

Guildhall Gainsborough
Lincolnshire DN21 2NA
Tel: 01427 676676 Fax: 01427 675170

AGENDA

This meeting will be webcast live and the video archive published on our website

Prosperous Communities Committee
Tuesday, 1st August, 2023 at 6.30 pm
Council Chamber - The Guildhall

Members: Councillor Mrs Lesley Rollings (Chairman)
Councillor Trevor Young (Vice-Chairman)
Councillor Emma Bailey (Vice-Chairman)

Councillor Owen Bierley
Councillor Frazer Brown
Councillor Stephen Bunney
Councillor Karen Carless
Councillor Jacob Flear
Councillor Paul Lee
Councillor Roger Patterson
Councillor Mrs Diana Rodgers

1. **Apologies for Absence**
2. **Public Participation**
Up to 15 minutes are allowed for public participation.
Participants are restricted to 3 minutes each.
3. **Minutes of Previous Meeting** (PAGES 3 - 7)
To confirm and sign as a correct record the Minutes of the Prosperous Communities Committee held on 11 July 2023.
4. **Members' Declarations of Interest**
Members may make any declarations at this point but may also make them at any time during the course of the meeting.

5. **Matters Arising** (PAGE 8)
Setting out current position of previously agreed actions as at 24
July 2023

6. **Public Reports**

- i) Gate Burton Solar Project - Written Representations (PAGES 9 - 27)
Appendix to follow
- ii) Delegation of Responsibility for participation in NSIP (PAGES 28 - 57)
examinations
- iii) Committee WorkPlan (PAGES 58 - 59)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Monday, 24 July 2023

Prosperous Communities Committee- 11 July 2023
Subject to Call-in. Call-in will expire at 5pm on 21 July 2023

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall on 11 July 2023 commencing at 6.30 pm.

Present: Councillor Trevor Young (Vice-Chairman in the Chair)
Councillor Emma Bailey (Vice-Chairman)
Councillor Owen Bierley
Councillor Frazer Brown
Councillor Stephen Bunney
Councillor Karen Carless
Councillor Jacob Flear
Councillor Jeanette McGhee
Councillor Roger Patterson

Also Present: Councillor Paul Howitt-Cowan

In Attendance:
Sally Grindrod-Smith Director Planning, Regeneration & Communities
Ady Selby Director - Operational & Commercial Services
Sarah Elvin Homes, Health & Wellbeing Team Manager
Russell Clarkson Development Management Team Manager
Katie Storr Democratic Services & Elections Team Manager

Apologies: Councillor Mrs Lesley Rollings
Councillor Paul Lee
Councillor Mrs Diana Rodgers

Membership: Councillor Jeanette McGhee attended for Councillor Mrs Lesley Rollings

9 PUBLIC PARTICIPATION

There was no public participation.

10 MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Meeting of the Prosperous Communities Committee held on 30 May, 2023 be confirmed and signed as a correct record.

11 MATTERS ARISING SCHEDULE

The Democratic Services and Elections Team Manager introduced the report.

A member referred to the Disabled /facilities /grant flowchart and it was agreed that this would be made available to members at the earliest opportunity.

With no further comments, questions or requirement for a vote, the Matters Arising schedule was **DULY NOTED**.

12 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest at this juncture.

13 HEALTH AND WELLBEING STRATEGY

The Homes, Health & Wellbeing Team Manager introduced the report seeking adoption of the Lincolnshire District Councils' Health and Wellbeing Strategy the principles of which would provide a framework for improving health and wellbeing across the county, demonstrating how District Councils deliver services which contribute and support the health and care system.

It was advised that Health and Wellbeing had been embedded in the 'Our People' and 'Our Place' themes of the Council's Corporate Plan and the new plan retained this focus and contains strategic aims and objectives relating to improving health outcomes and promoting wellbeing through the promotion of healthy lifestyles. This has influenced the focus of the Council's work with other Lincolnshire districts in the development of shared district Health and Wellbeing strategic aims and objectives.

The Strategy was based on five key 'lever' areas which district councils are uniquely positioned in the system to influence and where they can most effectively work with partners to deliver sustainable change. These include Housing and Homelessness; Activity and Wellbeing; Environment and Climate; Economic Inclusion and Working with Communities.

The Lincolnshire District Councils had approved this Strategy through their relevant governance routes. For West Lindsey, the Strategy had been developed to align with existing policies, strategies, projects and workstreams in operation across the Council, including the Corporate Plan, the Environment, Sustainability and Climate Change Strategy, the Housing Strategy and the Central Lincolnshire Local Plan. As such, the District Health and Wellbeing Strategy aligns these threads into one overarching strategy that sits in support of delivering the Council's Corporate Plan.

Each lever area would be allocated to a Team Manager in the relevant area to implement through their business plans and the overall co-ordination of the Strategy will be led by the Homes, Health and Wellbeing Team Manager.

The business planning process was used to identify action already being taken in support of the Health and Wellbeing Strategy, and to identify and address any gaps to ensure new actions were deliverable, appropriately resourced and that they offer value for money.

The premise of this really was that the majority of this work was being undertaken in one form or another already and there was a need to start ensuring that those outcomes were captured and areas where more could be done these could be scoped and delivered under the health and wellbeing umbrella.

A Councillor in welcoming the strategy highlighted the need for a concurrent action plan to be in place with some of the questions that might need to be asked and were relevant to members of local communities. It was emphasised that there would be variations in priorities

within the district. It was requested that update reports be presented on the overall strategy and identifying what has been done, what we're able to do and any new issues.

Members spoke in support of the strategy and noted that the process had been ongoing and the impact of the Covid pandemic had clearly demonstrated the role and impact that district councils can have as advocates for the community. In addition lessons could be learnt from work undertaken during the pandemic and schemes like community grants had proved effective. It was considered that the strategy was timely particularly when it was the 75th anniversary of the foundation of the National Health Service.

Disappointment was expressed that, as a collective of seven districts in Lincolnshire, there was still only have one place allocated on Health and Wellbeing Board, and the introduction of the integrated care system was also welcomed. The district councils role was primarily prevention and there was the potential to make a difference in the future.

A member questioned the changes in countywide health arrangements, the budgets allocated and their impact in actually delivering improvements. The need to deliver better partnership working was emphasised to deliver priorities and the strategy bought together was being done across the seven districts. The issues of access to GP services within six weeks, lack of NHS dentists, suicide prevention and mental health particularly around young people were highlighted as key aims.

A member referred to the recommendations in respect of the strategy being agreed and delivered by officers and members and asked how this would be undertaken so gaps could be identified. In response it was explained that delivery would be through business plans and the Executive business plan which were regularly reported to members. If the strategy was adopted it was anticipated that officers would work with members, including a workshop, at the start of the process to look at issues.

A member suggested links to partners such as the Primary Care Trust and GP's were also needed. It was reported that work was undertaken with the housing, health and care delivery group for Lincolnshire and that had representatives from different partners. The strategy was about coordinating what was currently being done, where do we already influence, the health and wellbeing of residents, where are the gaps and what is within the District Council remit to actually be able to change and Influence. Members welcomed the approach and emphasised the importance of involving a wide range of interested groups in communities.

The committee discussed a number of areas including access to services, lack of public transport and the need for investment in rural areas.

The recommendations were duly proposed and seconded and on being put to the vote were carried.

RESOLVED:

- a) that the Lincolnshire District Councils' Health and Wellbeing Strategy, attached as Appendix A to the report, which provides the Council with a high-level strategic framework for improving health and wellbeing outcomes across West Lindsey be adopted.

- b) that delivery of the Strategy to be developed by officers and members through the Council's business planning framework with progress reported back to members through the Executive Business Plan be agreed.

14 GATE BURTON SOLAR PROJECT - LOCAL IMPACT REPORT (LIR)

The Development Management Team Manager introduced the report seeking consideration of the Local Impact Report (LIR) prepared for the Gate Burton Solar Project.

The committee was informed that the project was the first of four solar nationally significant infrastructure projects within the district. It was confirmed that due to the scale of the proposal the planning process was different to normal. The application would be considered by government with the Planning Inspectorate being the examining authority. The scheme would be reviewed by them and then recommendations made to the Secretary of State.

The timetable for the process was outlined with the first of the deadlines being 18th July for the local authority to submit a Local Impact Report (LIR) if they wanted, as it was not statutory. If submitted, it would need to be considered as part of the determination. The committee was informed that whilst there was no set format it was suggested that the impact report should highlight positive, neutral and negative impacts. The recommendations were outlined and the suggested response which followed the same structure as the developers environmental assessment was highlighted.

