

Thanet Extension Offshore Wind Farm Agenda for the Open Floor Hearing 1 (OFH1)

Date:	Tuesday 19 February 2019
Time:	6.30pm Hearing room opens from 6.00pm
Venue:	Building 500 ¹ , Discovery Park Ramsgate Road, Sandwich, CT13 9FF
Access and Parking:	For pedestrian and vehicular access , parking arrangements and the reception location, please use the attached map . Car park shown on the attached map. Public transport Bus Discovery Park, Ramsgate Road Stagecoach routes 43 and 44 5 minute walk to venue Train Ramsgate or Sandwich Stations Taxi to venue

Purpose of the Open Floor Hearing

This OFH is held to discharge the Examining Authority's (ExA's) duty to hear Interested Parties (IPs) who request to be heard.

Participation, conduct and management of hearing

Any IP who has made a request to be heard in writing to the Planning Inspectorate by 12 February 2019 has a right to be heard at this OFH.

All IPs who wish to make oral representations are invited to participate in the hearing, attending at the appointed start time of 6.30pm. Other attendees may participate at the ExA's discretion.

Participation is subject to the ExA's power to control the hearing. However, this hearing does not have a subject matter controlled agenda and participants may bring up any matter arising from the Application that is also important and relevant to a decision taken under the Planning Act 2008 (as amended) (PA2008). Participation is therefore of most relevance to IPs who wish to raise matters that are not addressed in the agendas for an Issue Specific Hearing (ISH) and do not relate to the effects of proposals for the Compulsory Acquisition (CA) or Temporary Possession (TP) of land or rights over land in a Compulsory Acquisition Hearing (CAH).

¹ Building 500 is adjacent to and in the same building complex as Discovery House.

The ExA requests that the Applicant attends the hearing. The Applicant may be asked by or through the ExA to address questions raised by IPs and will be provided with a brief and summary opportunity to respond to IPs written and oral cases.

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 IPs may attend with expert advisers, but IPs may participate without expert advice. Oral submissions from the Applicant's expert advisers will not be sought, other than through the ExA, to address specific points raised by IPs.

Guidance under the PA2008² 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 a person making oral submissions or 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. Participants should note that it is not normal procedure at an OFH for an ExA to permit the cross-questioning of an unrepresented participant by the Applicant or the Applicant's representatives.

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 all IPs who requested to be heard in advance and other IPs or intending participants accorded an opportunity to speak by the ExA have made their oral representations and responded to the ExA's exploration of the matters arising from them.

If by ten minutes after the conclusion of Agenda item 2, no other IPs or intending participants have attended and sought a hearing in relation to agenda items 3 or 4, the ExA is entitled to conclude that none wish to do so and may then move to close the hearing with immediate effect.

Time is reserved in the Examination Timetable for a second Open Floor Hearing (OFH2) in April 2019. However, IPs and any other intending participants should note that in the absence of any requests to be heard at that hearing or decisions by the ExA to accord opportunities to be heard there, there is no guarantee that it will proceed.

² DCLG: 'Planning Act 2008: Guidance for the examination of applications for development consent', March 2015.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-final_for_publication.pdf

Agenda

- 1. Welcome, introductions and arrangements for this Open Floor Hearing 1 (OFH1)**
- 2. Representations by any IPs who have requested to be heard in writing**

Each IP who has made an advance written request to be heard to the Planning Inspectorate by 12 February 2019 and is in attendance and wishes to speak will be invited to put oral submissions to the ExA.

A time guide of ten minutes per IP will be applied to these submissions, although IPs should note that if there are a large number of requests to be heard, the ExA may reduce this period in the interests of ensuring that all requests to be heard can be honoured in a fair manner.

The ExA may ask questions of the IP and the Applicant about matters arising from written and oral submissions.

The Applicant will be provided with a summary right of reply. A time guide of three minutes will be applied to these submissions.

If following this item, after a ten minute wait there are no persons present to participate in Agenda items 3 and 4, the ExA may proceed to Agenda items from 5 onwards and close the hearing.

- 3. Representations by any IPs who are present but have not requested to be heard in writing**

Any further IPs who are present and wish to speak but who did not make a formal request to be heard in writing will be invited to put oral submissions to the ExA if time allows.

The same time guidance as that provided for item 2 applies to this item, subject to a proviso that if this item commences after 8pm the ExA will shorten speaking times and/or may defer the opportunity to speak to OFH2.

- 4. Representations by further attendees**

Any further attendees who wish to speak should make themselves known to the Planning Inspectorate Case Officer in attendance. They may be invited to put oral submissions to the ExA if time allows, or the ExA may propose they take an opportunity to speak to OFH2.

It should be noted that persons who are not IPs have no formal right to speak. Participation is at the discretion of the ExA and will only be permitted if time allows and for such remaining fair fraction of time as is available, having regard to the numbers wishing to speak.

5. Review of issues and actions arising

The ExA will address how any actions placed on the Applicant are to be met and consider the approaches to be taken in further hearings, in the light of issues raised in this hearing.

6. Next steps

7. Closure of the hearing