



The Planning Inspectorate

Planning Act 2008 – Sections 91, 92 & 93

EN10131

Application by Gate Burton Energy Park Limited for an Order Granting Development Consent for Gate Burton Energy Park

Agendas for Compulsory Acquisition Hearing 2 (CAH2), Open Floor Hearing 3 (OFH3) and Issue Specific Hearing 4 (ISH4)

In my letter dated 22 November 2023 [[PD-015](#)], I notified Interested Parties of my decision to hold a Compulsory Acquisition Hearing, Open Floor Hearing and Issue Specific Hearing, in relation to the Applicant's change request and resultant from the requirements of The Infrastructure Planning (Compulsory Acquisition) Regulations 2010, on the following date:

Hearing	Date/time	Venue	Joining
Issue Specific Hearing under Regulation 14 of the CA Regulations (ISH4) (if required)	Thursday 14 (reserve date Friday 15) December 2023 at 10am Virtual registration open from 9:30 am on Thursday 14 December 2023	Online on Microsoft Teams (Virtual)	Virtually on Microsoft Teams: joining instructions will be sent to all attendees in advance of the events.
Compulsory Acquisition Hearing under Regulation 15 of the CA Regulations (CAH2) (if required)	Thursday 14 (reserve date Friday 15) December 2023 at 10am Virtual registration open from 9:30 am on Thursday 14 December 2023		Hearings held pursuant to Regulations 14, 15 and 16 of the CA Regulations will be held concurrently with each other. Business will be conducted to enable each individual participant to make oral submissions as required for each hearing as a consolidated group of submissions.
Open Floor Hearing under Regulation 16 of the CA Regulations (OFH3) (If required)	Thursday 14 (reserve date Friday 15) December 2023 at 10am Virtual registration open from 9:30 am on Thursday 14 December 2023		



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Purpose of the Hearings

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

The main purpose of the Open Floor Hearing is to provide additional Interested Parties with an opportunity to make oral representations about the application and to seek to discharge my duty under Section 93(2) of the Planning Act 2008 and The Infrastructure Planning (Compulsory Acquisition) Regulations 2010.

The main purpose of the Issue Specific Hearing is to enable me to inquire into the issues that arise from the additional land required through the Applicant's change request to give additional Interested Parties an opportunity to make representation on the application (including on matters raised on previous agendas) and give Interested Parties an opportunity to make representations on the issues arising from the Applicants change request.

Agendas

In order to ensure that those attending the hearings can make the best use of the time, I have prepared the agendas below. The Hearings will be subject to the powers of control of the ExA and please note that these are indicative and are subject to change. I may wish to raise other matters arising from submissions and pursue lines of enquiry during the discussion which are not on the agendas.

Invited Participants

The Applicant, all IPs, Statutory Parties and Affected Persons are invited to attend. However, as the event is being held as a virtual event it would assist with the running of the hearings if you could let the Inspectorate's Case Team who can be contacted at <mailto:gateburtonsolar@planninginspectorate.gov.uk> know by **Tuesday 12 December 2023** which of the hearings you wish to attend so that the relevant instructions can be sent for you to join the event.

Please note that the hearings will also be livestreamed for those who may wish to view but not participate directly. Details of how to access the livestream will be made available on the [project page](#) or you may follow this [link to the livestream](#).

I am conducting these Hearings virtually. [The Planning Inspectorate's Advice Notice 8.6](#) provides detailed advice regarding virtual Examination events.



Participation, conduct and management of hearings

Each 'Affected Person' is entitled to make oral representations at the CAH.

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 Examining Authority that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. As such, questioning at the hearings will be led by me.

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 registration event will be open 30 minutes prior to the start of the hearings to enable a prompt start. The hearings will finish as soon as I deem 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.

May I draw your attention to **Deadline 6** in the Examination Timetable (**Thursday 21 December 2023**) and I would request to receive full summaries of all oral submissions given at these Hearings by that date by those who made them. Note that any additional illustrative or supporting material that you wish to share must be submitted at Deadline 6, as it will not be possible for you to show it on screen during your contribution to the Hearing.

