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To interested parties, statutory parties
and other persons invited to the
preliminary meeting

Your Ref:

Our Ref: TR030002

Date: 27 July 2015

Dear Sir/Madam

Planning Act 2008 (as amended) – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 (as amended)

Application by York Potash Ltd for an Order Granting Development Consent for the York Potash Harbour Facilities

Examination timetable and procedure

I write to tell you about the procedural decisions following the Preliminary Meeting held on 21 July 2015 at the Redcar Leisure & Community Heart. This letter also provides you with the examination timetable, a link to the initial questions that I am asking in the examination and other matters.

All documentation associated with this project, including a note of the Preliminary Meeting and the audio recording taken at that meeting, can be found using this link:

<http://infrastructure.planninginspectorate.gov.uk/projects/north-east/york-potash-harbour-facilities-order/>

Procedural decision and examination timetable

I have made procedural decisions about the way in which the application is to be examined. The examination timetable is attached as **Annex B**, and references to numbered deadlines in this letter are references to this timetable. This updates the draft examination timetable that was included with my letter of 19 June 2015.

If I consider it necessary to vary the timetable I will write to interested parties and 'other persons' and publish the changes on our website. I will also do this if the date, time and place of any hearing is changed, except in the event of an adjournment.

At the Preliminary Meeting representations were made on the need to consider the conveyer crossing of the A1085 at an Issue Specific Hearing if the possibility of an

underground solution were to be pressed by the Local Planning Authority. This matter was already identified in the initial assessment of principal issues. The need for any such hearing will be kept under review in the light of responses to the Examining Authorities questions, Statements of Common Ground and other submissions requested by 21 August 2015.

Examining Authority's First Round of Written Questions

I have decided to ask a number of written questions. These questions are now published on our website and can be accessed through the following link:

<http://infrastructure.planninginspectorate.gov.uk/document/3318865>

Responses to these questions must be received on or before **Deadline 1**

Local Impact Reports (LIRs)

This letter has been sent to all Local Authorities as defined in s56A of the PA 2008, and I invite them to submit Local Impact Reports by **Friday 21 August 2015**.

These are to be sent to the Planning Inspectorate using the email or postal address at the top of this letter, quoting reference TR030002 and your unique reference number, if one is quoted on this letter or in the covering email if you have received this electronically.

Guidance for submission of written representations

I also invite all interested parties to submit written representations as well as comments on relevant representations. All representations in writing must be sent by **Deadline 1** to the Planning Inspectorate using the email or postal address at the top of this letter, quoting reference TR030002 and your unique reference number.

To assist in timely processing, written representations and comments on relevant representations must be sent by the deadline specified.

PINS request that interested parties send, where practicable, electronic copies of their submissions as email attachments, to YorkPotashHarbour@pins.gsi.gov.uk on or before the applicable deadline.

Most people engage with our process via our website, where all submissions are published. Parties are therefore asked consider this when formatting the electronic copies of their submissions and to avoid submissions made up of large numbers of small files, or excessively large files, or which are otherwise not optimised or unnecessarily difficult to navigate.

Electronic attachments should be clearly labelled with subject title and not exceed 12MB for each email. Timely submissions in advance of the deadlines set in the timetable are encouraged. Where an electronic submission exceeds 12MB, we will accept the postal submission of an electronic document on portable media (such as a CD or USB flash drive). Providing links to websites where your submissions can be viewed is not normally acceptable, because it does not amount to submitting them.

Parties who are not comfortable with making submissions electronically are welcome to make their submission by post.

There is no prescribed form for written representations. Written representations can deal with any relevant matter. They are not restricted to the matters set out in my Initial Assessment of Principal Issues which were discussed at the Preliminary Meeting, nor restricted to the questions I have asked. Please note that under Rule 10(4) of the Examination Procedure Rules any person, other than the applicant, who submits a written representation must identify in their written representation those parts of the application with which they agree and those parts with which they do not agree, and must state the reasons for such disagreement.

Furthermore, in accordance with DCLG 'Planning Act 2008: Guidance for the examination of applications for development consent for nationally significant infrastructure projects (March 2015)', participants should normally provide with their written statements, *'the data, methodology and assumptions used to support their submissions'*.

