



The Planning Inspectorate

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All Interested Parties, Statutory
Parties

Your Ref:

Our Ref: TR010065

Date: 9 September 2024

Dear Recipient

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

**Application by National Highways for an Order Granting Development Consent
for the A46 Newark Bypass (TR010065)**

**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 Ken Stone and the other members of the ExA are Paul Burley and David Love. 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 of the above application.

Date	Start time	Venue and joining details
8 October 2024	Registration and seating available at venue from: 9.30am Virtual Registration Process from: 9.30am Preliminary Meeting starts: 10am	The Renaissance at Kelham Hall, Main Street, Newark, NG23 5QX And By virtual means using Microsoft Teams. Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

You must register by completing the [Event Participation Form](#) by 24 September 2024 if you intend to participate in the Preliminary Meeting. It may not be possible to participate on the day if you have not registered your wish to speak.

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

1. 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
2. watch the recording of the event which will be published on the project webpage shortly after the event has finished.
3. attend the physical event at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to **observe only** by **24 September 2024** using the [Event Participation Form](#)

Please note that by attending the event either in person or online you are agreeing to be filmed for the purposes of the online livestream of the event and the recording of the event which will be published on the [project webpage](#). A limited number of seats will be available for observers who wish not to be filmed at the venue. Please contact the case team to notify them if you prefer not to be filmed at the event. A transcript of the event will also be published on the project page of our website after the event.

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 for members of the public: [The stages of the NSIP process and how you can have your say](#) for more information.

The Preliminary Meeting is **not** an opportunity for you to give your views about what you like or don't 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 Transport, who will take the final decision in this case.

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 on or before **Procedural Deadline A (24 September 2024)** (see **Annex D** to this letter).

We request that all submissions are made using the '[Have your say](#)' 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

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 **24 September 2024** (see **Procedural Deadline A**).

Any request to participate in the Preliminary Meeting **must include** 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;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person; and
- the agenda item on which you wish to speak and a list of the points you wish to make.

Requests to participate should be made using the [Event Participation Form](#) on or before **Procedural Deadline A**.

Please **contact the Case Team using the contact details at the top of this letter** if you require any support or assistance to attend the Preliminary Meeting, either virtually or in person.

Format of Examination Events – Preliminary Meeting and Hearings

The Examination of the application will principally be a written process supplemented where necessary by various types of hearings. See the Planning Inspectorate's Advice for members of the public: [The stages of the NSIP process and how you can have your say](#) for more information.

Both blended (part in-person and part virtual) and fully virtual events form part of the Planning Inspectorate's operating model. We remain flexible and will confirm the format of any hearings to be held during the Examination Stage when we provide formal notification of each hearing at least 21 days in advance of it taking place.

We are providing formal notification that the **Preliminary Meeting will be a blended event and that the OFH and CAH referred to in Annex E to this letter will also 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 (OFH1) on **8 October 2024** (Blended event); and
- Compulsory Acquisition Hearing (CAH1) on **9 October 2024** (Blended event).

Important information about these hearings is contained in **Annex E** to this letter, including what details need to be provided with a request to be heard at a hearing and the procedure that will be followed.

Other Procedural Decisions made by the Examining Authority

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

- Statements of Common Ground;
- Request for suggested locations for an Accompanied Site Inspection;
- Acceptance of Additional Submissions into the Examination;
- Request for submission of Local Impact Reports;
- Submission of Written Representations;
- Update Application Documents Tracker;
- Historic Environment Assessment;
- Visual Impact Assessment; and
- Land Rights Tracker.

Changes to land interests

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. The Examination Timetable includes various Deadlines 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.

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 '[Have your say](#)' page 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 H** to this letter.

There is also a function on the left-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 are a person or organisation who is involved in the NSIP process. See the Planning Inspectorate's Advice for members of the public: [National Infrastructure Projects and the people and organisations involved in the process](#) for further details.

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

Ken Stone

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

Agenda for the Preliminary Meeting

You must register by completing the [Event Participation Form](#) by 24 September 2024 if you intend to participate in the Preliminary Meeting.

It may not be possible to participate on the day if you have not registered your wish to speak.