A councillor, in support of the recommendations, suggested that the cumulative impact of solar developments needed to be borne in mind and expressed the hope that this LIR could be a template for subsequent applications. It was emphasised that the site could have a 60-year lifespan. It was noted that the timescale was very tight.

A member supported the approach of matching the format to that of the developers and found it very useful to see both the positive and the negative impacts and the fact it provided a balanced argument. It was suggested that an overall assessment of what it would mean for West Lindsey was needed. There appeared to be quite a lot of negative impacts and concluding paragraphs bringing that out would be of use to the developers, decision makers and public. It was indicated that a press release would be beneficial.

The committee was reminded that there were further stages including the submission of written representations that could expand on some of these issues. Members conveyed their thanks to officers for their hard work in preparing the report.

The recommendations were proposed and seconded and it was suggested that the second recommendation be amended so that the delegation was to the Development Management Team Manager in consultation with the Chair as opposed to "Officers" as printed in the report.

On being put to the vote the proposition was carried.

RESOLVED:

- a) the submission of a Local Impact Report (LIR) in relation to the 500MW Gate Burton Energy Park Nationally Significant Infrastructure Project (DCO application); be approved; and
- b) delegated authority be granted to the Development Management Team Manager in consultation with the Chair of this committee, to finalise the draft Local Impact Report (LIR) prepared for the Gate Burton Solar Project and submit the final LIR by Deadline 1 (18th July) set by the Examining Authority, taking into consider the Committee's comments.

15 WORKPLAN

With no questions or comments, the work plan was **DULY NOTED**.

The meeting concluded at 7.30 pm.

Chairman

Prosperous Communities Matters Arising Schedule

Purpose: To consider progress on the matters arising from previous Prosperous Communities Committee meetings.

Recommendation: That Members note progress on the matters arising and request corrective action if necessary.

Matters Arising Schedule

Status	Title	Action Required	Comments	Due Date	Allocated To
Black	Flowchart re DFGs for Councillors' Induction	Requested at Prosperous Communities Committee (31 Jan 2023) that the Member Induction Welcome Pack include a form of flowchart re DFGs process, for Members to have easy reference to.	Reallocated to Democratic Services to be loaded to library for quick access. 19/7 - DFG flowchart added to library.	01/09/23	Ele Snow
Green	Flow Chart re ASB Contacts	PC 07/03/23: ASB: The suggestion of a flow chart for Members to have as a quick reference guide was supported and it was hoped this could be included in the Member Welcome Pack for all Councillors after the elections in May 2023.	Reallocated to Democratic Services to be loaded to library for quick access	01/09/23	Ele Snow
Green	Further Education Task Force - future reporting	Extract from mins of mtg 19/7/22 (b) a quarterly update report from the Further Education Taskforce be received by the Prosperous Communities Committee on a quarterly basis;	Please ensure these reports are added to the Work Plan for PC Cttee First meeting of the group took place Feb 2023, updates to be scheduled accordingly	31/07/23	Grant White
Green	Parking Strategy - Future Considerations	Following discussions at PC Cttee meeting 19 July 2022, considerations for the refresh of the Parking Strategy should include details on opportunities to "green" the strategy as well as reconsidering options for motorhome and caravan parking, in relation to the visitor economy. Further details in minutes of meeting.		01/07/25	Sally Grindrod-Smith



**Prosperous Communities
Committee**

Tuesday, 1 August 2023

Subject: Gate Burton Solar Project - Written Representations

Report by:	Director of Planning, Regeneration & Communities
Contact Officer:	Russell Clarkson Development Management Team Manager russell.clarkson@west-lindsey.gov.uk
Purpose / Summary:	To consider the Written Representations (WR) prepared for the Gate Burton Energy Park DCO application

RECOMMENDATION(S):

- To accept the invitation and approve the submission of Written Representations (WR) to be made on the Gate Burton Energy Park DCO application; and
- To review the draft Written Representations (WR) prepared for the Gate Burton Energy Park examination, and to delegate authority to the Director of Planning, Regeneration and Communities following consultation with the Chair of this committee, to complete, finalise and submit the WR by Deadline 2 (8th August) as set by the Examining Authority, taking into consideration committee's comments.

IMPLICATIONS

Legal:

At a meeting of this committee on 2nd November 2021 the scheme of decision and delegation protocols was approved. This report is aligned with the approved process.

Legal Services Lincolnshire have instructed a Barrister from Kings Chambers to provide legal oversight of the process.

(N.B.) Where there are legal implications the report MUST be seen by the MO

Financial :

Resourcing of the NSIP process has been subject to a separate decision from this paper.

(N.B.) All committee reports MUST have a Fin Ref

Staffing :

Resourcing implications for the NSIP projects has been subject to a separate decision from this paper.

(N.B.) Where there are staffing implications the report MUST have a HR Ref

Equality and Diversity including Human Rights :

The Written Representations set out how we consider the Gate Burton energy Park will affect the communities of West Lindsey District.

Data Protection Implications :

None expected to arise from this report.

Climate Related Risks and Opportunities :

If consented, the Gate Burton Energy Park is anticipated to have a generation capacity of around 500 Megawatts (MW). The developer claims that this *“is equivalent to providing enough clean energy to power over 160,000 homes and avoid more than 100,000 tonnes of CO2 emissions every year.”*

The electricity generated by the energy park is expected to be exported into the existing national electricity transmission system at National Grid’s 400kV Cottam substation (Bassetlaw District).

This report considers the Council’s “Written Representations” – how we consider this development will affect the District of West Lindsey.

Section 17 Crime and Disorder Considerations :

Any potential crime and disorder considerations will be addressed as part of the Written Representations

Health Implications:

Health implications for the local community are considered as part of the Written Representations.

Title and Location of any Background Papers used in the preparation of this report:

National Infrastructure Planning Advice Note Two: The role of local authorities in the development consent process:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-one-local-impact-reports/>

National Infrastructure Planning Advice Note 8.4: The Examination:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-4-the-examination/>

Prosperous Communities Committee 2nd November 2021 Decision / delegation protocols Nationally Significant Infrastructure Projects

[Agenda for Prosperous Communities Committee on Tuesday, 2nd November, 2021, 6.30 pm | West Lindsey District Council \(west-lindsey.gov.uk\)](#)

National Infrastructure Planning: Development Consent Order Application by Low Carbon for the Gate Burton Energy Park:

<https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/gate-burton-energy-park/>

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

Executive Summary

1. The 500MW Gate Burton Energy Park, proposed by Low Carbon, qualifies as a Nationally Significant Infrastructure Project (NSIP). It therefore falls to be determined by the Government under the provisions of the Planning Act 2008 (PA2008).
2. Nationally Significant Infrastructure Projects are examined by the Planning Inspectorate, a Government Agency. The Examining Authority will make recommendations to the Secretary of State who will then determine the application.
3. However, host authorities are expected to have an important role to play in the PA2008 process.
4. On the 12th July 2023, the ExA published his “Rule 8” letter setting out the examination of the Gate Burton Energy Park. The programme confirms that examination commenced on 4th July 2023, and will close on 4th January 2024.
5. As an Interested Party (IP), West Lindsey District Council is invited to submit “Written Representations” (WR). These are required to be submitted by Deadline 2 (8th August), set by the Examiner.
6. It is recommended that West Lindsey DC accepts the invitation, and provides written representations to the Examination.
7. It is recommended that the draft WR are reviewed, and responsibility is delegated to the Director of Planning, Regeneration and Communities in consultation with the Chair of this committee, to complete and submit Written Representations by the 8th August 2023 deadline.

