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

Your Ref:

Our Ref: TR010062

Date: 08 December 2022

Dear Sir/ Madam

Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 and 9

Application by National Highways for an Order Granting Development Consent for the A66 Northern Trans-Pennine Project

Examination Timetable and procedure

This letter (the Rule 8 letter) provides important information about the Examination of this application. The letter includes:

- The Examination Timetable
- An invitation to submit Written Representations
- A request for Statements of Common Ground
- A request for Local Impact Reports from Local Authorities
- Other Procedural Decisions made by the ExA
- Information about Hearings and Accompanied Site Inspections
- Information about the availability of Examination Documents
- Guidance on the use of the 'Make a submission' tab on the project webpage

All documentation associated with this Examination, including a note of the Preliminary Meeting and the recording of that meeting, can be viewed under the [Document tab](#) on the project webpage of the National Infrastructure Planning website ([project webpage](#)).

The Examination Timetable

The Examining Authority (ExA) has made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A** to this letter.

The Examination Timetable set out at **Annex A** to this letter, replaces the draft timetable that was included in my [Rule 6 letter](#). In finalising the Examination Timetable, the ExA has sought to accommodate requests and suggestions made orally or in writing to the Preliminary Meeting. A list of the main changes the ExA has made to the draft Examination Timetable is set out at **Annex B** to this letter.

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are at **23:59** on the date specified. Please ensure submissions arrive by the Deadline. If you do not make your submissions by the dates specified in the timetable, the ExA may disregard them.

The ExA requests that all Interested Parties make their submissions using the **Make a submission tab** on the project webpage on or before the applicable Deadline. **Annex D** to this letter provides further information about using the Make a submission tab.

If the ExA considers it necessary to vary the Examination Timetable during the Examination, notification will be sent to Interested Parties and Statutory Parties invited to the Preliminary Meeting. The changes will be published on the [project webpage](#).

Written Representations

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by **Deadline 1** (Sunday 18 Dec 2022) in the Examination Timetable.

Written Representations can cover any relevant matter and are not restricted to the matters set out in my Initial Assessment of Principal Issues.

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination (see paragraph 74 of [Planning Act 2008: Guidance for the examination of applications for development consent](#)).

I have requested further types of written submissions at various points in the Examination (see **Annex A**).

Any Written Representations and any further written submissions requested during the Examination, that exceed 1500 words, should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

Representations **must not include hyperlinks** to documents/evidence hosted on third party websites. Please see the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about Written Representations.

Hearings and Site Inspections

As explained in my [Rule 6 letter](#) and at the Preliminary Meeting, the Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

On this basis the Examination Timetable at **Annex A** to this letter includes periods of time reserved for any hearings to be held, and I will notify all Interested Parties of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include a Deadline for Interested Parties to inform the Planning Inspectorate if they wish to participate at the notified hearing(s).

The ExA has undertaken unaccompanied site inspections where we viewed the site from public land. The notes of these site inspections can be found here ([EV-001](#), [EV-006](#)). We might undertake further unaccompanied site inspections, notes of which will be published on the project webpage.

The Examination Timetable also reserves time for the ExA to undertake an Accompanied Site Inspection (ASI) on **Tuesday 28 February 2023**. 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.

Applicant's Stated Intention to Make a Change Request

At the Preliminary Meeting held on Tuesday 29 November 2022 [[EV-007](#), [EV-008](#)], the Applicant stated its intention to submit a notification of a change to the application at Deadline 3, Tuesday 24 January 2023. The ExA will need to make a decision, once the proposed changes to the application have been submitted, as to whether to accept them into the Examination. If the proposed changes are submitted and accepted into the Examination, there will be opportunity for Interested Parties to provide comments on the changes. If the ExA decides that the changed application can be examined, the examination will proceed in consideration of the changed application. If the ExA decides that the changed application cannot be examined, the Applicant will need to decide whether to proceed with the examination on the basis of the submitted application.

Until such time as a decision is made on the acceptability of the proposed changes, the Examination will proceed in accordance with the Examination Timetable presented in Annex A. Please see [Advice Note 16](#) for further information on changes to an application.

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 from the Planning Inspectorate 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' portal is provided at **Annex D** 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.