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2. watch the recording of the event which will be published on the project webpage shortly after the event has finished.
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Please note that by attending the event either in person or online you are agreeing to be filmed for the purposes of the online livestream of the event and the recording of the event which will be published on the [project webpage](#). A limited number of seats will be available for observers who wish not to be filmed at the venue. Please contact the case team to notify them if you prefer not to be filmed at the event. A transcript of the event will also be published on the project webpage of our website after the event.

Date: 8 October 2024

Registration Process: 9.30am

Meeting start time: 10am

Venue: **Blended event at**

The Renaissance at Kelham Hall, Main Street, Newark,
NG23 5QX

And

By virtual means, using Microsoft Teams. Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

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

Agenda for the Preliminary Meeting	
9.30am	<p>In Person Registration Process</p> <p>Registration and seating available at venue for in-person attendees</p>
9.30am	<p>Virtual Registration Process</p> <p>Please arrive from 9.30am to enter the virtual lobby. From here you will be admitted to the virtual meeting by the Case Team, greeted and given further instructions.</p> <p>The Registration Process will commence at 9.30am. This will be hosted by the Case Team and cover the housekeeping arrangements for the Preliminary Meeting and allow for any questions to be asked about how to take part.</p>
Item 1 10am	<p>Preliminary Meeting</p> <p>The Preliminary Meeting will formally open at 10am. The Examining Authority will join, welcome participants and lead introductions.</p>
Item 2	<p>The Examining Authority's remarks about the Examination process – Introduction to the Preliminary Meeting, Annex B to Rule 6 letter</p>
Item 3	<p>Initial Assessment of Principal Issues – Annex C to Rule 6 letter</p>
Item 4	<p>Draft Examination Timetable – Annex D to Rule 6 letter</p>
Item 5	<p>Procedural Decisions – Annex F to Rule 6 letter</p>
Item 6	<p>Any other matters</p>
Close of the Preliminary Meeting	

If you are participating using Microsoft Teams, please join the virtual lobby promptly using the instructions that will be sent to you. The event will start at **10am**. Any late arrivals may not be able to enter the meeting.

It may take some time to admit participants from the virtual lobby, your patience whilst you are waiting is appreciated.

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.

Any request to participate in the Preliminary Meeting must be made on the [Event Participation Form](#). You will be asked to provide:

- 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;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person; and
- the agenda item on which you wish to speak and a list of the points you wish to make.

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 video-conferencing 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 Registration Process 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: a46newarkbypass@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 A46 Newark Bypass (TR010065), 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, which will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for the Examination on the project webpage of the National Infrastructure Planning website ([project webpage](#)). 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 the day 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 course of the PM. You may wish to print these in advance of the PM for reference.

Government guidance and policy

The application is a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 (PA2008) as a consequence of sections 14(1)(h) and 22 of PA2008: it includes highway related development for the construction and alteration of a highway. Given that the Application was accepted on 23 May 2024 the designated National Policy Statement for National Networks 2015 (NPSNN 2015) applies to this Examination and to decision-making relating to this application. The National Policy Statement for National Networks 2024 (NPSNN 2024) was designated on the 24 May 2024 and given the transitional arrangements is an important and relevant matter.

The ExA will consider the Proposed Development in accordance with the NPSNN 2015 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 three 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 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 submitted, 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 can also most usefully extend to catalogue matters that are not agreed or are outstanding.

The draft Examination Timetable includes a series of numbered Deadlines for receipt of written submissions. Timely submissions received by the relevant Deadline and that address its purpose will be accepted. **Documents received after the relevant Deadline are only accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties.** Circumstances where documents are submitted late without good

reason, causing inconvenience or delay to other parties, can amount to unreasonable behaviour.

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

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

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

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

Hearings

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

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

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

The Applicant's draft DCO provides for the Compulsory Acquisition of land and rights, and the Temporary Possession of land. Affected Persons (ie those whose land or rights over land are affected) have a right to request and be heard at a **Compulsory Acquisition**

Hearing (CAH). If one or more APs request to be heard then a CAH must be held. Provisional dates for CAHs are included in the draft Examination Timetable along with Deadlines by which requests to be heard must be submitted.

The ExA has the discretion to hold **Issue Specific Hearings** (ISHs) if it would aid in the Examination and there is a specific reason why 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/information can be provided in writing following the event by the relevant Deadline.