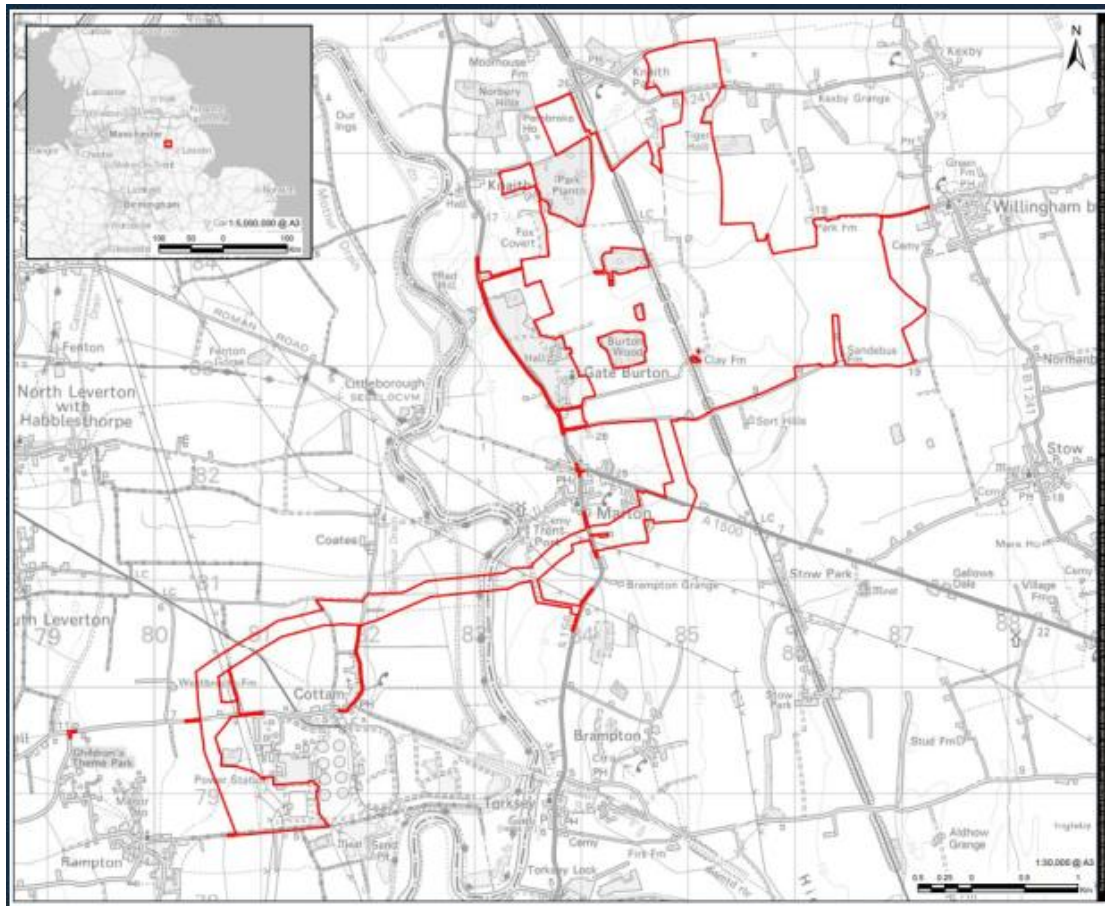
1 Introduction

- 1.1. The Gate Burton Energy Park is a development proposal made by Gate Burton Energy Park Ltd (Low Carbon) for a Development Consent Order (DCO).
- 1.2. As an energy generating station that would have a capacity that exceeds 50 megawatts (MW), it qualifies as a Nationally Significant infrastructure Project (NSIP). The Planning Act 2008 ('PA2008') introduced a new process intended to "streamline the decision-making process for major infrastructure projects". An NSIP therefore follows a different process to those planning applications that are typically considered by West Lindsey, as the Local Planning Authority.
- 1.3. Since 1st April 2012, the Planning Inspectorate (PINS) are the Government Agency responsible for examining applications for NSIPs, known as the Examining Authority (ExA). Following examination, the ExA will make a recommendation to the relevant Secretary of State (SoS) who will ultimately take the decision whether or not to grant a DCO. For an energy proposal such as the Gate Burton Energy Park, the relevant SoS will be the Secretary of State for Energy Security and Net Zero (current role holder: The Rt Hon Grant Shapps MP).
- 1.4. The Local Authority does not therefore determine the application. However, local authorities are strongly encouraged to participate in the NSIP process, and examination.
- 1.5. On the 12th July 2023, the ExA published his "Rule 8" letter setting out the examination of the Gate Burton Energy Park. The programme confirms that examination commenced on 4th July 2023, and will close on 4th January 2024.
- 1.6. The "Rule 8" letter invites all Interested Parties (IP), including West Lindsey District Council, to submit "Written Representations". These are required to be submitted by Deadline 2 (Tuesday 8th August 2023).

2 The Gate Burton Energy Park

- 2.1 The land for which DCO consent is being sought is referred to as the "order limits" and comprises approximately 824 hectares (Ha).
- 2.2 The Order Limits include the 500MW "Solar and Energy Park" itself which has a 652Ha area, which is proposed for solar photovoltaics ("solar PV") and a battery storage energy park ("BESS") with associated infrastructure.
- 2.3 The Grid connection corridor covers 172Ha and connects the proposed solar and energy park to the existing substation at Cottam Power Station in Bassetlaw District.

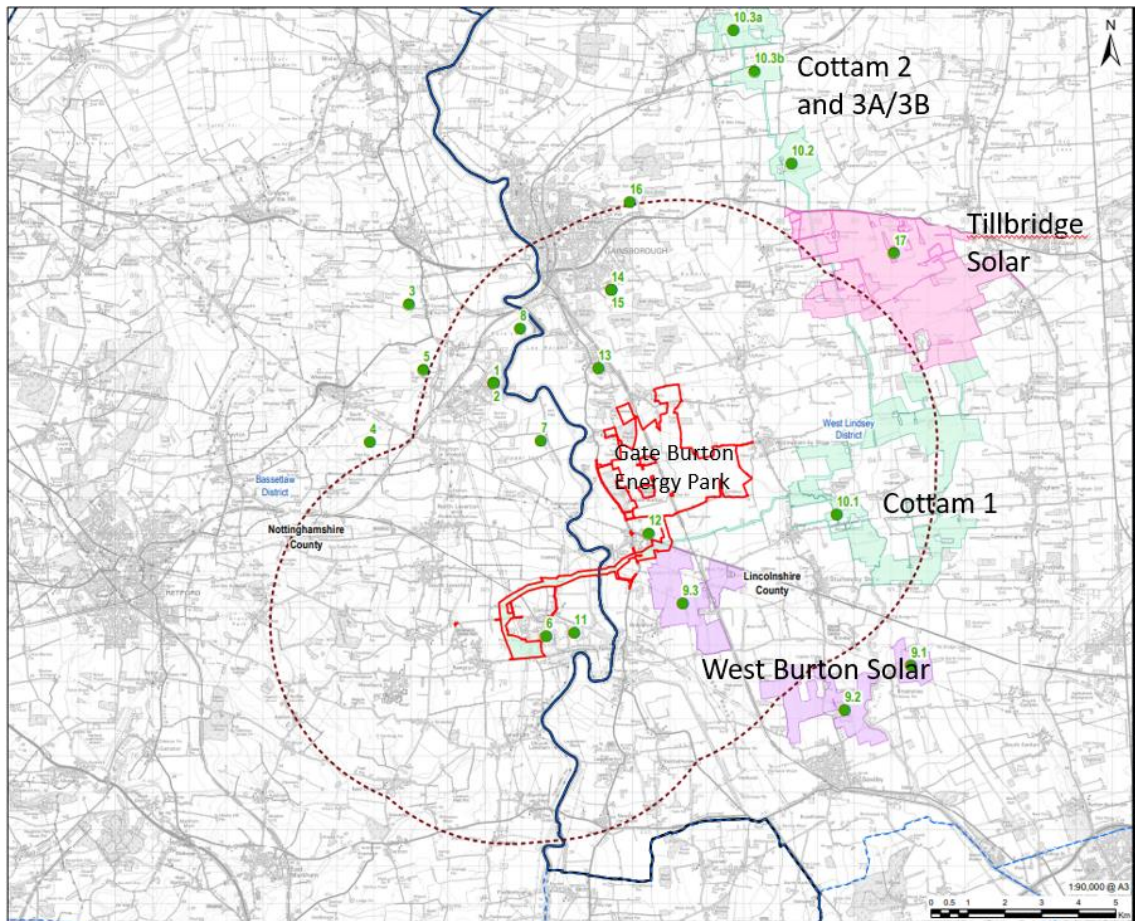
- 2.4 The solar and energy park would be a single site located to the south of Gainsborough, by around 4km. It would be located on land south of Knaith Park, west of Willingham by Stow, and north of Marton.
- 2.5 The grid connection corridor route would run south, crossing the A1500 (Tillbridge Lane) and running to the east and south of Marton, crossing the A156 (Gainsborough Road). It would then cross the River Trent into Bassetlaw District and would connect to the substation at Cottam Power Station.



- 2.6 The application’s Environmental Statement (ES) advises that “A number of the design aspects and features of the Scheme cannot be confirmed until the tendering process for design and construction has been completed.”. It therefore assumes a likely “worst-case scenario” for the effects of development.
- 2.7 It assumes the solar PV tables will slope towards the south at a fixed angle of 5 to 45 degrees from horizontal. It assumes they will have a maximum height of 3.5m.
- 2.8 It assumes the Battery Energy Storage System (BESS) will house up to a maximum of 156 battery storage containers, battery inverters, transformers and switchgear and access tracks. Battery Storage containers would have maximum dimensions: Up to 4.5m in height, and a 12.5m by 2.5m footprint.

