

Planning Act 2008 – section 92**EN010092****Application by Thurrock Power Limited for an Order granting Development Consent for the Thurrock Flexible Generation Plant project****Agenda for Compulsory Acquisition Hearing 1**

The Examining Authority (ExA) notified Interested Parties (IPs) on Monday 29 March 2021 of the decision to hold a Compulsory Acquisition Hearing.

Date	Hearing	Starting Time	Venue
Wednesday 28 April 2021	Compulsory Acquisition Hearing	2.00pm Arrangements conference starts 1.30pm	By virtual means

Purpose of the Compulsory Acquisition Hearing

A Compulsory Acquisition Hearing is being held to enable the ExA to inquire into the Applicant's case to compulsorily acquire land or rights over land or to take Temporary Possession (TP) of land. It also seeks to discharge the ExA's duty to hear persons 'affected' by Compulsory Acquisition (CA) and TP proposals who request to be heard and will enable the ExA to consider whether relevant legal and policy tests applicable to CA and TP have been met.

Agenda

In order to ensure that those attending the hearings can make the best use of the time, the ExA has prepared the agenda below. Please note that this is indicative and is subject to change. The ExA may wish to raise other matters arising from submissions and pursue lines of enquiry during the discussion which are not on the agenda.

Invited Participants

All Affected Persons (APs) are invited to attend the Compulsory Acquisition Hearing. However, as the event is being held virtually it would assist with the running of the hearing if you could let the Inspectorate's Case Team (thurrockFPG@planninginspectorate.gov.uk) know by **Thursday 22 April 2021** of a wish to participate in the hearing so that the relevant instructions can be sent for you to join the event.

Participation, conduct and management of hearing

Each AP is entitled to make oral representations. However, this is subject to the ExA's power to control the hearing.

Participants may be legally represented if they wish, but the hearings will be conducted to ensure that legal representation is not required

Guidance under the Planning Act 2008 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.

Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

The virtual event will be open 30 minutes prior to the start of the hearing to enable a prompt start. The hearing will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. 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. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.



AGENDA FOR COMPULSORY ACQUISITION HEARING

Item	Matters
1.	Welcome, introductions, purpose and arrangements for the Hearing
2.	Applicant's introduction and update: <ul style="list-style-type: none">• Applicant to briefly outline the case for compulsory acquisition and temporary possession, and how they meet the tests of the PA2008.• Applicant to briefly summarise how the application demonstrates that all reasonable alternatives to CA (including modifications to the scheme) have been explored.• Applicant to provide an update on the progress and expectations on negotiations• The Applicant will be invited to detail any proposed changes to the application (if necessary).
3.	The objections to compulsory acquisition and temporary possession <ul style="list-style-type: none">• Affected Persons will be invited to set out any outstanding matters of concern• The Applicant will be provided with an opportunity to respond (to both oral and written cases).• The Applicant and APs may be asked to respond to questions from the ExA.
4.	Section 131 and 132 PA 2008 <ul style="list-style-type: none">• The Applicant will be asked to set out the case for CA of the Common Land, explain how the application meets the tests set out in Sections 131 and 132 PA 2008 and respond to any queries from the ExA.
5.	Statutory Undertakers - s127 and 138 PA 2008 <ul style="list-style-type: none">• The Applicant will be asked to provide an update on the progress of Protective Provisions for the benefit of Statutory Undertakers; and• SUs will be given an opportunity to raise or expand on any concerns or objections.
6.	Funding
7.	Consideration of whether updates or revisions to the Statement of Reasons and Book of Reference are required, and any implications for the drafting of the DCO.
8.	Other matters
9.	Review of issues and actions arising
10.	Close