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', 'A66D-0', 'A66D-AFP', 'A66D-S57' 'A66D-APL' you are in Group A. If your reference number begins with 'A66D-SP' you are in Group B. If your reference number begins with 'A66D-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 C** to this letter.

Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

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

Yours faithfully

Richard Allen

Lead Member of the Examining Authority

Annexes

- A** Examination Timetable
- B** Other Procedural Decisions made by the Examining Authority
- C** Availability of Examination Documents
- D** Information about the Make a submission tab

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.	Preliminary Meeting	Tuesday 29 November 2022 (10.00am)
2.	Open Floor Hearing (OFH1)	Tuesday 29 November 2022 (2.30pm)
3.	Issue Specific Hearing (ISH1) ISH1 on Alternative Route Options	Wednesday 30 November 2022 (10.00am)
4.	Issue Specific Hearing (ISH2) ISH2 on: <ul style="list-style-type: none"> • The Environmental Management Plan; • other environmental matters; and • the draft Development Consent Order (draft DCO) 	Thursday 1 December 2022 (10.00am)
5.	Compulsory Acquisition Hearing (CAH1)	Friday 2 December 2022 (10.00am)

6.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • Examination Timetable 	<p>As soon as possible following the Preliminary Meeting</p>
7.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any updates to application documents submitted by the Applicant before or at the PM • Comments on Relevant Representations (RRs) • Summaries of all RRs exceeding 1500 words • Written Representations (WRs) • Summaries of all WRs exceeding 1500 words • Local Impact Reports • Notification by Statutory Parties of their wish to be considered as an IP by the ExA • Notification of wish to be heard at any subsequent Issue Specific Hearings (ISH) • Requests to be heard at any subsequent Compulsory Acquisition Hearing (CAH). Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a CAH • Request to be heard at any subsequent Open Floor Hearing (OFH) • Provision of suggested locations and justifications for Accompanied Site Inspections (ASI) for consideration by the ExA (if held) • Post-hearing submissions including written submissions of oral cases • Notification of wish to have future correspondence received electronically • Submission of additional or updated drawings as requested in Annex D of the Rule 6 letter (if not submitted at the Pre-Examination Procedural Deadline) • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	<p>Sunday 18 December 2022</p>

	<ul style="list-style-type: none"> • Comments on any further information/submissions accepted by the ExA 	
8.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WR • Comments on the LIRs • The Applicant's revised draft DCO • Compulsory Acquisition Status of Negotiations Schedule • Statutory Undertakers Status of Negotiations Schedule • Applicant's draft itinerary for the ASI (if required) • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information/submissions received by Deadline 1 	<p>Sunday</p> <p>15 January</p> <p>2023</p>
9.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Updated Statements of Common Ground requested by ExA – see Annex D of the Rule 6 letter • Updated Statements of Commonality of Statements of Common Ground • Updated Principal Areas of Disagreement Summary Statements • Comments on the Applicant's draft ASI Itinerary • Comments on the Applicant's revised draft DCO • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information/submissions received by Deadline 2 	<p>Tuesday</p> <p>24 January</p> <p>2023</p>
10.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Written Questions • Notification of Hearings (if required) • Notification of ASI (if required) 	<p>Tuesday</p> <p>31 January</p> <p>2023</p>

	<ul style="list-style-type: none"> The ExA's final itinerary for the ASI (if required) 	
11.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Responses to Written Questions Notification of wish to attend an Accompanied Site Inspection (ASI) (if required) 	<p>Tuesday 14 February 2023</p>
12.	<p>Accompanied Site Inspection (ASI) (if required)</p>	<p>Tuesday 28 February 2023</p>
13.	<p>Open Floor Hearing (OFH2) (if required)</p>	<p>Tuesday 28 February 2023 (evening)</p>
14.	<p>Compulsory Acquisition Hearing (CAH2) (if required)</p>	<p>Wednesday 1 March 2023</p>
15.	<p>Issue Specific Hearing (ISH3) (if required)</p> <p>On Environmental Matters and/or the draft DCO. This Hearing will be scheduled over two days if needed.</p>	<p>Thursday 2 March 2023</p>
16.	<p>Issue Specific Hearing (ISH3 Resumed) (if required)</p>	<p>Friday 3 March 2023</p>
17.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Post-hearing submissions including written submissions of oral cases The Applicant's revised draft DCO Compulsory Acquisition Status of Negotiations Schedule 	<p>Tuesday 14 March 2023</p>