2.9 It states that the design life of the Scheme is expected to be at least 60 years, although the operational life could be longer than this; the condition of equipment will be reviewed at the end of the anticipated design life to determine whether it remains in a viable condition to continue operation after that time.

2.10 The Gate Burton Energy Park is one of four energy NSIPs currently within the National Infrastructure Planning process, being proposed within West Lindsey District.



2.11 The 600MW Cottam Solar Project (by Island Green Power) would cover approximately 1270Ha across 3 distinct sites. Cottam 1 (894Ha) would be located on land between Sturton by Stow and Ingham; Cottam 2 (132Ha) on land to the north-east of Corringham; and Cottam 3 (244Ha) to the east of Blyton and Pilham. The application for a DCO was submitted in January 2023, and accepted for examination on 9th February 2023.

2.12 On 10th July 2023, the ExA for the Cottam Solar Project published his “rule 6” letter. This sets a provisional timetable, with the examination expected to commence on Tuesday 5th September 2023 and will close on Tuesday 5th March 2023. A Preliminary Meeting, which will discuss the proposed timetable, has been scheduled for Tuesday 5th September (at the Lincolnshire Showground).

- 2.13 The 480MW West Burton Solar Project (also Island Green Power) application was submitted in March and accepted for examination on 18th April 2023. It is proposed across three sites totalling approximately 788Ha in area. West Burton 1 (90Ha), 2 (328ha) and 3 (370Ha) are clustered within a circa 8.5km stretch of countryside located east of the River Trent, south of the A1500 and north of Saxilby. It is currently within the “pre-examination” stage – we are awaiting the examining authority to produce a draft timetable and date for a Preliminary Meeting.
- 2.14 The 500MW Tillbridge Solar Project (by Tribus Energy / Canadian Solar) is proposed on a site of approximately 1,400Ha, broadly between the settlements of Corringham / Springthorpe, and Hemswell / Glentworth. It is currently at the pre-application stage, and anticipates submitting their application in Q4 2023. The developer has just concluded undertaking their mandatory public consultation, which ran until 11th July 2023.
- 2.15 The Planning Inspectorate has made clear that *“The Secretary of State for the Department of Energy Security and Net Zero, has appointed the Examining Authority (ExA) for the Gate Burton Energy Park Project for this project alone. The Examinations of the other projects will be conducted by other ExA, as separately appointed by the Secretary of State. Therefore, the ExA for this Proposed Development will carry out the Examination for this Proposed Development and will have no responsibility for the Examination of those other projects. Similarly, the ExA for the other projects will have no responsibility for the Examination of the Gate Burton Energy Park application.”*

3 The Examination Process

- 3.1 There are six stages to the Development Consent Order process undertaken by NSIP projects:
- Pre-application (no time limit)
 - Acceptance (up to 28 days)
 - Pre-examination (typically 2-3 months)
 - The Examination (Up to six months)
 - Recommendation and Decision (Up to 6 months, in total: The ExA has 3 months to make their recommendations to the SoS; the SoS then has 3 months to determine the application)
 - Post-decision (6 weeks)
- 3.2 The pre-application phase, including mandatory public consultation by the developer, took place in 2021/22. The application for a DCO was submitted in January 2023, and was accepted by PINS for examination on 22nd February 2023.
- 3.3 A Preliminary Meeting was held on Tuesday 4th July in Lincoln, to discuss procedural issues and a timetable for the examination. On the 12th July 2023, the Examiner published his “rule 8” letter. This sets out the formal timetable for the examination. A copy is attached at appendix 1.

- 3.4 The formal examination stage began on 4th July, following closure of the Preliminary Meeting. The Examining Authority is under a duty to complete the Examination of the application by the end of the period of six months, and will close on Thursday 4th January 2023.
- 3.5 The Examiner’s earlier Rule 6 letter had explained that *“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.”*
- 3.6 As part of his rule 8 letter, the ExA has now invited all Interested Parties to submit Written Representations by Deadline 2 on Tuesday 8th August 2023.

4. Written Representations (WR)

- 4.1 The Examiner’s invitation states:

“Written Representations can cover any relevant matter and are not restricted to the matters set out in my Initial Assessment of Principal Issues or to the content of my written questions [...]. Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination...”

- 4.2 National Infrastructure Planning Advice¹ that there is not a specific template for making Written Representations (WR). The advice does say:

“Written comments may support the application, object to the application, or be neutral. Comments and views can relate to the application as a whole or only address specific parts. It is also possible to support one aspect of the application and object to another. For example, a comment may support the location of a development, but object to the design of it. Comments may be about any aspect of the development or its impacts. It is very important that you explain the reasoning behind your views. The

¹ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-4-the-examination/>

Examining Authority must have regard to any representations submitted by an Interested Party by the deadline set.”

- 4.3 It is not mandatory for West Lindsey District Council to make written representations. However, this is the opportunity to set out the Council’s position and views on the development – to set out those aspects which we may wish to support, have a neutral view, or have objections to.
- 4.4 The Examining Authority must have regard to any WR submitted by the deadline. However, the Advice Note does say:

“Please note that once a representation is submitted it cannot be withdrawn. However, it is possible to provide further written and oral representations during the course of the examination, which can inform the ExA and interested parties if the local authority’s view or policy position changes, for example, due to a change in political leadership.”

- 4.5 Draft representations have been prepared for Members’ comment, should Members wish to accept the invitation to submit representations, as recommended. The draft representations are appended to this report.

Examination Timetable

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

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

Item	Matters	Date
1.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Local Impact Reports (see Annex G of this letter), from any local authorities • Post-Hearing Submissions, including written summaries of oral submissions and any documents requested by the ExA • Comments on any oral submissions put at the Hearings. • Comments on Relevant Representations (RR) (see Annex G of this letter) • Summaries of all RR exceeding 1500 words • Comments on any Additional Submissions • Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA. • Applicant’s draft itinerary for an Accompanied Site Inspection ASI (if required) • Request to attend any ASI (if required) • Requests to be heard at any further OFH Requests by Interested Parties to be heard at an Open Floor Hearing (OFH) • Requests to be heard at a CAH Requests by Affected Persons (defined in section 	<p>Tuesday 18 July 2023</p>

	<p>59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH)</p> <ul style="list-style-type: none"> • The Applicant’s updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statements of Common Ground • Applicants reports on progress – reports requested by the ExA (see Annex G of this letter). <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure Projects ○ Statement of Commonality and additional Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant’s submission documents and documents to be certified ○ Schedule of progress in securing other consents • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
2.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA’s First Written Questions • Written Representations • Summaries of Written Representations exceeding 1500 words • Request to attend hearings being held on the w/c 22 August 2023 	<p>Tuesday 8 August 2023</p>

	<ul style="list-style-type: none"> • Comments on Local Impact Report(s) • Comments on the Applicant's draft itinerary for the ASI • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 1 • Any further information requested by ExA under Rule 17 of the Examination Rules 	
3.	<p>Week reserved for Hearings</p> <ul style="list-style-type: none"> • Accompanied Site Inspection (if required) • Issue Specific Hearing(s) (if required) • Open Floor Hearings(s) (if required) • Compulsory Acquisition Hearing(s) (if required) 	<p>W/C 21 August 2023</p>

4.	<p>Deadline 3</p> <ul style="list-style-type: none"> • Post-Hearing Submissions, including written summaries of oral submissions and any documents requested by the ExA • Comments on any oral submissions put at the Hearings. • Comments on Written Representations • Comments on responses to the ExAs First Written Questions • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 2 • Any further information requested by ExA under Rule 17 of the Examination Rules 	<p>Friday 1 September 2023</p>
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5.	Issue by the ExA of: <ul style="list-style-type: none"> • The Examining Authority's Further Written Questions (ExQ2) (if required) 	Tuesday 12 September
6.	Deadline 4 For Receipt by the ExA of: <ul style="list-style-type: none"> • Responses to the Examining Authority's Further Written Questions (ExQ2) (if required) • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 3 • Any further information requested by ExA under Rule 17 of the Examination Rules 	Tuesday 3 October 2023
7.	Week reserved for Hearings <ul style="list-style-type: none"> • Accompanied Site Inspection (if required) 	W/C 9 October 2023