The draft Timetable identifies early Hearings including OFH1 to provide an early opportunity for IPs to make oral submissions to the ExA and CAH1 to deal with the Applicant's Strategic Case for CA and TP to take place following the PM. The draft Examination Timetable however also includes **Deadline 1 (22 October 2024)** for participants to notify the ExA that they wish to speak at an OFH or a CAH. These will enable IPs who do not have an opportunity to speak at OFH1 to notify us of their request to be heard at an OFH and for those APs affected by CA and TP provisions to request to be heard at a future CAH where we will consider the individual cases of APs.

Site inspections

The ExA has undertaken an Unaccompanied Site Inspection (USI1) on **6 and 7 August 2024**. The note of the visit can be found in the Examination library reference [\[EV-001\]](#). As part of the Examination process the ExA may undertake further site inspections. These can be either unaccompanied or accompanied.

The purpose of these is for the ExA to see features of the proposals within the context of the evidence put forward. Notes of Unaccompanied Site Inspections (USIs) are published on the [project webpage](#).

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

The 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).

The draft Examination Timetable includes a Deadline for IPs to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform further USIs/ARSIs as well as possible ASIs.

Approach to Written Questions

The established practice for national infrastructure examinations is to ask written questions at the outset of an examination. For this case, we aim to publish our first set of Written Questions at the same time as issuing the Rule 8 letter. This is set out in the draft examination timetable (**Annex D** to this letter).

This approach is intended to ensure early engagement with the Principal Issues and ensure information is provided into the examination at an early stage.

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 order, except insofar as the first issue which covers overarching general matters and the final issue which considers cumulative effects 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 as are the achievement of good design and sustainable development 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. General overarching matters including Policy, Need and Alternatives, including issues related to:

- Status of RIS2 schemes following change of Government.
- Relevance and weight to National Policy Statement on National Networks (NPSNN) 2024.
- Any differences in policy / methodology arising from designation of NPSNN 2024 that should be reflected in the Environmental Statement.
- Whether adequate justification exists for the discounting of alternative route alignments with consideration to the relevant environmental effects which informed the Applicant's choice.
- The impacts on, and opportunities for, alternative transport modes.
- Whether the Applicant has undertaken sufficient consultation with vulnerable groups.

2. Air Quality, including issues related to:

- Adequacy of baseline assessment.
- Whether the Applicant's assessment of particulates is robust.
- Effects on AQMAs during operational phase.
- Effects on specific receptors during construction and operational phases.

- Mitigation measures.
- Traffic data including cumulative development.

3. Biodiversity, including issues related to:

- Adequacy of baseline assessment.
- The effect of the construction and operation of the Proposed Development on designated sites, including European sites/ National Site Network/ Habitats Site, nationally designated sites, regionally and locally designated sites and habitats of nature conservation importance.
- Permanent and temporary effects on protected species including birds and badgers and habitats including the potential for impact on lamprey.
- Protected species licensing, including in relation to bats, birds, and badger.
- Effects on hedgerows, woodland, and veteran trees.
- The adequacy, and deliverability of, the proposed mitigation and compensatory measures.
- Timescales for ongoing maintenance and management of compensatory and mitigation measures.
- Biodiversity Net Gain including suitability of off-site provision.
- Adequacy of the Habitats Regulations Assessment (HRA) including, but not limited to, impacts on lamprey, in-combination effects with nearby projects and suitability of the proposed mitigation.

4. Climate and Carbon emissions, including issues related to:

- Scope of and methodology used in the assessment.
- Implications of *Finch*.
- Operational emissions.
- Scope 3 emissions.
- Effect on achievement of Government's carbon reduction targets and latest carbon budget.

5. Compulsory Acquisition and Temporary Possession, including issues related to:

- The case for CA/TP generally.
- The need for the land proposed to be compulsorily acquired and/or temporarily possessed where specific objections remain.
- Effects on those affected by compulsory acquisition and/or temporary possession, including statutory undertakers/infrastructure and infrastructure providers.
- Adequacy and security of funding for compensation.
- Position in relation to Crown Land.
- Position in relation to other Special Category Land including Open Space and Common land.
- Access for construction and maintenance.
- Human rights, Public Sector Equality Duty, consideration of alternatives to CA/TP.
- Tests set out in sections 122/123/127/132/135/138 of the Planning Act 2008
- Book of Reference.

