, consider splitting the plans set into more than one 'book'
- The output of plans on a .pdf type from, for example, CAD systems, could create multiple layers which load successively taking a long time to load; layers should be merged or 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, the name should be intelligible in the tab when multiple document windows are open in a browser
- Files should be checked to ensure all relevant details can 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.

Compressed and low-resolution versions of plans and drawings are duplicate evidence. They are requested to assist with the sharing of documents at Events only and will not form part of the Examination Library or be published on the project webpage of the National Infrastructure Planning website.

Annex G

Availability of Examination Documents

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

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

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. **Provide the document reference number from the EL** when referring to any Examination Documents.

Deposit locations

Documents can be viewed online, free of charge, at the locations listed in the table below. You may need to take a form of identification to register as a library member in order to use a computer.

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.

Venue and address	Opening hours	Printing costs
Chelmsford Library County Hall Market Road Chelmsford CM1 1QH	Monday 9am to 5.30pm Tuesday 9am to 5.30pm Wednesday 9am to 5.30pm Thursday Closed Friday 9am to 5.30pm Saturday 9am to 5.00pm Sunday 10.30am to 1.30pm	Black and white A4 20p per side Colour A4 £1.35 per side

Annex G

Maldon Town Council Council Offices, Princes Road, Maldon, Essex CM9 5DL	Monday 9am to 4.30pm Tuesday 9am to 4.30pm Wednesday 9am to 4.30pm Thursday 9am to 4.30pm Friday 9am to 4.00pm Saturday CLOSED Sunday CLOSED	Black and white A4 10p per side A3 20p per side Colour A4 20p per side A3 40p per side
Braintree Library Fairfield Road Braintree CM7 3YL	Monday 9am to 7pm Tuesday 9am to 5:30pm Wednesday 9am to 5:30pm Thursday 9am to 5:30pm Friday 9am to 5:30pm Saturday 9am to 5pm Sunday Closed	Black and white A4 20p per side Colour A4 £1.35 per side
Colchester Library Trinity Square Colchester CO1 1JB	Monday 9am to 5:30pm Tuesday 9am to 5:30pm Wednesday 9am to 7pm Thursday 9am to 5:30pm Friday 9am to 5:30pm Saturday 9am to 5pm Sunday 1pm to 4pm	Black and white A4 20p per side Colour A4 £1.35 per side
Kelvedon Library Aylett's Foundation School Maldon Road Kelvedon CO5 9BA	Monday 2pm to 5:30pm Tuesday Closed Wednesday Closed Thursday 9am to 1pm Friday Closed Saturday 9am to 5pm Sunday Closed	Black and white A4 20p per side Colour A4 £1.35 per side
Springfield Library St Augustine's Way Chelmsford CM1 6GX	Monday Closed Tuesday 10am to 5pm Wednesday Closed Thursday 10am to 5pm Friday 10am to 5pm Saturday 10am to 1pm Sunday Closed	Black and white A4 20p per side Colour A4 £1.35 per side
Tiptree Library Rectory Road Tiptree CO5 0SX	Monday Closed Tuesday 9am to 5:30pm Wednesday Closed Thursday 2pm to 7pm Friday Closed Saturday 9am to 5pm Sunday Closed	Black and white A4 20p per side Colour A4 £1.35 per side
Witham Library 18 Newland Street Witham CM8 2AQ	Monday 9am to 5:30pm Tuesday 9am to 5:30pm Wednesday 9am to 7pm Thursday 9am to 5:30pm Friday 9am to 5:30pm Saturday 9am to 5pm Sunday Closed	Black and white A4 20p per side Colour A4 £1.35 per side

Annex H

Information about the **Make a submission tab**

The [Make a submission tab](#) will be available on the project webpage before each deadline.

You will enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either '2003', 'A12C-00', 'A12C-AFP', 'A12C-ISP', 'A12C-S57' or 'A12C-APP' you are in Group A. If your reference number begins with 'A12C-SP' you are in Group B. If your reference number begins with 'A12C-OP' you are in Group C. If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant Deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make 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.

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. Submissions **must not include hyperlinks** to any website except the Planning Inspectorate's website, this includes links to technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for information about making written submissions.

You should select the relevant Deadline for your submission and then, on the next webpage, select the Submission item as described in the Examination Timetable at **Annex D** to this letter. You must make **a separate submission for each Submission item** and do not duplicate your submission. If you consider that your submission does not fit the description of any of the Submission items, select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the [Make a submission tab](#) please contact the Case Team using the contact details at the top of this letter and they will assist.