	<ul style="list-style-type: none"> • Issue Specific Hearing(s) (if required) • Open Floor Hearings(s) (if required) • Compulsory Acquisition Hearing(s) (if required) 	
8.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • The Examining Authority's Further Written Questions (ExQ3) (if required) • Report on the Implications for European Sites (RIES) and any associated questions (if required) 	<p>Wednesday 25 October 2023</p>
9.	<p>Deadline 5</p> <ul style="list-style-type: none"> • Responses to the Examining Authority's Further Written Questions (ExQ3) (if required) • Comments on the RIES and responses to any associated questions (if required) • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received 	<p>Monday 20 November 2023</p>

	<p>Comments on any further information requested by the ExA and received by Deadline 4</p> <ul style="list-style-type: none"> • Any further information requested by ExA under Rule 17 of the Examination Rules 	
10.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • ExA's commentary on, or schedule of changes to, the draft Development Consent Order(dDCO) (if required) 	Friday 1 December 2023
11.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on ExA DCO (if required) • Final DCO Final DCO to be submitted by the Applicant in the SI template with the SI template validation report (in clean and tracked changed versions) • Final updated BoR Final BoR (in clean and tracked changed versions) and schedule of changes to BoR • Final SoCGs (in clean and tracked changed versions) • Final Statement of Commonality and Statements of Common Ground (in clean and tracked changed versions) • List of matters not agreed where SoCG could not be finalised (in clean and tracked changed versions) • Final Navigation Document/Guide to the application (in clean and tracked changed versions) • Final Status of Negotiations CA Schedule (in clean and tracked changed versions) • Final Status of Negotiations with Statutory Undertakers (in clean and tracked changed versions) • Final NPS tracker (in clean and tracked changed versions) • Final signed and dated section 106 (if required) • Comments on any further information received Comments on any additional information/submissions received by Deadline 5 	Thursday 14 December 2023

	<ul style="list-style-type: none"> • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
12.	<p>Deadline 7</p> <ul style="list-style-type: none"> • Summary statements from parties regarding matters that they have previously raised during the examination that have not been resolved to their satisfaction. • Comments on any further information received Comments on any additional information/submissions received by Deadline 6 • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	Thursday 4 January 2024
13.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Thursday 4 January 2024

Submission times for Deadlines

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

Publication dates

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

Report on the Implications for European Sites (RIES)

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

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

Agenda Item 6b



**Prosperous Communities
Committee**

Tuesday 1st August 2023

**Subject: Delegation of Responsibility for participation in NSIP
examinations**

Report by:

Director of Planning, Regeneration &
Communities

Contact Officer:

Russell Clarkson
Development Management Team Manager
russell.clarkson@west-lindsey.gov.uk

Purpose / Summary:

To review and update the decision and
delegation protocols for the participation of West
Lindsey District Council in the examination of
Nationally Significant Infrastructure Projects
(NSIPs)

RECOMMENDATION(S):

To review and agree the updated Decision and Delegation Protocols set out at Appendix 1 for West Lindsey District Council when participating in the examination of a Nationally Significant Infrastructure Project.

IMPLICATIONS

Legal:

The scheme of decision and delegation protocols were approved at the Committee's meeting of 2nd November 2021. This contained the provision that:

"The Case Officer will present the draft Written Representations to set out the authorities view on the application, considering the technical evidence base and the findings of the public and stakeholder consultation. At this point we will need to consider the delegation of responsibility for participation in the Examination and this will be approved by Prosperous Communities Committee at this point."

Legal Services Lincolnshire have instructed a Barrister from Kings Chambers to provide legal oversight of the process.

(N.B.) Where there are legal implications the report MUST be seen by the MO

Financial :FIN/46/24/PC/SST

Resourcing of the NSIP process has been subject to a separate decision from this paper, agreed 2nd November 2021.

(N.B.) All committee reports MUST have a Fin Ref

Staffing :

Resourcing of the NSIP process has been subject to a separate decision from this paper, agreed 2nd November 2021.

(N.B.) Where there are staffing implications the report MUST have a HR Ref

Equality and Diversity including Human Rights :

The NSIP process is overseen by the Planning Inspectorate, and includes processes for public engagement both in the pre-application stage (community consultation) and examination phases (open floor hearings).

Data Protection Implications :

None arising.

Climate Related Risks and Opportunities:

Large scale energy infrastructure is included in the NSIP process. This report process how West Lindsey Council may effectively participate in the process as "host authority".

Section 17 Crime and Disorder Considerations:

None arising.

Health Implications:

Health impacts may be addressed within the Local impact Report which is included within the proposed schedule.

Title and Location of any Background Papers used in the preparation of this report :

National Infrastructure Planning Advice Note 2: The role of local authorities in the development consent process:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-two-the-role-of-local-authorities-in-the-development-consent-process/>

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

Executive Summary

1. There are currently six Nationally Significant Infrastructure Projects (NSIPs) being proposed within the District of West Lindsey. NSIPs follow a different consenting regime, under the premise of the Planning Act 2008.
2. They will be considered by an Examiner appointed by the Planning Inspectorate. The Examiner will then make recommendations to the relevant Secretary of State, who will determine the application.
3. National guidance recommends that Local Authorities have adequate delegations in place in order to actively participate in the Examination Process.
4. For this purpose, a Scheme of Decisions and Delegations Protocol was agreed in November 2021.
5. However, following the experience of recent examinations with the Gate Burton and Cottam Solar projects, it is recommended that the approved Scheme of Decision and Delegation Protocol is revised and expanded to cover further requirements that have arisen through our experiences with those examinations so far.
6. It is recommended that the Committee consider and approve the updated Scheme of Decision and Delegations protocol for Nationally Significant Infrastructure Projects, set out at appendix 1 to this report.

1 Introduction

- 1.1 Developments that qualify as Nationally Significant Infrastructure Projects (NSIPs) under the provisions of the Planning Act 2008 (PA2008) are subject to a different consenting regime to those planning applications that are typically considered by West Lindsey District Council as the Local Planning Authority.
- 1.2 Instead, NSIPs are examined by the Planning Inspectorate, a Government Agency. As the Examining Authority (ExA) they will make recommendations to the relevant Secretary of State (SoS), who will be responsible for determining the application.
- 1.3 There are six stages to the Development Consent Order process undertaken by NSIP projects:
 - Pre-application (no time limit)
 - Acceptance (up to 28 days)
 - Pre-examination (typically 2-3 months)
 - The Examination (Up to six months)
 - Recommendation and Decision (Up to 6 months, in total: The ExA has 3 months to make their recommendations to the SoS; the SoS then has 3 months to determine the application)
 - Post-decision (6 weeks)
- 1.4 Whilst the role of the Local Authority (as a “host authority”, or neighbouring authority) is not mandatory – it is strongly advised¹ by the Planning Inspectorate that the local authority participate. As such developments are by their nature “major infrastructure” they will be likely to have a significant impact upon the District and its communities and it is therefore important that the Local Authority is able to actively participate through the process.
- 1.5 The National Infrastructure Planning Advice Note 2² sets out the following advice to local authorities:

12. Delegations

12.1 During the examination there will be numerous deadlines for local authorities and other interested parties to submit further representations. These often require swift responses to ensure all matters can be fully explored before the close of examination. In making its recommendation to the relevant SoS, the ExA can only take into account evidence that has been received by the close of the examination.

12.2 Some local authorities may want to seek their members’ approval for certain key examination documents such as the LIR,

¹ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-two-the-role-of-local-authorities-in-the-development-consent-process/#1>.

² <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-two-the-role-of-local-authorities-in-the-development-consent-process/#12>.

written representation or SoCG, although this is not required. The ExA's main concern is that once the examination timetable is published, interested parties adhere to the deadlines in it. Late submission of an important document such as the LIR or SoCG may prejudice the ability of other interested parties to consider and comment on its content, potentially disrupting the examination timetable and resulting in additional costs for other interested parties.

12.3 A local authority will therefore need to ensure it has adequate delegations in place. There is unlikely to be time to seek committee approval for representations made by a local authority during the examination. In general terms a local authority must assume that it won't be possible for the examination timetable to be structured around its committee cycle.

1.6 In view of this advice, a "Decision and Delegation Protocol" for NSIPs was agreed by the Committee at its meeting of 2nd November 2021. This sets out that some of the key documents that the Local Planning Authority may produce will be referred to the Committee for its approval. This includes the Local Impact Report (LIR) and "Written Representations" – the two key documents that the LPA may produce which sets out how the development will impact locally, and what the LPA's position is. It also sets out a number of technical documents and requirements that are delegated to the Assistant Director of Planning and Regeneration (now Director of Planning, Regeneration and Communities) in consultation with the Chair of the Committee.