6. Draft Development Consent Order, including issues related to:

- The structure of the dDCO.
- Definitions.
- The appropriateness of Articles and Requirements.

- The appropriateness of proposed protective provisions.
- Relationships with other consents.
- Whether the dDCO is satisfactory in all other respects.

7. Geology and Soils, including issues related to:

- Agricultural land classification.
- Contamination.
- Flood Compensation Area.
- Impact on / sterilisation of minerals including the effect on Minerals Safeguarding Areas.

8. Historic Environment, including issues related to:

- The special architectural or historic interest of Listed Buildings and their settings.
- The desirability of preserving scheduled monuments and their settings and sites of archaeological interest.
- The desirability of preserving the character and appearance of Conservation Areas.
- The effects on non-designated heritage assets.
- The effects on and strategy for dealing with archaeological remains.
- The potential for change on the wider historic landscape.
- The adequacy of any proposed mitigation.

9. Landscape and Visual effects, including issues related to:

- The effect of the Proposed Development and townscape character.
- Short and long-term visual impacts.
- Effects of lighting both during construction and operation.
- Construction effects.
- Design of the landscape mitigation, including woodland planting, bunds and fencing (including acoustic fencing).

10. Material assets and Waste, including issues related to:

- Extraction of minerals.

11. Noise and Vibration, including issues related to:

- Adequacy of baseline assessment.
- The effects of noise and vibration from the construction and operation of the Proposed Development.
- Adequacy of mitigation of temporary and permanent impacts.

12. Population and Human Health, including issues related to:

- Effects on Farms.
- Employment.
- Health effects – direct and indirect.
- Adequacy of mitigation including, the Inclusion Action Plan.
- Managing disruption during construction.
- Walking, cycling and horse riding – construction and operational phases.

13. Transport and Traffic, including issues related to:

- Adequacy of baseline / data.
- Effects of other developments including Southern Link Road.

- Adequacy of junction assessments.
- Construction traffic.
- Lorry parking provision.
- Changes in traffic and congestion.
- Regard to local plan allocations in the Brownhills / Friendly Farmer area.
- Access to properties and land during construction and operational phases, including severance.
- Provision for non-motorised users during construction and operational phases.
- Navigational safety during construction.

14. Water Environment and Road Drainage inc Flooding, including issues related to:

- The risk of increasing flood risk elsewhere away from the site and adequacy of mitigation measures.
- Compliance with the Water Framework Directive.
- The effect of the proposal on water resources including quality.
- Effects on flood risk, flood storage capacity and the flood plain during the construction and operational phases.
- The resilience of the development to flood risk.
- Adequacy of proposed drainage proposals, including management and maintenance.

15. Cumulative Effects, including issues related to:

- Cumulative and in-combination effects on and with other major projects and proposals in the locality, including which schemes should be considered.

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.

Timetable drafting

Documents only need to be submitted where they are new or updated. All updated documents must be provided in two versions: one with tracked changes and the second clean, without tracks. Please provide a cover letter to summarise which documents have been amended.

DDCOs are to be submitted by the Applicant in the SI template. When submitting a dDCO the Applicant must provide the email notification from www.publishing.legislation.gov.uk/validation confirming the document has successfully passed validation, and the PDF version of the SI validation report obtained from the link in the notification email. The Applicant should also provide a clean (all tracking removed) standalone MS Word version of the dDCO, with no header or cover page.

Item	Matters	Date
1.	Procedural Deadline A Deadline for receipt by the ExA of: <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 Requests to attend the Preliminary Meeting or any hearings Suggested locations for site inspections (accompanied or unaccompanied), including justification, for consideration by the ExA 	24 September 2024
2.	Preliminary Meeting (PM)	8 October 2024
3.	Open Floor Hearing (OFH) 1	8 October 2024
4.	Compulsory Acquisition Hearing (CAH) 1	9 October 2024
5.	Issue by the ExA of: <ul style="list-style-type: none"> Examination Timetable Publication of: <ul style="list-style-type: none"> The ExA's Written Questions (ExQ1) 	As soon as practicable following the PM

