

Application by Fosse Green Energy Limited for an order granting development consent for the proposed Fosse Green Energy**Agenda for Issue Specific Hearing 2 (ISH2):**

Hearing	Date and Time	Location
Issue Specific Hearing 2 Draft Development Consent Order	Thursday 8 January 2026 Hearing starts at 14.30 Registration and seating available at venue from 14.00 and virtual registration process from 14.00	County Assembly Rooms, 76 Bailgate, Lincoln LN1 3AR and By virtual means using Microsoft Teams Full instructions on how to join online or by phone will be provided in advance to those who have preregistered

Agenda items

- 1. Welcome, introductions, arrangements for the hearing**
- 2. Purpose of Issue Specific Hearing 2**
- 3. Matters for discussion at the hearing**

Documents that may be referred to during the discussion (and not necessarily an exhaustive list):

[APP-016] - draft Development Consent Order
[APP-019] - Explanatory Memorandum
[AS-006] - Works Plans
[AS-007] - Streets, Rights of Way and Access Plans
[AS-008] - Traffic Regulation Measures Plans
[APP-028] - Environmental Statement Chapter 3: The Proposed Development
[APP-194] - Biodiversity Net Gain Report
[APP-198] - Framework Battery Safety Management Plan

3.1	<p>Discussion of the draft Development Consent Order (dDCO), involving the applicant and other interested parties (IPs)</p> <p>1) The Examining Authority (ExA) will invite the applicant to provide a 15 minute overview with respect to:</p> <ul style="list-style-type: none"> a) its approach to the drafting of the dDCO and Explanatory Memorandum b) a brief description of the structure of the dDCO, including the schedules, explaining why each section is required c) any novel provisions d) the discussion of protective provisions with other IPs <p>The ExA will invite the local authorities to make any comments they have about the drafting of the proposed articles and schedules included in the dDCO.</p> <p>The ExA will then invite comments from other interested parties (IPs) concerning the drafting of the proposed articles and schedules in the dDCO.</p> <p>2) The ExA will then ask any questions it may have in respect of the oral and written cases made by the applicant and other IPs. In responding to this agenda item, the applicant should prepare on the basis that it is likely it will be asked questions by the ExA about, amongst other things:</p> <ul style="list-style-type: none"> i. Article 2 – whether the wording would be precise enough to manage the likely maintenance activities ii. Article 6 – justification for legislation to be disapplied iii. Article 8(b) – whether the power to drill, tunnel or bore under streets is consistent with those streets identified in Schedule 4 iv. Article 9 – update on the application of the permit scheme v. Article 10 – whether the extent of the general power to alter layout, etc. of streets would be justified vi. Article 13 – whether the permanent stopping up of public rights of way has been adequately addressed vii. Article 16 – whether the traffic regulation measures would be justified viii. Article 35 – justification for the consent to transfer the benefit of the Order ix. Article 38 (Planning permission etc.) – the justification for the inclusion of this article x. Article 40 2(b) – trees covered by a tree preservation order xi. Schedule 1 – clarification on what other works might come within the scope of the further associated development xii. Schedule 2 – Requirements
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	<ul style="list-style-type: none"> • whether the various “framework” management plans would be more appropriately described as being ‘outline’ plans • justification for the use of ‘substantially’ in accordance with the various management plans referenced in the requirements • Requirement 6(6) – clarification of the purpose of providing the relevant planning authority with an explanation for the choice of battery energy storage system type to be installed • Requirement 17 – whether the timescales/triggers would be appropriate • Requirement 18 – whether the timescales/triggers would be appropriate • Requirement 20 – whether the wording is sufficiently precise to provide certainty about the commencement and completion of decommissioning <p>xiii. Schedule 15 – clarification and justification</p>
3.2	<p>Battery energy storage system (BESS) safety management</p> <p>The ExA will invite the applicant to provide a 10-minute summary of:</p> <ol style="list-style-type: none"> a) the mitigation measures proposed to minimise risks of a battery fire b) the safeguards that would be put in place to manage the effects of a battery fire should one occur <p>Lincolnshire Fire and Rescue Service (LFRS) will be invited to comment on the applicant’s BESS proposal and to explain the measures that it seeks for monitoring and risk assessment referred to in [RR-157].</p> <p>The ExA will invite other IPs to comment on the safety measures for the proposed BESS.</p> <p>The ExA will then ask any questions it may have in respect of the oral and written cases made by the applicant and other IPs.</p>
3.3	<p>General drafting matters</p> <p>The ExA will seek clarification on a number of general drafting inconsistencies within the dDCO.</p>

4. Any other business

The ExA may extend an opportunity for the applicant, IPs and other persons to raise matters relevant to topics raised in ISH2 that they consider should be examined.

5. Review of matters and actions arising

The ExA will discuss how any actions arising from the discussion are to be addressed by the applicant, IPs or other persons following ISH2. A written action list will be published by the ExA (if required).

6. Close of hearing

Attendees

Having regard to the case made by the applicant and the relevant representations that have been received, the following IPs are specifically invited to attend and participate in this hearing.

Agenda Item 3.1 dDCO	Agenda Item 3.2 Battery safety management	Agenda Item 3.3 General drafting
Applicant North Kesteven District Council Lincolnshire County Council Environment Agency National Highways British Pipeline Agency National Grid Electricity Distribution (East Midlands) plc National Grid Electricity Transmission Plc Network Rail Infrastructure Ltd	Applicant Environment Agency North Kesteven District Council Lincolnshire County Council (including a representative of LFRS)	Applicant North Kesteven District Council Lincolnshire County Council

However, this does not indicate that other parties will not be able to contribute. All IPs are invited to attend and make oral representations on the matters set out in the agenda, subject to the ExA's ability to control the hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the hearing. The details set out above are indicative and the ExA may find it necessary to include additional agenda items or to amend the order in which the items are dealt with.

Anyone wishing to participate during this hearing in person or virtually, who has not already advised the case team of this, should do so **by Tuesday 30 December**.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage](#) of the National Infrastructure Planning website closer to the hearing date. IPs and members of the public who wish to observe the hearing can therefore view and listen to the hearing using the livestream, or view and listen to the recording, after it has concluded.

Timing

The ExA will keep to the agenda as much as possible. Anyone who is not able to provide all their oral submissions by the close of the hearing should follow it up in writing.

Registration process

Parties who have registered to speak (both in person and virtually) will receive a joining instruction email shortly before the hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the hearing to start on time at **14.30** those attending virtually should join promptly at **14.00** to ensure that all virtual attendees can complete the registration process in good time.

Procedure at the ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.