1.6 As part of the scheme it sets out under the examination process the following:

Prosperous Communities Committee to be timetabled no later than 5 weeks following DCO submission to the Planning Inspectorate. This may need to be a special meeting.

The Case Officer will present the draft Written Representations to set out the authorities view on the application, considering the technical evidence base and the findings of the public and stakeholder consultation.

At this point we will need to consider the delegation of responsibility for participation in the Examination and this will be approved by Prosperous Communities Committee at this point.

1.7 Examination of the 500MW Gate Burton Energy Park commenced on 4th July 2023. The ExA has already set deadlines for the submission of the LIR and Written Representations. Following publication of the examination timetable, it is now considered relevant to review and update the Decision and Delegation protocol to reflect an actual examination timetable and ensure that the Local Planning authority has the maximum opportunity to respond quickly and adequately to the Examining Authority's requirements.

2. Nationally Significant Infrastructure in West Lindsey

2.1 At the time of writing, there are six known NSIP developments within the District, and all at various stages of the process:

Development	Developer	Stage in Process
Gate Burton Energy Park	Low Carbon	Examination
Cottam Solar Park	Island Green Power	Pre-examination
West Burton Solar Park	Island Green Power	Pre-examination
Tillbridge Solar Park	Tillbridge Solar Ltd	Pre-application
Viking CCS Pipeline	Chrysaor Production (UK) Limited	Pre-application
Humber Low Carbon Pipeline	National Grid Carbon (NGC)	Pre-application

2.2 The six-month examination period of the Gate Burton Energy Park commenced on 4th July 2023 and is scheduled to run until 4th January 2024 (the full six months available to the ExA). Following the Preliminary meeting held on 4th July 2023, the ExA published his final timetable (see appendix 2) on Wednesday 12th July 2023.

2.3 On Monday 10th July, the ExA for the Cottam Solar Project published his draft examination timetable (see appendix 3). A preliminary meeting will be held on 5th September 2023 to discuss the programme, and the final programme published shortly thereafter. The draft timetable anticipates commencement on Tuesday 5th July and closing on Tuesday 5th March 2024 (again, the full six months available).

2.3 It is clear on comparing the two timetables, that whilst both examiners have programmed the full six months available to them – they have considerable discretion in setting deadlines within that period. For instance, the Gate Burton Examiner has set a deadline of two weeks from commencement, for the submission of the Council’s Local Impact Report, and 5 weeks for the Council’s written representations. The Cottam Examiner has requested both documents be submitted together, on week 6.

2.4 It is clear in both programmes that the Examiner considers the drafting of key documents such as the Statement of Common Ground (SoCG) and draft Development Consent Order (DCO) to be an iterative process, taking place throughout the whole examination period. It is also clear that the Examiner will be regularly asking “Further Written Questions” throughout the process and expecting timely responses (typically within 2-3 weeks) from all parties.

3. Updated Scheme of Decision and Delegation Propotocol for Nationally Significant Infrastructure Projects (NSIPs)

3.1 In order to reflect the exacting and variable requirements of an NSIP examination it is now considered that the “Decision and Delegated Protocol” is updated accordingly.

- 3.2 It has become clear that there are a number of stages and requirements that had not been identified on the original scheme and that they should now be included. This includes some pre-application requirements, as well as through the examination process itself.
- 3.3 It is considered that it will be necessary for participation within the Examination period itself, and responses to the Examiner to be delegated to the Director of Planning, Regeneration and Communities, in order to ensure that the Council can achieve maximum participation and ensure timely responses to the Examiners requests. It is considered that key documents including the final SoCG and DCO are consulted with the Chairman of the Committee.
- 3.4 A revised Decision and Delegation Protocol is provided at appendix 1. This has been updated and expanded to include those stages that have been identified through the experience of proceeding through the examination of the current solar NSIP examinations.
- 3.5 The changes proposed (highlighted in yellow at appendix 1) can be summarised as follows:

Pre-application stage:

- **EIA Scoping (new addition)** – The Examining Authority will invite WLDC to comment on the scope of content to be included in the developer’s Environmental Statement. We will be allowed 28 days to comment. It is therefore recommended this is delegated to the Director of Planning, to consult with the Chairman of this Committee, before making representations within the short timescale;
- **S42 Developers Consultation (new addition)** – The developer is required to undertake consultation prior to making their application. The timescale is set by the developer but must be a minimum of 4 weeks. It is considered that any WLDC response is delegated to the Director of Planning, subject to consultation with the Chairman of this Committee;

Pre-examination stage:

- **Relevant Representations (new addition)** – Although not mandatory, the host authority is encouraged to make “relevant representations” at this stage. This is basically a summary of key issues we think will need to be considered at the examination. We will be given a minimum 28 days to respond. It is considered that any WLDC response is therefore delegated to the Director of Planning, subject to consultation with the Chairman of this Committee;
- **Preliminary Meeting (new addition)** – the Examiner will call a Meeting at the start of the examination, to talk through process and procedures. It is recommended that it is delegated to Officers to attend and represent WLDC at the meeting;

Examination Stage:

- **Examiners Written Questions (new addition)** – The Examiner will issue directed questions at parties, including the local authorities, throughout the examination, and typically expect a written response within a short time period (typically 2-3 weeks). It is therefore recommended that this is delegated to the Director Planning to complete;
- **Participation in Hearings (new addition)** – The Examiner will schedule various Hearings throughout the examination, including open floor hearings (OFH); Issue specific Hearings (ISH); and Compulsory Acquisition Hearings. It is recommended that this is delegated to the Director of Planning to attend and represent WLDC.
- **Post-Hearing Submissions (new addition)** – The Examiner may require written post-Hearing submissions. As these will likely be put together by our legal representatives, it is recommended that these are delegated to the Director to complete and submit.
- **Participation in Accompanied Site Inspections (ASI) (new addition)** – the Inspector may arrange an ASI during the examination process. It is advised that it is delegated to officers to be able to request and attend within any arranged ASI.
- **Draft Development Consent Order (DCO) (revised)** – The DCO will be drafted by the applicant, and considered by the Examiner. It is a legal document in effect setting out the terms of the consent, and will include any post-decision requirements. It is clear from the solar project examinations, that the Examiner will treat this as an iterative process, and consult the local authorities throughout the examination. This may commence early in the process (as has been the case with the Gate Burton project). Accordingly, it is recommended that it is delegated to the Director to participate in this process, in consultation with the Committee Chair.

Post Decision Stage

- **Representations on Non-material / Material Changes to the DCO (new addition)** – The SoS has the ability to consider changes to the DCO after the decision is made through a material, or non-material amendment application. The guidance states that *“Local authorities are prescribed consultees for the purposes of the regulations and as such they may be notified of the application and invited to submit a representation. The extent of notification, as it relates to local authorities and other prescribed consultees, will depend on the scale and nature of the change proposed.”* It is therefore recommended that such matters are delegated to the Director of Planning, with consultation with the Committee Chair.

3.6 It is also recommended that the Scheme is revised to distinguish between those NSIP applications that would take place within the District, and those outside the District which we may still wish to participate in. It is recommended that “Out of District” applications are delegated to the Director unless they consider, having consulted with the Chair of Committee, that it

will be likely to have significant effects on the District. In which case the above processes would apply.

4. Recommendation

- 4.1 It is recommended that the Committee agrees to the revised Decision and Delegation Protocol for Nationally Significant infrastructure Projects, as set out at appendix 1.

