

Application by Sunnica Ltd for an Order Granting Development Consent for the Sunnica Energy Farm Project

Notification of the date, time, and venue for Compulsory Acquisition Hearing 2 (CAH2) on 14 February 2023 was provided in the [Examining Authority's letter dated 17 January 2023 \[PD-022\]](#)

Date: Tuesday 14 February 2023

Time: 2pm

Venue: Bedford Lodge Hotel, 11 Bury Road, Newmarket, Suffolk CB8 7BX and by virtual means using Microsoft Teams.

Seating at the venue will be available from 1pm.

Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered.

An **Arrangements Conference** will be held at **1pm** for those participating online or by phone.

Purpose: To enable the Examining Authority (ExA) to hear individual objections to Compulsory Acquisition (CA) and / or Temporary Possession (TP) from Affected Persons, including submissions as to whether the Applicant has complied with general legal tests, policy or guidance in respect of these individual plots of land, in respect of the application including the accepted changes.

Detailed Agenda for Compulsory Acquisition Hearing 2 (CAH2) on Tuesday 14 February 2023

1. Welcome, introductions and arrangements for the Hearing

2. Purpose of the Hearing

- To enable the ExA to hear individual objections to CA and/or TP from Affected Persons relating to individual plots of land and/or interests in land; and
- To hear individual submissions on human rights and the Public Sector Equality Duty (PSED)

In particular, the ExA will inquire into, consider and establish clarity in respect of the following for each plot:

- a) Outstanding objections from Affected Persons in respect of both CA and TP of land and/or rights;

- b) The CA and related provisions as presented within the draft Development Consent Order (dDCO);
- c) Whether the statutory conditions relating to the land being required for the proposed development, or required to facilitate or be incidental to the proposed development, are met; and
- d) Whether there is a compelling case in the public interest for the CA provisions proposed.

3. To hear objections from individual Affected Persons in respect of both the original application and the changes

The ExA will hear from any persons whose land and/or rights are affected and who wish to object to the application on the basis that the Applicant has not complied with the relevant legal tests, policy and guidance in respect of their individual interests in relation to:

- a) CA of land and/or rights; and
- b) TP of land and/or rights;

and then from the Applicant in response.

4. To hear individual submissions on human rights and the Public Sector Equality Duty (PSED)

To hear from Affected Persons and Interested Parties on

- a) Article 1 of the First Protocol to the European Convention on Human Rights (ECHR);
- b) Article 6 of the ECHR;
- c) Article 8 of the ECHR;
- d) The degree of importance to be attributed to the existing uses of the land which is to be acquired;
- e) The weighing of any potential loss of ECHR rights against the public benefit if the DCO is made; and
- f) The PSED and consideration of the Equality Impact Assessment [\[REP3-020\]](#).

5. Next steps

Review of issues and actions arising: to the extent that matters arise which are not addressed in any procedural decisions, the ExA will address how any actions placed on the Applicant or other participants are to be met and consider the approach to be taken in the light of issues raised in this Hearing. A written action list will be published if required.

6. Close of the Hearing

Participation, conduct and management of the Hearing

The ExA has considered carefully all representations made by Affected Persons and has decided to hold two Compulsory Acquisition Hearings (CAH).

The first CAH was commenced on 6 December 2022 and was completed on 14 February 2023. It was held to enable the ExA to question the Applicant about the strategic case for CA and TP in respect of the application. CAH1 was not the place for individual objections to be heard.

This is the second CAH to be held in this Examination (CAH2) and is being held to allow individual objections by Affected Persons relating to individual parcels of land and/or interests in land to be heard. The ExA will ensure that there is enough time set aside at this Hearing for all Affected Persons who notify us that they wish to speak to be heard.

Please remember that CAHs are only for those whose land and/or rights are directly affected. This may include persons not listed in the Book of Reference but who have applied for and been granted Interested Party status under section 102 of the Planning Act 2008 (PA2008).

However, if you are not presently listed in the Book of Reference and have not been granted Interested Party status under section 102A of PA2008 but think that your land or rights may be directly affected, you may [make a request to the Examining Authority to become an Interested Party](#) and to speak at a Compulsory Acquisition Hearing.

Participation is subject to the ExA's power to control the hearing. Hearings will be run so as to ensure that all submissions from those participating are fully heard within the allotted time.

Participants may be legally represented if they wish, but the Hearing will be conducted so as to ensure that legal representation is not required. The Applicant and others permitted to speak may attend with relevant expert advisers, but others permitted to speak may participate on an equal basis without expert advice if they so wish.

This Agenda may be amended by the ExA at the start of the Hearing. The ExA may also wish to raise matters arising from oral submissions and written representations and to pursue lines of inquiry in the course of the discussions which are not listed on the Agenda.

All participants are advised that written summaries of their oral submissions at this Hearing should be submitted at **Deadline 7**, Friday 3 March 2023.

Arrangements Conference

Those participating in the Hearing virtually will receive an email shortly before the event containing a joining link and telephone number. Please join the Arrangements Conference at the appointed time for the Hearing. The Case Team will admit you from the Lobby and register your attendance. The Arrangements Conference allows procedures to be explained and will enable the Hearing to start promptly.

Livestream/Recording

For those who wish to observe the Hearing, a link to a livestream of the event will be published on the [project webpage](#) shortly before the Hearing is scheduled to begin. If you are unable to watch the livestream a recording of the Hearing will be published on the [project webpage](#) shortly after the event has finished.