Notification of a wish to attend a hearing

As set out in Annex B, if you would like to attend an open floor hearing or issue specific hearing please notify the Planning Inspectorate on or before **Deadline 1**.

If an interested party wishes to attend an open floor or issue-specific hearing they should indicate in their written representations which topics they wish to address at the hearing.

Procedure at hearings and notification of wish to speak at hearings

The procedure to be followed at hearings is set out in Rule 14 of the Examination Procedure Rules. Any oral representations must be based on either the relevant or written representations made by the person by whom or on whose behalf the oral representations are made. I shall be responsible for the oral questioning of a person giving evidence but your attention is drawn to Rule 14(5) of the Rules and the circumstances that apply to cross-questioning between parties.

My examination will be primarily written, and I will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important I consider an issue or topic to be.

Site inspections

At the Preliminary Meeting, I described what I had been able to see on unaccompanied visits that I conducted before the examination. It was noted that I would undertake further unaccompanied site visits during the examination, including to Dormanstown.

I have requested submissions on the itinerary of the proposed accompanied site visit to the application site itself, and the A1085 crossing point and any other locations that it is considered that I should visit on an accompanied basis. These requests must be received by **Deadline 1**. You must indicate the reason for the proposed location that you would like me view from. I will then decide if, where, when and how I visit the

locations requested. If possible, I will conduct visits unaccompanied by the parties. Please be aware that I cannot carry out unaccompanied inspections on private land or where special measures with regards to safety must be followed.

The itineraries and routes of the accompanied site visit (of which notice is given in annex B) will be published on our website at least 5 working days before the visit. Please note that the site inspection is not an opportunity to make any oral representations or give evidence in relation to the application.

Deadlines for receipt of documents and requests for hearings

It is important to note that if you do not submit the information by the dates specified in the timetable, I may disregard them.

Award of costs

Your attention is also drawn to the possibility of the award of costs against interested parties who behave unreasonably.

You should be aware of the guidance issued by the Department of Communities and Local Government (July 2013) entitled 'Award of costs: examinations of applications for development consent orders' that applies to National Infrastructure Projects. The guidance is available at the following link:

<https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

Statutory Parties

If you are a statutory party, or a local authority without direct responsibility in the proposed development area, as defined in S88(3)(c) &(d) of the Act, and have not made a relevant representation, then you should inform the case team if you wish to become an interested party by **Friday 21 August 2015**.

All persons are able to visit the relevant project page on the National Infrastructure pages of the Planning Portal website to stay informed of the progress of the examination of the application.

Management of Information

The Planning Inspectorate has a commitment to information transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of advice which the Planning Inspectorate has given can be found on the Planning Portal together with the name of the person or organisation who asked for the advice. The privacy of any other personal information has been protected in accordance with our Information Charter

Yours faithfully

Peter Robottom

**Peter Robottom
Examining Authority**

Annexes:

- A. Availability of representations and application documents
- B. Timetable for examination of the application

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

Availability of relevant representations and application documents

On the National Infrastructure pages of the Planning Portal website:

<http://infrastructure.planninginspectorate.gov.uk/projects/north-east/york-potash-harbour-facilities-order/>

For inspection and copying:

Redcar Library,

Kirkleatham Street, Redcar, Cleveland, TS10 1RT

Opening times:

Sunday:	closed		
Monday:	09:00	to	18:00
Tuesday:	09:00	to	18:00
Wednesday:	09:00	to	18:00
Thursday:	09:00	to	17:00
Friday:	09:00	to	18:00
Saturday:	09:30	to	12:30

Librarian: Dawn Oglesby

Phone: 01642 444141

Email: redcar_library@redcar-cleveland.gov.uk

Copying charges:

B&W A4	30p
B&W A3	50p
Colour A4	50p
Colour A3	£1

Timetable for examination of the application

The Examining Authority's (ExA) examination of the application takes the form of consideration of written representations about the application. The ExA will also consider any oral representations made at the hearings.

The ExA will make any agendas for hearings available approximately 5 working days before the hearing to which they relate.

The ExA is under a duty to **complete** the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.