Appendix 1: Decision and Delegation Protocol for Nationally significant Infrastructure Projects (NSIPs) seeking a Development Consent Order under the Provisions of the Planning Act 2008

(i) Where West Lindsey District Council is acting as a “host authority”:

Document / Requirement	Decision Route	Notes
Pre-application Stage		
Comment on the Environmental impact Assessment (EIA) Scoping Report	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	The Council will have 28 days to respond to the Planning Inspectorate’s invitation to make any comments on the scope of information which the developer should include within their Environmental Statement (ES).
Statement of Community Consultation (SoCC) response	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	The applicant must set out how they propose to consult with the community. The local authority will advise the applicant using local knowledge as to how the consultation should be conducted and who to engage with. The Local Authority has a statutory 28 days to comment on the draft SoCC.
Respond to developer consultation about the scheme (s42 response)	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	The LPA will have a set time (min. 4 weeks) to respond to the applicant’s consultation.
Agree the Terms of a Planning Performance Agreement (PPA)	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	A Project Management tool voluntarily entered into by the applicant and host authority(ies), to agree timescales, actions and resourcing for handling the application.
Submission Stage		
Adequacy of Consultation Response	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	Deadline 14 days following DCO application submission to PINS. Factual assessment based on whether the applicant has delivered the agreed SoCC.
Pre-examination Stage		

Prepare and submit "Relevant Representations"	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	A relevant representation should include a summary of what the local authority considers are likely to be the main issues regarding the development. The content of relevant representations is used by the ExA to help inform their initial assessment of principal issues for examination. Min. 28 days.
Attending and participating in the Preliminary Meeting	Director of Planning, Regeneration and Communities	The Preliminary meeting is held to discuss the arrangements for the examination. In most instances, it will be relevant for The Local Planning Authority to participate and ensure views are taken into account in the programming of the examination.
Examination Stage		
Local Impact Report (LIR)	Prosperous Communities Committee	<p>A LIR is defined as 'a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area).' (Planning Act 2008 Section 60(3)).</p> <p>The LIR's principal purpose is to make the ExA aware of the potential impacts of the project with the benefit of local knowledge. The LIR is usually a technical document setting out an evidence based assessment of the impacts of a proposal on the communities affected.</p> <p>The ExA will set the deadline for an LIR usually near to the start of the examination. It may therefore be appropriate to consider an Extraordinary Committee meeting, if required.</p>
Written Representations	Prosperous Communities Committee	<p>A written representation is the most appropriate document for a local authority to set out its view on the application i.e. whether or not it supports the application and its reasons.</p> <p>The deadline for the submission of a written representation is set by the ExA, but is usually near the start of the examination. It may therefore be appropriate to consider an Extraordinary Committee meeting, if required.</p>

S106 Planning Obligations	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	Where there are grounds for the host authority to enter into a S106 planning obligation, this would be negotiated by the Planning Case Officer and Legal Team, as is common practice with standard planning applications.
Statement of Common Ground (SoCG)	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	To identify matters agreed, matters for negotiation and matters not agreed between the developer and Council. The process is often iterative and will evolve over the examination
Responding to the Examiners Written Questions	Director of Planning, Regeneration and Communities	The ExA will publish Written Questions throughout the examination, directed to parties including the Local Planning Authority. These will typically require a quick turnaround with a set deadline.
Participation in Hearings (including Open Floor Hearings (OFH); Issue Specific Hearings (ISH) and Compulsory Acquisition Hearings (CAH), as required)	Director of Planning, Regeneration and Communities	For officers to attend and participate in any arranged Hearings, as required.
Post-Hearing submissions, as requested	Director of Planning, Regeneration and Communities	For officers to complete and submit any written post-hearing representations requested by the ExA.
Participation in Accompanied Site Inspections (ASI)	Director of Planning, Regeneration and Communities	For Officers to attend the ExA accompanied site visit, where required.
Representations on the draft Development Consent Order (DCO)	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	Responsibility for drafting the DCO will rest with the developer. However, the ExA will be likely to invite the views and representations on the draft DCO throughout the examination period.
Any further information requested by the Examiner	Director of Planning, Regeneration and Communities	For officers to address and complete any requests for further information from the ExA.
Post Decision Stage		
Discharge of requirements	Director of Planning, Regeneration and Communities	Officer delegated authority to make the technical assessments to discharge any requirements arising where a DCO has been granted.

Monitoring and Enforcement	Director of Planning, Regeneration and Communities	For Officers to monitor compliance with the DCO, and consider and apply enforcement actions to any perceived breaches in the requirements of the DCO.
Representations on Non-material / Material Changes to the DCO	Director of Planning, Regeneration and Communities, following consultation with Chair of Prosperous Communities Committee	An application process exists for applicants to make non material and material changes to a DCO. In order to maintain the integrity of the DCO the SoS retains decision-making powers in respect of non-material and material change applications. Local authorities are prescribed consultees for the purposes of the regulations and as such they may be notified of the application and invited to submit a representation. The extent of notification, as it relates to local authorities and other prescribed consultees, will depend on the scale and nature of the change proposed.

Any arising requirements falling outside of the above table will be delegated to the Director of Planning, Regeneration and Communities, following consultation with the Chair of Prosperous Communities Committee.

(ii) Where West Lindsey District Council is acting as a “neighbouring authority”:

For all documents and requirements to be delegated to the Director of Planning, Regeneration and Communities unless, following consultation with the Chair of Prosperous Communities, the Director considers the development will be likely to have significant effects upon the District of West Lindsey. In such instances, the scheme of Decisions and Delegations at (i) will be followed instead.

Examination Timetable

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

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

Item	Matters	Date
1.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Local Impact Reports (see Annex G of this letter), from any local authorities • Post-Hearing Submissions, including written summaries of oral submissions and any documents requested by the ExA • Comments on any oral submissions put at the Hearings. • Comments on Relevant Representations (RR) (see Annex G of this letter) • Summaries of all RR exceeding 1500 words • Comments on any Additional Submissions • Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA. • Applicant’s draft itinerary for an Accompanied Site Inspection ASI (if required) • Request to attend any ASI (if required) • Requests to be heard at any further OFH Requests by Interested Parties to be heard at an Open Floor Hearing (OFH) • Requests to be heard at a CAH Requests by Affected Persons (defined in section 	<p>Tuesday 18 July 2023</p>

	<p>59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH)</p> <ul style="list-style-type: none"> • The Applicant’s updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statements of Common Ground • Applicants reports on progress – reports requested by the ExA (see Annex G of this letter). <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure Projects ○ Statement of Commonality and additional Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant’s submission documents and documents to be certified ○ Schedule of progress in securing other consents • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
2.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA’s First Written Questions • Written Representations • Summaries of Written Representations exceeding 1500 words • Request to attend hearings being held on the w/c 22 August 2023 	<p>Tuesday 8 August 2023</p>

	<ul style="list-style-type: none"> • Comments on Local Impact Report(s) • Comments on the Applicant's draft itinerary for the ASI • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 1 • Any further information requested by ExA under Rule 17 of the Examination Rules 	
3.	<p>Week reserved for Hearings</p> <ul style="list-style-type: none"> • Accompanied Site Inspection (if required) • Issue Specific Hearing(s) (if required) • Open Floor Hearings(s) (if required) • Compulsory Acquisition Hearing(s) (if required) 	<p>W/C 21 August 2023</p>

4.	<p>Deadline 3</p> <ul style="list-style-type: none"> • Post-Hearing Submissions, including written summaries of oral submissions and any documents requested by the ExA • Comments on any oral submissions put at the Hearings. • Comments on Written Representations • Comments on responses to the ExAs First Written Questions • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 2 • Any further information requested by ExA under Rule 17 of the Examination Rules 	<p>Friday 1 September 2023</p>
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5.	Issue by the ExA of: <ul style="list-style-type: none"> • The Examining Authority's Further Written Questions (ExQ2) (if required) 	Tuesday 12 September
6.	Deadline 4 For Receipt by the ExA of: <ul style="list-style-type: none"> • Responses to the Examining Authority's Further Written Questions (ExQ2) (if required) • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 3 • Any further information requested by ExA under Rule 17 of the Examination Rules 	Tuesday 3 October 2023
7.	Week reserved for Hearings <ul style="list-style-type: none"> • Accompanied Site Inspection (if required) 	W/C 9 October 2023

	<ul style="list-style-type: none"> • Issue Specific Hearing(s) (if required) • Open Floor Hearings(s) (if required) • Compulsory Acquisition Hearing(s) (if required) 	
8.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • The Examining Authority's Further Written Questions (ExQ3) (if required) • Report on the Implications for European Sites (RIES) and any associated questions (if required) 	<p>Wednesday 25 October 2023</p>
9.	<p>Deadline 5</p> <ul style="list-style-type: none"> • Responses to the Examining Authority's Further Written Questions (ExQ3) (if required) • Comments on the RIES and responses to any associated questions (if required) • The Applicant's updated documents - clean versions and versions showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Statement of commonality and Statements of Common Ground ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Comments on any further information received 	<p>Monday 20 November 2023</p>

	<p>Comments on any further information requested by the ExA and received by Deadline 4</p> <ul style="list-style-type: none"> • Any further information requested by ExA under Rule 17 of the Examination Rules 	
10.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • ExA's commentary on, or schedule of changes to, the draft Development Consent Order(dDCO) (if required) 	Friday 1 December 2023
11.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on ExA DCO (if required) • Final DCO Final DCO to be submitted by the Applicant in the SI template with the SI template validation report (in clean and tracked changed versions) • Final updated BoR Final BoR (in clean and tracked changed versions) and schedule of changes to BoR • Final SoCGs (in clean and tracked changed versions) • Final Statement of Commonality and Statements of Common Ground (in clean and tracked changed versions) • List of matters not agreed where SoCG could not be finalised (in clean and tracked changed versions) • Final Navigation Document/Guide to the application (in clean and tracked changed versions) • Final Status of Negotiations CA Schedule (in clean and tracked changed versions) • Final Status of Negotiations with Statutory Undertakers (in clean and tracked changed versions) • Final NPS tracker (in clean and tracked changed versions) • Final signed and dated section 106 (if required) • Comments on any further information received Comments on any additional information/submissions received by Deadline 5 	Thursday 14 December 2023

	<ul style="list-style-type: none"> • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
12.	<p>Deadline 7</p> <ul style="list-style-type: none"> • Summary statements from parties regarding matters that they have previously raised during the examination that have not been resolved to their satisfaction. • Comments on any further information received Comments on any additional information/submissions received by Deadline 6 • Any further information requested by ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	Thursday 4 January 2024
13.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Thursday 4 January 2024

Submission times for Deadlines

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

Publication dates

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

Report on the Implications for European Sites (RIES)

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

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

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.

