



The Planning Inspectorate

Planning Act 2008 – section 92

Application by Cleve Hill Solar Park Ltd for an Order granting Development Consent for the Cleve Hill Solar Park

Agenda for Compulsory Acquisition Hearing 1

In its letter dated 7 June 2019, the Examining Authority notified Interested Parties of its decision to hold a Compulsory Acquisition Hearing on the following date:

Hearing	Date and time	Location
Compulsory Acquisition 1	Tuesday 16 July 2019 2 pm (Seating available from 01.30 pm)	The Alexander Centre, 17 Preston Street, Faversham, ME13 8NZ

Participation, conduct and management of hearing

The Compulsory Acquisition Hearing is being held to ensure adequate examination of the provisions within the draft Development Consent Order (dDCO) seeking to authorise the Compulsory Acquisition of land and/ or rights over land and to assess whether the conditions relating to the land and/ or rights being required for the Proposed Development or required to facilitate or be incidental to that development are met and whether there is a compelling case in the public interest for the land to be acquired compulsorily.

All Interested Parties are welcome to attend the hearing. However, Affected Persons (AP) whose land interests are affected under Compulsory Acquisition proposals are specifically invited to attend. APs have the entitlement to speak at this hearing and will be invited to do so. The following APs in particular are invited to attend and participate in this hearing:

- Charles Russell Speechlys LLP for London Array Limited (Update on position);
- Shakespeare Martineau for National Grid plc;
- Rebecca and Simon Etheridge;
- Victoria and Tim Osborne.

The Examining Authority will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the hearing will be led by a member of the Panel, supported by other Panel members.

Breaks will be taken during the hearing as directed by the Examining Authority.



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This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The Examining Authority may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration.

Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including through a further round of Written Questions should the Examining Authority consider this to be valuable and necessary.

Should the consideration of the issues take less time than anticipated, the Examining Authority may conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day or continue the hearing at a subsequent sitting. The Examining Authority recognises that other hearings may contribute information and evidence which will be used in support of a recommendation in respect of Compulsory Acquisition.

References in square brackets [] are to the unique document identification number in the Examination Library. This document is found on the National Infrastructure Planning website at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010085/EN010085-000472-Examination%20Library%20Cleve%20Hill%20Solar%20Park%20PDF%20Version.pdf>



Agenda

Title of meeting	Cleve Hill Solar Park Compulsory Acquisition Hearing
Date	Tuesday 16 July 2019
Time	1.30pm (doors open) for 2.00pm
Venue	The Alexander Centre, 17 Preston Street, Faversham, ME13 8NZ
Attendees	Invitees

- 1. Welcome, introductions and Hearing arrangements**
- 2. Purpose of the Hearing**
- 3. Summary of DCO provisions**

The Applicant to set out briefly:

 - a) Which Articles engage Compulsory Acquisition or Temporary Possession powers;
 - b) Whether the DCO excludes the application of a compensation provision or modifies it beyond what is necessary to enable that provision to be applied;
 - c) The list of intended Protective Provisions; and
 - d) Any other matters relating to the Articles that do not arise later in the Agenda.
- 4. Statutory conditions and general principles**
 - a) The Applicant to confirm whether the Book of Reference is up to date and complete;
 - b) The Applicant to confirm that in respect of all land for which Compulsory Acquisition powers are sought the application complies with one or more of the conditions set out in PA 2008 s123;
 - c) The Applicant to set out briefly whether the purposes for which the compulsory acquisition powers are sought comply with section 122(2) of the Planning Act 2008;
 - d) Whether consideration has been given to all reasonable alternatives to compulsory acquisition and temporary possession;
 - e) Whether the rights to be acquired, including those for temporary possession are necessary and proportionate; and
 - f) Whether, in accordance with PA 2008 s122(3), there is a compelling case in the public interest for the Compulsory Acquisition, both in relation to the need in the public interest for the project to be carried out and in respect of the private loss to those affected.
- 5. Review of the Compulsory Acquisition Schedule, changes to funding, progress with Protective Provisions, and associated matters**
- 6. Consideration of duties under the Equality Act 2010**
- 7. Crown land and interests**
- 8. Public open space**
- 9. Representation from London Array Limited**
- 10. Representation from National Grid plc**
- 11. Representation from Rebecca and Simon Etheridge**
- 12. Representation from Victoria and Tim Osborne**
- 13. Any other representations from Affected Persons**
- 14. Any other requests to speak**
- 15. Updates and administrative matters**
- 16. Any other business**
- 17. Close of Hearing**