6.	<p>Deadline 1</p> <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 • Written summaries of oral submissions made at the PM or Hearings • Requests to be heard at notified hearings, see Annex E of the Rule 6 letter • Requests to be heard at an OFH • Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a CAH • Notification by any Statutory Parties who have not submitted a RR of their wish to be considered as an Interested Party • Responses to any further information requested by ExA <p>From Local Authorities</p> <ul style="list-style-type: none"> • Local Impact Report (LIR) <p>From the Applicant</p> <ul style="list-style-type: none"> • Suggested Accompanied Site Inspection (ASI) itinerary • Land Rights Tracker • Initial Statements of Common Ground (SoCG) and Statement of Commonality (SOC) <p>If changes have been made:</p> <ul style="list-style-type: none"> • Updated application documents tracker • Updated Book of Reference (BoR) • Updated Schedule of Changes to the BoR • Updated draft Development Consent Order (dDCO) • Updated Schedule of Changes to the dDCO • Updated Explanatory Memorandum (EM) • Updated legal agreements, if identified 	22 October 2024
7.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written Representations (WR), including summaries of any WR exceeding 1500 words • Responses to ExQ1 • Comments on SoCG and SOC • Comments on the Applicant's suggested itinerary for an ASI¹, if required 	12 November 2024

¹ When suggesting locations, please have regard to the places already visited by the ExA on any Unaccompanied Site Inspections (USIs) it undertakes. Suggestions must explain why the location needs to be visited, information about whether the location can be accessed or seen using public rights of way or publicly accessible land, and what access arrangements would need to be made.

	<ul style="list-style-type: none"> • Comments on LIR • Comments on any other submissions received at the previous deadline • Responses to any further information requested by ExA <p>From the Applicant If changes have been made:</p> <ul style="list-style-type: none"> • Updated application documents tracker • Updated BoR • Updated Schedule of Changes to the BoR • Updated Land Rights Tracker • Updated dDCO • Updated Schedule of Changes to the dDCO • Updated EM • Updated SoCG and SOC • Updated legal agreements, if identified 	
8.	<p>Deadline 3 For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WR • Responses to comments on RR • Comments on responses to ExQ1 • Comments on any submissions received at the previous deadline • Responses to any further information requested by ExA 	26 November 2024
9.	<p>Week reserved for Hearings and ASI, if required</p> <ul style="list-style-type: none"> • Issue Specific Hearing(s) • Compulsory Acquisition Hearing(s) • Further Open Floor Hearing(s) • ASI 	W/c 2 December 2024
10.	<p>Deadline 4 For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written summaries of oral submissions made at the previous Hearings • Comments on any submissions received at the previous deadline • Responses to any further information requested by ExA <p>From the Applicant</p> <ul style="list-style-type: none"> • Updated application documents tracker • Updated BoR • Updated Schedule of Changes to the BoR • Updated Land Rights Tracker • Updated dDCO 	13 December 2024

	<ul style="list-style-type: none"> • Updated Schedule of Changes to the dDCO • Updated EM • Updated SoCG and SOC • Updated legal agreements, if identified 	
11.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • ExA's Second Written Questions (ExQ2), if required • Report on the Implications for European Sites (RIES) and any associated questions, if required 	14 January 2025
12.	<p>Deadline 5 For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to ExQ2, if required • Responses on the (RIES) and any associated questions, if required • Comments on any submissions received at the previous deadline • Responses to any further information requested by the ExA for this deadline <p>From the Applicant</p> <ul style="list-style-type: none"> • Updated NPS accordane table • Updated application documents tracker • Updated BoR • Updated Schedule of Changes to the BoR • Updated Land Rights Tracker • Updated dDCO • Updated Schedule of Changes to the dDCO • Updated EM • Updated SoCG and SOC • Updated legal agreements, if identified 	4 February 2025
13.	<p>Week reserved for Hearings, if required</p> <ul style="list-style-type: none"> • Further Issue Specific Hearing(s) • Further Compulsory Acquisition Hearing(s) • Further Open Floor Hearing(s) 	W/c 17 February 2025
14.	<p>Deadline 6 For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written summaries of oral submissions made at the Hearings • Comments on any submissions received at the previous deadline • Responses to any further information requested by ExA <p>From the Applicant</p> <ul style="list-style-type: none"> • Updated application documents tracker • Updated BoR 	25 February 2025

