



The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: RiversideEP@planninginspectorate.gov.uk

All Interested and Affected Parties

Your Ref:

Our Ref: EN010093

Date: 10 September 2019

Dear Sir/ Madam

Planning Act 2008 – Section 91 and 92

Application by Cory Riverside Energy for an Order Granting Development Consent for the Riverside Energy Park

Agendas for Compulsory Acquisition Hearing (s92) and Issue Specific Hearing (s91)

Further to my letter of 19 August 2019 notifying you of the times, dates and location of the hearings associated with the examination of this application due to be held on 18 and 19 September 2019, I am now writing to provide agendas for these hearings.

- **Annex A** to this letter is the agenda for the **Compulsory Acquisition Hearing 2 (CAH2)**, to be held at the Slade Green and Howbury Community Centre, Chrome Road, Erith, DA8 2EL from 10.00am on Wednesday 18 September 2019.
- **Annex B** to this letter is the agenda for **Issue Specific Hearing 3 (ISH3)** into the draft Development Consent Order (dDCO) to be held at the Slade Green and Howbury Community Centre, Chrome Road, Erith, DA8 2EL from 10.00am on Thursday 19 September 2019.

There is free parking and full disabled access available at the venue for both hearings.

The Applicant has been invited to attend both hearings. Participation in the CAH2 is limited to the Applicant and to those persons who are affected by proposals for the Compulsory Acquisition (CA) or Temporary Possession (TP) of land or rights over land (referred to as Affected Persons (APs)).

Any IPs and/or APs who wish to speak at one or both of the forthcoming hearings, but did not notify the Planning Inspectorate by Deadline 1 (D1) on 30 April 2019 or by the requested date of Monday 9 September 2019, should indicate the issues that they wish to speak about no later than midday on **Monday 16 September 2019**, using the contact details provided above and made for the attention of the Riverside Energy Park project case team.

Planning Inspectorate staff will be available at the venue for half an hour before each hearing commences. It is helpful if intending participants make themselves known to staff during this time.

It would greatly assist in the organisation of the hearings if you inform us if you plan to attend all the hearings or a specific hearing, even if you do not wish to speak. It would also assist us if you could notify us of any special needs you may have (e.g. disabled access, hearing loop etc). You must ensure that your Interested Party (IP) reference number is included in your correspondence.

Hearing Guidance

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required. The Applicant and APs may attend with expert advisers relevant to land and rights matters (including solicitors, chartered surveyors and land agents), but APs may participate without expert advice if they wish.

Guidance under the PA2008¹ and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

Cross-questioning of the 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 a person has had a fair chance to put their case.

The agenda may be amended by the ExA at the start of the hearing session. Furthermore, the ExA may wish to raise matters arising from oral submissions Relevant Representations and Written Representations and pursue lines of inquiry in the course of the discussion which are not listed on the agenda.

The hearing will run until the ExA is content that all matters on the agenda have been addressed. If you have any questions about the hearing process, please contact the case team at the above address, email address or telephone number.

Yours faithfully

Jonathan Green

Jonathan Green
Examining Authority

Annex A: Agenda for CAH2, 18 September 2019

Annex B: Agenda for ISH3, 19 September 2019

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

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

**Riverside Energy Park
Agenda for the Compulsory Acquisition Hearing 2 (CAH2)**

- Date:** Wednesday 18 September 2019
- Time:** 10.00am (Hearing room opens from 9.30am)
- Venue:** Slade Green Community Centre,
Chrome Road, Erith, DA8 2EL
- Access and Parking:** Free parking and full disabled access available

Purpose of the Compulsory Acquisition Hearing

The Compulsory Acquisition Hearing 2 (CAH2) is being held for the following purposes:

- To enable the Examining Authority (ExA) to inquire into the Applicant's case to Compulsory Acquire (CA) land or rights over land and/or to take Temporary Possession (TP) of land.
- To discharge the ExA's duty to hear persons affected by CA and TP proposals (Affected Persons (APs)) who request to be heard.
- To enable the ExA to consider whether relevant legal and policy test applicable to CA and TP proposals have been met.

Participation, conduct and management of hearing

This is the second CAH proposed in this last round of hearings to be held for this Examination. For this reason, it is important that any AP with outstanding objections to CA and/or TP proposals who wishes to be heard should attend this hearing.

The Applicant and any APs with outstanding objections to CA and/or TP proposals are entitled to be heard.

The business of a CAH is limited to the effects of CA and TP and to participation by the Applicant and APs. Oral submissions on other subject matters or from persons who are not APs will not be heard.

Participation is subject to the ExA's power to control the hearing.

Invited Participants

The Applicant and APs who wish to make oral representations are invited to attend at the appointed start time of 10.00am.

The Applicant will be asked to present its own case for CA and TP. It may be asked by or through the ExA to address questions raised by APs and will be provided with an opportunity to respond to APs written and oral cases.

Agenda for Compulsory Acquisition Hearing – CAH2

1. Welcome, introductions and arrangements for the Hearing, CAH2.
2. Summary of outstanding objections and progress with negotiations on alternatives to compulsory acquisition
3. Update on Schedules 3 – 9 of the draft Development Consent Order
4. Parties who may be affected by the project
 - Affected persons who have notified a wish to make oral representations
 - Other affected persons
 - Persons whose land or rights are not to be acquired compulsorily but who may be affected and able to make a relevant claim
5. Next steps
6. Closure of Hearing

**Riverside Energy Park
Agenda for the Issue Specific Hearing 3 (ISH3) into the draft Development
Consent Order (dDCO)**

Date: Thursday 19 September 2019
Time: 10.00am (Hearing room opens from 9.30am)
Venue: Slade Green Community Centre,
Chrome Road, Erith, DA8 2EL

Access and Parking: Free parking and full disabled access available

Purpose of the Issue Specific Hearing 3 (ISH3)

On 6 June 2019, the Examining Authority (ExA) held Issue Specific Hearing 2 (ISH2) into the draft Development Consent Order (dDCO). The Applicant has since submitted two revised dDCOs in response to submissions received and the ExA's written questions thereto. The most recent dDCO submitted by the Applicant was on 13 August 2019 for Deadline 5.

ISH3 is being held for the following purposes:

- To enable the ExA to inquire into the Applicant's ongoing development of and changes to the dDCO.
- To track and explain changes to the dDCO submitted since the last Issue Specific Hearing into the DCO (ISH2)
- To enable IPs and APs to raise any specific concerns that they might have about the provisions of the dDCO, arising from their written submissions.

Participation, conduct and management of hearing

This is the third ISH and the second hearing into the dDCO in this last round of hearings to be held in this Examination. For these reasons, it is important that any IP with outstanding objections to provisions in the DCO who wishes to be heard should attend this hearing.

The Applicant and any IPs with outstanding objections that relate to matters on this agenda are invited to attend the hearing.

The business of an ISH is limited to the matters identified in the agenda. Oral submissions on other subject matters or from persons who are not IPs may only be heard at the discretion of the ExA.

Participation is subject to the ExA's power to control the hearing.

Agenda for the Issue Specific Hearing on the draft Development Consent Order (ISH3)

1. Welcome, introductions and arrangements for this ISH3
2. Update on changes to the dDCO
3. Articles – changes proposed by the Applicant and by Interested Parties
4. Schedule 1 – definition of the Authorised Development
5. Schedule 2 Requirements - changes proposed by the Applicant and by Interested Parties
6. Schedule 10 Protective provisions – update on discussions with statutory undertakers
7. Schedule 11 – Documents and plans to be certified – update
8. Next steps
9. Closure of Hearing.