	<ul style="list-style-type: none"> • Statutory Undertakers Status of Negotiations Schedule • Updated Statements of Common Ground • Updated Statement of Commonality of Statements of Common Ground • Updated Principal Areas of Disagreement Summary Statements • Guide to the Application • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information/submissions received by Deadline 4 	
18.	Publication by the ExA of: <ul style="list-style-type: none"> • Further Written Questions (if required) 	Friday 24 March 2023
19.	Reserve ASI (if required)	Thursday 30 March 2023
20.	Deadline 6 For receipt by the ExA of: <ul style="list-style-type: none"> • Responses to ExA's Further Written Questions (if required) • Comments on the Applicant's revised dDCO • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information/submissions received by Deadline 5 	Tuesday 4 April 2023
21.	Publication by the ExA of: <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) (if required) • ExA's commentary on, or schedule of changes to, the draft DCO (if required) 	Tuesday 18 April 2023
22.	Deadline 7 For receipt by the ExA of:	Tuesday 9 May

	<ul style="list-style-type: none"> • Comments on the RIES (if required) • Comments on ExA's commentary on, or schedule of changes to, the draft DCO (if required) • Final Principal Areas of Disagreement Summary Statements • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information/submissions received by Deadline 6 	2023
23.	<p>Deadline 8</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Final draft DCO to be submitted by the Applicant in the SI template with the SI template validation report • Final Book of Reference (BoR) and schedule of changes to BoR • Final Explanatory Memorandum • Final Statement of Reasons • Final Compulsory Acquisition Status of Negotiations Schedule • Final Statutory Undertakers Status of Negotiations Schedule • Final Statements of Common Ground • Final Statement of Commonality of Statements of Common Ground • Final Guide to the Application • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information/submissions received by Deadline 7 	Tuesday 16 May 2023
24.	<p>Deadline 9</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	Friday 26 May 2023

25.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Monday 29 May 2023
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Submission times for Deadlines

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

Publication dates

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

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

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

Other Procedural Decisions made by the Examining Authority

We have made a number of Procedural Decisions following the Preliminary Meeting:

1. Examination Timetable

Following representations made by the Applicant and local authorities in respect to the dates for Deadlines 1, 2 and 3, the Examining Authority (ExA) has decided to change the following from the draft timetable in Annex E of the Rule 6 letter:

- The date for Deadline 1 is now Sunday 18 December 2022;
- The date for Deadline 2 is now Sunday 15 January 2023; and
- The publication date for Further Written Questions, if required, is now Friday 24 March 2023

The ExA has carefully considered the other changes suggested by the Applicant. However, due to the significant effect on the remainder of the timetable, we have decided not to accept them.

2. Acceptance of Additional Submissions

The ExA made a Procedural Decision prior to the Preliminary Meeting to accept into the Examination the following documents submitted by the Applicant:

- Responses to Relevant Representations [[PDL-013](#)]; and
- Addendum to Responses to Relevant Representations [[PDL-013.1](#)]

The ExA has also accepted, following the Preliminary Meeting, to accept into the Examination joint documents submitted by North Yorkshire County Council and Richmondshire District Council:

- Joint Engagement Statement [[AS-052](#)]; and
- Principal Areas of Disagreement Summary Statement [[AS-051](#)]

3. Statements of Common Ground (SoCG)

At the Preliminary Meeting, the Applicant indicated that it was willing to explore the need for a SoCG with Sport England, following their oral request. The ExA will require notification at Deadline 3, Tuesday 24 January 2023 whether a SoCG is to be entered into and if so, a draft copy of the agreement.

Additionally, the ExA orally confirmed that it was requesting a Statement of Commonality of SoCGs to be submitted at Deadlines 3 (Tuesday 24 January 2023), 5 (Tuesday 14 March 2023) and 8 (Tuesday 16 May 2023). This was already listed in the draft Timetable but was not specifically set out in the Procedural Decisions in Annex D of the Rule 6 letter.