	<ul style="list-style-type: none"> • Updated Schedule of Changes to the BoR • Updated Land Rights Tracker • Updated dDCO • Updated Schedule of Changes to the dDCO • Updated EM • Updated SoCG and SOC • Updated legal agreements, if identified 	
15.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • ExQ3, if required • ExA's commentary on, or schedule of changes to, the dDCO 	12 March 2025
16.	<p>Deadline 7 For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to ExQ3, if required • Comments on the ExA's schedule of changes to the dDCO, if issued • Comments on any submissions received at the previous deadline • Responses to any further information requested by the ExA 	25 March 2025
17.	<p>Deadline 8 For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any submissions received at the previous deadline • Responses to any further information requested by ExA <p>From the Applicant:</p> <ul style="list-style-type: none"> • Final applications document tracker • Final updated BoR • Final BoR and schedule of changes to BoR • Final Land Rights Tracker • Final dDCO, in clean and tracked versions in both MS Word and PDF • Final draft DCO to be submitted in the SI template with the SI template validation report. • Final Schedule of Changes to the dDCO • Final EM • Final SoCGs • List of matters not agreed where SoCG could not be finalised • Final SOC • Final NPS accordancy table • Final signed and dated legal agreements, if any identified 	3 April 2025
18.	Deadline 9	7 April 2025

	For receipt by the ExA of: <ul style="list-style-type: none"> Parties closing statements of final position on outstanding matters not resolved by end of examination. Responses to any further information requested by ExA 	
19.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	8 April 2025

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.

Hearing agendas

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will include a broad description of the purpose of the hearing alongside the notification of the hearing to help inform your decision about whether to register to participate. A detailed draft agenda will be made available on the project webpage at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. For Open Floor Hearings agendas may not be published.

Report on the Implications for European Sites (RIES)

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

Notification of initial hearings

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

Date	Hearing	Start time	Venue and Joining details
8 October 2024	Open Floor Hearing (OFH1)	Registration and seating available at venue from: 2pm Virtual Registration Process from: 2pm Hearing starts: 2.30pm	Blended event at: The Renaissance at Kelham Hall Main Street, Newark NG23 5QX and By virtual means using Microsoft Teams
9 October 2024	Compulsory Acquisition Hearing (CAH1)	Registration and seating available at venue from: 9.30am Virtual Registration Process from: 9.30am Hearing starts: 10am	Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

If any of the above hearings are no longer required then notification that a particular date is no longer required will be published as soon as practicable on the [project webpage](#), providing reasonable notice to Interested Parties of the decision to cancel them.

You must register by completing the [Event Participation Form](#) by 24 September 2024 if you intend to participate in either the Open Floor Hearing or Compulsory Acquisition Hearing.

It may not be possible to participate on the day if you have not registered your wish to speak.

If you simply wish to observe either the Open Floor Hearing or Compulsory Acquisition Hearing then you do not need to register as you will be able to:

1. 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

2. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

3. attend the physical event at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to observe only by **24 September 2024** using the [Event Participation Form](#).

Please note that by attending the event either in person or online you are agreeing to be filmed for the purposes of the online livestream of the event and the recording of the event which will be published on the [project webpage](#). A limited number of seats will be available for observers who wish not to be filmed at the venue. Please contact the case team to notify them if you prefer not to be filmed at the event. A transcript of the event will also be published on the project webpage of our website after the event.

Any request to participate in either the Open Floor Hearing or Compulsory Acquisition Hearing must be made on the [Event Participation Form](#). You will be asked to provide:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate)
- email address (if available) and contact telephone number
- name and unique reference number of any person/organisation that you are representing (if applicable)
- for blended events, confirmation of whether you will participate virtually or in-person
- confirmation of the hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/or brief details of the topic(s) that you would like to raise
- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the [Book of Reference](#) and the [Land Plans](#)
- the [Examination Library](#) reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

Requests to participate should be made using the [Event Participation Form](#) on or before Procedural Deadline A.

Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend any of the hearings, either virtually or in person.