Item	Matters	Due Dates
1	Preliminary Meeting	Tuesday 21 July 2015
2	Publication by ExA of: <ul style="list-style-type: none"> · Examination timetable · ExA first written questions 	Monday 27 July 2015
3	Deadline 1 Deadline for receipt of: <ul style="list-style-type: none"> · Comments on relevant representations (RRs) and submissions accepted at the preliminary meeting · Summaries of all RRs exceeding 1500 words · Written representations (WRs) by all interested parties · Summaries of all WRs exceeding 1500 words · Local Impact Report from any local authorities · Any statements of Common Ground requested by ExA · Responses to ExA's first written questions · Notification of wish to speak at a Compulsory Acquisition or Open Floor hearing · Notification of wish to make oral representations at the issue specific hearing on the draft Development Consent Order (DCO) · Notification of wish to attend an accompanied site visit, or submission on the itinerary for such a visit. 	Friday 21 August 2015

4	<p>Deadline 2</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> · Comments on WRs and responses to comments on RRs · Comments on Local Impact Reports · Comments on responses to ExA's first written questions · Any revised draft DCO from applicant · Any draft Development Consent Obligation from the applicant. 	<p>Monday 7 September 2015</p>
5	<p>Accompanied site visit</p> <p>Time: 10:00 am promptly Location: Assemble at the car park of the Wilton Centre, Redcar, Cleveland TS10 4RF</p>	<p>Wednesday 23 September 2015</p>
6	<p>Open Floor Hearing</p> <p>Time: 10:00 am (with seating available from 9.30am) Place: Redcar Leisure and Community Heart, Redcar, Yorkshire, TS10 1RT</p> <p><i>If this hearing is not required, it will be cancelled by notice on the Planning Inspectorate website</i></p>	<p>Thursday 24 September 2015</p>
7	<p>Compulsory Acquisition Hearing (including, if required, s127 of the Planning Act 2008 issues)</p> <p>Time: To follow immediately after the Open Floor hearing at item 6 (if the Open Floor Hearing is not required the CA Hearing will commence shortly after 10:00 am) Place: Redcar Leisure and Community Heart, Redcar, Yorkshire, TS10 1RT</p>	<p>Thursday 24 September 2015</p>
8	<p>Open Floor Hearing</p> <p>Time: 5:00 pm (with seating available from 4:30 pm) Place: Redcar Leisure and Community Heart, Redcar, Yorkshire, TS10 1RT</p> <p><i>If this hearing is not required, it will be cancelled by notice on the Planning Inspectorate website</i></p>	<p>Thursday 24 September 2015</p>
9	<p>Issue specific hearing on the draft DCO</p> <p>Time: 10:00 am (with seating available from 9:30 am) Place: Redcar Leisure and Community Heart, Redcar, Yorkshire, TS10 1RT</p>	<p>Friday 25 September 2015</p>

10	<p>Deadline 3</p> <p>Submissions following hearings in the week of commencing 21 September 2015:</p> <ul style="list-style-type: none"> · Written submissions made in lieu of oral submissions at hearings · Summaries of oral submissions to the hearings · Written responses to any questions put to the parties orally by the ExA at the hearings · Any revised draft DCO from applicant 	<p>Friday 2 October 2015</p>
11	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> · Second written questions if required 	<p>Friday 16 October 2015</p>
12	<p>Deadline 4</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> · Responses to ExA's second written questions · Comments on written submissions from hearings · Any revised draft DCO from applicant 	<p>Friday 6 November 2015</p>
13	<p>Deadline 5</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> · Comments on responses to ExA's second written questions 	<p>Friday 20 November 2015</p>
14	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> · Report on the Implications for European Sites (RIES) 	<p>Wednesday 25 November 2015</p>
15	<p>Deadline 6</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> · Comments on the RIES · Any outstanding comments on submissions to the examination before this date 	<p>Wednesday 16 December 2015</p>
16	<p>Publication by ExA of draft DCO</p>	<p>Friday 18 December 2015</p>

17	<p>Deadline 7</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> · Comments on draft DCO · Comments on responses to the RIES 	<p>Friday 8 January 2016</p>
18	<p>Dates reserved for further CA Hearings or ISH Hearing on wording of DCO if required</p>	<p>Thursday 14 and Friday 15 January 2016</p>
19	<p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<p>Thursday 21 January 2016</p>