4. Guide to the Application

At the Preliminary Meeting, the ExA orally confirmed that it was requesting

a Guide to the Application (document tracker) to be submitted at Deadlines 5 (Tuesday 14 March 2023) and 8 (Tuesday 16 May 2023). This was already listed in the draft Timetable at Deadline 8 but was not specifically set out in the Procedural Decisions in Annex D of the Rule 6 letter.

5. Compulsory Acquisition Status of Negotiations Schedule and Statutory Undertakers Status of Negotiations Schedule

The draft Timetable set out in Annex E of our Rule 6 letter requested a Status of Negotiations / Compulsory Acquisition Schedule to be submitted at Deadlines 2 (now Sunday 15 January 2023), 5 (Tuesday 14 March 2023) and 8 (Tuesday 16 May 2023).

Following discussion with the Applicant at the Compulsory Acquisition Hearing held on Friday 2 December 2022, the ExA has decided to split this request into two separate documents comprising a Compulsory Acquisition Status of Negotiations Schedule and a Statutory Undertakers Status of Negotiations Schedule, to be submitted at the same Deadlines. The ExA requests that each document should comprise the following:

Compulsory Acquisition Status of Negotiations Schedule:

- The updated application Schedule of Negotiations [APP-301] (The ExA recognises that there is some duplication with the Statutory Undertaker Status of Negotiations Schedule).
- An additional column to identify Examination Library references for representations from the party concerned.
- An additional column to identify Examination Library references (using Applicant's references if not available) for responses from the Applicant.

Statutory Undertakers Status of Negotiations Schedule:

- The updated Statutory Undertaker rows of the Application Schedule of Negotiations.
- Additional Statutory Undertaker rows to cover negotiations relating to Protective Provisions.
- An additional column to identify Examination Library references for representations from the party concerned.
- An additional column to identify Examination Library references (using Applicant's references if not available) for responses from the Applicant.

6. Final Explanatory Memorandum and Statement of Reasons

Following discussion with the Applicant at the Compulsory Acquisition Hearing held on Friday 2 December 2022, the ExA has decided to request a final Explanatory Memorandum and Statement of Reasons to be submitted at Deadline 8 (Tuesday 16 May 2023).

7. Changes to land interests

If and when the Applicant becomes aware that there has been a change in ownership, or a new interest, in relevant land, the Applicant is requested to make the relevant person aware that they can make a request to the ExA to become an Interested Party under section 102A of the PA2008 by completing the form available on the [project webpage](#). The Examination Timetable includes an update at Deadline 8, Tuesday 16 May 2023 for the submission of an updated Book of Reference and schedule of changes to the Book of Reference, which should include confirmation that relevant persons have been informed of their rights under section 102A.

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. **Please quote the unique reference number from the EL when referring to any Examination Documents in any future submissions that you make.**

Documents Deposit Locations

Documents can be viewed in hard copies, free of charge, at the deposit locations listed in the table below. Please note that you may be required to produce a form of identification and register as a member/library member in order to view the documents at these locations.

Venue/address	Opening hours
Penrith Library, St Andrews Churchyard, Penrith, Cumbria, CA11 7YA	Monday: 9.30 am- 6 pm Tuesday: 9.30 am- 6 pm Wednesday: 9.30 am - 5 pm Thursday: 9.30 am – 5 pm Friday: 9.30 am – 5 pm Saturday: 9.30 am – 4 pm Sunday: Closed

Venue/address	Opening hours
The Witham 3 Horse Market, Barnard Castle DL12 8LY	Monday: Closed Tuesday: 10 am – 4 pm Wednesday: 10 am – 4 pm Thursday: 10 am – 4 pm Friday: 10 am – 4 pm Saturday: 10 am – 4 pm Sunday: Closed
Venue/address	Opening hours
A66NTP project hub (the former Llama Karma Kafe) Brougham, CA10 2AB	By appointment only

Information about the Make a submission tab

The Make a submission tab is available on the project webpage.

You will need to enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2003 or A66D. 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.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website eg technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about making written submissions. 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.

You should select the relevant Deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Annex A** to this letter. Please ensure you 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 then please 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.