Hearing agendas

To help inform your decision about whether to register to participate: CAH1 will focus on the Applicant's Strategic case in relation to Compulsory Acquisition and Temporary Possession. APs with a specific objection are invited to register a request to be heard at a future CAH at **Deadline 1, 22 October 2024**.

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

Procedure at hearings

The Examination of the application will principally be a written process supplemented where necessary by various types of hearings. See the Planning Inspectorate's Advice for members of the public: [The stages of the NSIP process and how you can have your say](#) for more information.

The Planning Inspectorate's Advice for members of the public provides important information about hearing procedures:

- [What to expect at a Nationally Significant Infrastructure Project event](#)
- [Registering to speak at, or attend, a Nationally Significant Infrastructure Project event](#)

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 oral 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.

Other Procedural Decisions made by the Examining Authority

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

1. Statements of Common Ground (SoCG)

The Applicant has noted in the Consents and Agreements Position Statement [APP-023] at Paragraph 3.2.2 a list of stakeholders with which they are in the process of preparing Statements of Common Ground (SoCG) including:

- Nottinghamshire County Council
- Newark and Sherwood District Council
- Environment Agency
- Historic England
- Lindum Group Limited
- Natural England
- Canal and River Trust
- Trent Valley Internal Drainage Board
- Network Rail
- Think Again Action Group

The ExA welcomes the early engagement in the production of such statements and has included at **Deadline 1, 22 October 2024** that initial draft statements should be provided along with a Statement of Commonality, summarising the position of the SoCGs and where each is at in its production.

The ExA would also find it of assistance if the Applicant would seek to progress SoCGs with the following additional bodies:

- Lincolnshire County Council.
- Newark A46 Active Travel Partnership.
- Newark & Nottinghamshire Agricultural Society.

Initial drafts of which should be submitted by **Deadline 1, 22 October 2024**

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the Examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant Interested Party or parties, and submitted **by the Applicant**.

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.

Where a particular SoCG cannot be agreed between the parties by **Deadline 1**, or if any local authority position needs to be signed off at a higher level, draft versions of that SoCG are requested to be submitted **by the Applicant to Deadline 1**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination. The

draft Examination Timetable makes provision for updated SoCGs to be submitted at various Deadlines with final versions by **Deadline 8**.

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

2. 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 **2 December 2024**.

The ExA requests that Interested Parties submit suggested locations for the ExA to visit as part of an ASI by **Procedural Deadline A (24 September 2024)**. 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 make any oral representations to the ExA about 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 suggested itinerary for the ASI to be submitted by **Deadline 1**. 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**.

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. Additional Submissions

The ExA has exercised its discretion and made a Procedural Decision to accept the following Additional Submissions:

- Various submissions by the Applicant in response to section 51 advice
- Additional information to supplement their Relevant Representation made by RWE Generation UK PLC
- Additional information to supplement their Relevant Representation made by Newark Town Council
- Responses to the ExA's Procedural Decision of 4 July 2024 by the Applicant

4. Local Impact Reports

The ExA has made the Procedural Decision that Local Impact Reports from the Host Authorities will be required at **Deadline 1** in order to front-load the Examination and maximise the available time.

5. Written Representations

The ExA has made the Procedural Decision that WRs will be required at **Deadline 2**, to enable IPs to have regard to the Host Authorities LIRs and in order to front-load the Examination and maximise the available time. Any WRs exceeding 1500 words should also be accompanied by a separate summary, the length of which should not exceed 10% of the original text. Rule 10(2) of the Infrastructure Planning (Examination Procedure) Rules 2010, requires a 'period of 21 days' which the ExA must provide as notice for the submission of WRs. Given **Deadline 2** is **12 November 2024** the deadline for submission of WRs (**Deadline 2**) from the publication of this letter is more than the required 21 days' notice, the ExA is satisfied that IPs have been permitted sufficient time in which to draft and submit WRs. By providing early notice, the ExA is ensuring that all Interested Parties (IP) will have a reasonable time period in which to draft their WRs, before the deadline for submission.

6. Document Tracker

The ExA requests that at each deadline the Applicant submits an updated version of Appendix A to The Introduction to the Application – Appendix A – Document Tracker [\[AS-002\]](#). To keep the Examination informed of the latest versions of the submitted documents.