The interrelationship with the Examination timetables of other projects is addressed in **Annex C**.

Item	Event(s)	Date(s)
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> written submissions about how the application should be examined, including the draft Examination Timetable requests to register for the Preliminary Meeting requests to register for Open Floor Hearing 1 requests to register for Issue Specific Hearing 1 regarding the draft Development Consent Order suggested locations for site inspections, including the reason for nomination, issues to be observed there and whether the location(s) require access to private land 	Tuesday 22 August 2023
2.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> updated agendas for the Preliminary Meeting, Open Floor Hearing 1, and Issue Specific Hearing 1 regarding the draft Development Consent Order (if required) 	Tuesday 29 August 2023
3.	Preliminary Meeting	10:00am Tuesday 5 September 2023
4.	Open Floor Hearing 1	2:30pm Tuesday 5 September 2023
5.	Issue Specific Hearing 1 regarding the draft Development Consent Order	10:00am Wednesday 6 September 2023

Item	Event(s)	Date(s)
6.	Issue by the ExA of: <ul style="list-style-type: none"> • the Examination Timetable 	As soon as practicable after the Preliminary Meeting
7.	<p>Deadline 1 – see Annex G</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on Relevant Representations • Statements of Common Ground requested by the ExA – see Annex H • Local Impact Reports from local authorities • Written summaries of oral submissions made at Hearings held during the w/c 4 September 2023 • Written Representations and summaries for any that exceed 1500 words. • Requests from Interested Parties to be heard at a further Open Floor Hearing • Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing • the Applicant’s proposed itinerary for an Accompanied Site Inspection (if required) • the Applicant’s updated documents - clean version and version showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons • the Applicant’s reports on progress – see Annex G: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant’s submission documents and documents to be certified ○ Schedule of progress in securing other consents 	Tuesday 17 October 2023

Item	Event(s)	Date(s)
	<ul style="list-style-type: none"> • any other information requested by the ExA for this deadline 	
8.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on submissions for Deadline 1 • responses to the ExA's First Written Questions • updated Statements of Common Ground in clean and tracked changes versions • the Applicant's updated documents – clean version and version showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • Any other information requested by the ExA for this deadline 	Tuesday 21 November 2023
9.	<p>Time reserved for hearings and an Accompanied Site Inspection (if required):</p> <ul style="list-style-type: none"> • Further Issue Specific Hearings • Compulsory Acquisition Hearing (if required) • Further Open Floor Hearings (if required) • Accompanied Site Inspection (if required) 	Week commencing 4 December 2023

Item	Event(s)	Date(s)
10.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on submissions for Deadline 2 • updated Statements of Common Ground in clean and tracked changes versions • written summaries of oral submissions made at Hearings held during the w/c 4 December 2023 • the Applicant's updated documents – clean version and version showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Summary of progress in securing other consents • any other information requested by the ExA for this deadline 	Tuesday 19 December 2023
11.	<p>Publication of:</p> <ul style="list-style-type: none"> • the ExA's Second Written Questions • the Report on Implications for European Sites (if required) 	Tuesday 16 January 2024

Item	Event(s)	Date(s)
12.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • responses to the ExA's Second Written Questions • comments on submissions for Deadline 3 • updated Statements of Common Ground in clean and tracked changes versions • the Applicant's final documents – clean version and version showing tracked changes since the version submitted with the application: <ul style="list-style-type: none"> ○ draft Development Consent Order in the Statutory Instrument template with the Statutory Instrument template validation report ○ Explanatory Memorandum • the Applicant's updated documents – clean version and version showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ Book of Reference ○ Statement of Reasons ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • any other information requested by the ExA for this deadline 	Tuesday 30 January 2024
13.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • the ExA's schedule of changes to the draft Development Consent Order (if required) 	Tuesday 13 February 2024

Item	Event(s)	Date(s)
14.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on submissions for Deadline 4 • comments on the ExA's schedule of changes to the draft Development Consent Order • comments on the Report on Implications for European Sites (if required) • final Statements of Common Ground in clean and tracked changes versions • the Applicant's final documents – clean version and version showing tracked changes since the last submitted version: <ul style="list-style-type: none"> ○ Report on the interrelationship with other National Infrastructure projects ○ Book of Reference ○ Statement of Reasons ○ Schedule of progress regarding Compulsory Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights, and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submission documents and documents to be certified ○ Schedule of progress in securing other consents • any other information requested by the ExA for this deadline 	Tuesday 27 February 2024
15.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • summary statements from parties regarding matters that they have previously raised during the examination that have not been resolved to their satisfaction • comments on submissions for Deadline 5 • any other information requested by the ExA for this deadline 	Tuesday 5 March 2024
16.	The 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.	Tuesday 5 March 2024

Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 11:59pm on the relevant Deadline date, unless instructed otherwise by the ExA.

Publication dates

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

Report on the Implications for European Sites (RIES)

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

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

Prosperous Communities Committee Work Plan (as at 24 July 2023)

Purpose:

This report provides a summary of items of business due throughout the remainder of the Civic Year.

Recommendation:

1. That Members note the contents of this report.

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Date	Title	Lead Officer	Purpose of the report	Date First Published
1 AUGUST 2023				
1 Aug 2023	Gate Burton Solar Project - Written Representations	Russell Clarkson, Development Management Team Manager	To consider and approve written representations to be submitted by WLDC on the Gate Burton Solar Project	
Aug 2023	Delegation of Responsibility for participation in NSIP examinations	Russell Clarkson, Development Management Team Manager		
12 SEPTEMBER 2023				
12 Sep 2023	Private Rented Sector Housing - Proposals	Andy Gray, Housing & Environmental Enforcement Manager	To present initial proposals for delivering the preferred options for improving standards in the PRS.	22 June 2023
12 Sep 2023	Local Enforcement Plan (Planning Enforcement)	Andy Gray, Housing & Environmental Enforcement Manager	To seek approval for the reviewed Local Enforcement Plan	22 June 2023
12 Sep 2023	Fixed Penalty Increase - Fly-Tipping, Household Waste Duty of Care, Littering and Graffiti.	Andy Gray, Housing & Environmental Enforcement Manager		
12 Sep 2023	West Lindsey Markets Action Plan Update	Ady Selby, Director - Operational & Commercial Services	To update Members on progress with the three year West Lindsey Markets Action Plan	

12 Sep 2023	Cultural Strategy 2023	Cara Markham, Commercial Development Manager	
12 Sep 2023	Cottam Solar Project - Local Impact Report (LIR) and Written Representations	Russell Clarkson, Development Management Team Manager	
31 OCTOBER 2023			
31 Oct 2023	Proposed Fees and Charges 2024/2025	Sue Leversedge, Business Support Team Leader	Propose Fees and Charges to take effect from 1 April 2024.
31 Oct 2023	Progress and Delivery Quarter Two (2023/24)	Claire Bailey, Change, Projects and Performance Officer	
31 Oct 2023	Annual Community Engagement Report 2022/23	Katy Allen, Corporate Governance Officer	
31 DECEMBER 2023			
31 Dec 2023	First Homes Guidance	Sarah Elvin, Homes, Health & Wellbeing Team Manager	This report will look to adopt a new guidance note for First Homes in West Lindsey alongside define a key worker for the First Homes tenure of affordable housing
30 JANUARY 2024			
30 Jan 2024	Prosperous Communities Committee Draft Budget 2023/2024 and estimates to 2028/2029.	Sue Leversedge, Business Support Team Leader	The report sets out details of the Committee's draft revenue budget for the period of 2024/2025 and estimates to 2028/2029.
19 MARCH 2024			
23 APRIL 2024			