7. Historic Environment Assessment

Following the USI, and reviewing the environmental statement, the ExA requests the following additional information to allow a fuller understanding of the potential impacts on historic assets:

- A wireframe to support the analysis of the potential impacts on Newark Castle from VP 18 of figure 7.4 – Visual Receptor Location Plan [\[AS-040\]](#) to achieve a clearer understanding of the long-term effects on views out from the castle. This should be to a 180-degree view with three hard copies provided to the ExA.

- The approach into Newark from the Cattle Market junction as identified at VP 25 of figure 7.4 – Visual Receptor Location Plan [[AS-040](#)] is considered a Key Visual Receptor given the associated views of Newark Castle and St Mary Magdalene Church and the experience of entering the town via the Smeaton Arches. The Applicant should identify VP 25 as a Key Visual Receptor and provide three hard copies to the ExA of the photomontage.

We request that the above be provided to the ExA by **Deadline 1, 22 October 2024**.

8. Visual Impact Assessment

Although VP 11 of Appendix 7.2 Visual Baseline and Impact Schedules [[APP-137](#)] provides an analysis of the visual impact of the additional bridge structure over the river Trent it does not provide sufficient commentary on the anticipated effects on the river users. This stretch of the river provides a long uninterrupted view of the spire of St Mary Magdalene Church, Newark-upon-Trent and is forms part of the leisure experience along this section of the river. Please provide an analysis focusing on the river users' experience from a position north-west of the Farndon roundabout, relative to VP 11, but from a river location.

Photomontage 24 of Appendix 7.3 Key Visual Receptor Photographs and Photomontages Part 2 [[APP-139](#)] provides a very narrow and limited view of the potential impacts of the flyover for the Cattle Market roundabout on the properties at Sandhills Park. Please provide a wider analysis from the VP covering a 180-degree view to consider the potential impacts on the overall residential experience. This should show the full extent of the elevated sections of the proposals over the junction and may require a wireframe image, and if so three hardcopies should be provided to the ExA.

We request that the above is provided to the ExA by **Deadline 1, 22 October 2024**.

9. Land Rights Tracker

The ExA notes the Applicant's progress of negotiations with affected persons included at Appendix B of the Statement of Reasons [[APP-025](#)].

The ExA considers that it would be helpful to all parties to take this a stage further with the capture and manipulation of all non-agreed land rights in a simple useable table. The aim is to simplify the reporting of the Applicant's ongoing discussions with affected persons and others much easier, and the reporting to the Secretary of State more efficient.

The ExA has made a Procedural Decision to request the Applicant completes and maintains a Land Rights Tracker, an example of which will be sent to the Applicant by the Case Team in the form of a readable excel spreadsheet.

The structure of the Land Rights Tracker would provide a comprehensive account of the status of non-agreed affected persons, with certain cells providing a restricted drop-down menu of possible responses. Open cells would only be populated with succinct, focused wording to ensure the Table is readable. The ExA and the SoS would, upon receipt of regular updates and final versions of the Land Rights Tracker, be able to manipulate and sort the Table for accurate referencing and review.

The Applicant should submit this as a readable Excel spreadsheet for use by the ExA and a separate PDF for publication to the web site each time it is submitted. The Tracker should be updated at each deadline or if no changes have been made confirmation provided that no changes have been made.

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.

Electronic deposit locations

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

The opening hours and availability of information technology set out in the table below may be subject to changes. Please check the current circumstances with the relevant locations before you attend.

Local authority	Venue/ address	Opening hours	Printing costs
Nottinghamshire County Council	Newark Library Beaumont Gardens, Balderton Gate, Newark NG24 1UW	Monday: 9am-6.30pm Tuesday: 9am-6pm Wednesday: 9am-6.30pm Thursday: 9am-6pm Friday: 9am-6pm Saturday: 9am-4pm Sunday: Closed	A4: 20p A3: 40p Black on white printing only.

Information about the 'Have your say' page

The '[Have your say](#)' 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 2002 or A46N-AFP, A46N-S57, A46N-SP, A46N-ISP, A46N-APL, A46N-EIA. A46N. 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 for members of the public: [Advice for submitting representations or comments](#) for important 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 D** 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 '[Have your say](#)' page, please contact the Case Team using the contact details at the top of this letter and they will assist.