Please contact the Case Team if you have any questions regarding the arrangements for the Hearing: <mailto:gateburtonsolar@planninginspectorate.gov.uk>

Yours faithfully,

Kenneth Stone

Kenneth Stone
Examining Authority



Compulsory Acquisition Hearing 2

Title of meeting	GBEP Compulsory Acquisition Hearing 2
Date	Thursday 14 December 2023
Time	10.00am (arrangements conference from 9.30am)
Venue	Online through Microsoft Teams
Attendees	Invitees

Agenda

Item 1	Welcome, preliminary matters and introductions.
Item 2	General Purpose of this set of Hearings
Item 3	Brief summary by the Applicant of Changes to the application and any effect these have on the Applicant's case
Item 4	Purpose of the CA Hearing.
Item 5	Confirmation of those Additional Affected Persons who have notified the Examining Authority of a wish to be heard at the Compulsory Acquisition Hearing and those invited by the Examining Authority to attend.
Item 6	<p>Representations from Affected Persons including in respect of matters raised in previous CAH1 and included on the previous agenda (a copy of the agenda for which is available on the following link CAH1)</p> <ul style="list-style-type: none">• Each Affected Person who has indicated a wish to speak will be invited in turn to address the Examining Authority.• Following each submission, the Examining Authority may wish to ask the speaker questions.• The Applicant will be invited to respond to any matters raised by each speaker, or in summary at the close of the Hearing.• Oral submissions should be based on representations previously made in writing by the particular participant. However, representations made at the hearing should not simply repeat matters previously covered in a written submission, but rather provide further detail, explanation



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	and evidential corroboration to help inform the Examining Authority.
Item 7	Responses by Applicant (if not done individually under item 6)
Item 8	Actions points and post hearing notes
Item 9	Any other business and closing remarks
Item 10	Close of Compulsory Acquisition Hearing.



Open Floor Hearing 3

Title of meeting	GBEP Open Floor Hearing 3
Date	Thursday 14 December 2023
Time	10.00am (arrangements conference from 9.30am)
Venue	Online through Microsoft Teams
Attendees	Invitees

Agenda

Item 1	Welcome, preliminary matters and introductions.
Item 2	General purpose of this set of Hearings.
Item 3	Brief summary by the Applicant of Changes to the application and any effect these have on the Applicant's case
Item 4	Purpose of the OFH Hearing
Item 5	Confirmation of those who have notified the Examining Authority of a wish to be heard at the Open Floor Hearing and those invited by the Examining Authority to attend.
Item 6	<p>Representations from Additional Affected persons and Additional Interested Parties including in relation to the Proposed Development and the proposed provisions of the Change Request.</p> <ul style="list-style-type: none">• Each Party who has indicated a wish to speak will be invited in turn to address the Examining Authority.• Following each submission, the Examining Authority may wish to ask the speaker questions.• The Applicant will be invited to respond to any matters raised by each speaker, or in summary at the close of the Hearing.• Oral submissions should be based on representations previously made in writing by the particular participant. However, representations made at the hearing should not simply repeat matters previously covered in a written submission, but rather provide further detail, explanation



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	and evidential corroboration to help inform the Examining Authority.
Item 7	Responses by Applicant (if not done individually under item 6)
Item 8	Actions points and post hearing notes
Item 9	Any other business and closing remarks
Item 10	Close of Open Floor Hearing.



Issue Specific Hearing 4

Title of meeting	GBEP Issue Specific Hearing 4
Date	Thursday 14 December 2023
Time	10.00am (arrangements conference from 9.30am)
Venue	Online through Microsoft Teams
Attendees	Invitees

Agenda

Item 1	Welcome, preliminary matters and introductions.
Item 2	General purpose of this set of Hearings.
Item 3	Brief summary by the Applicant of Changes to the application and any effect these have on the Applicant's case
Item 4	Purpose of the ISH Hearing
Item 5	Confirmation of those who have notified the Examining Authority of a wish to be heard at the Issue Specific Hearing and those invited by the Examining Authority to attend.
Item 6	<p>Representations from Additional Affected persons, Additional Interested Parties and Interested Parties in relation to the proposed provisions of the Change Request including, for Additional Affected Persons and Additional Interested Parties, in respect of matters raised in previous ISHs and included on those previous agendas (a copy of the agendas for which are available on the following links ISH1, ISH2 and ISH3)</p> <ul style="list-style-type: none">• Each Party who has indicated a wish to speak will be invited in turn to address the Examining Authority.• Following each submission, the Examining Authority may wish to ask the speaker questions.• The Applicant will be invited to respond to any matters raised by each speaker, or in summary at the close of the Hearing.



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	<ul style="list-style-type: none">• Oral submissions should be based on representations previously made in writing by the particular participant. However, representations made at the hearing should not simply repeat matters previously covered in a written submission, but rather provide further detail, explanation and evidential corroboration to help inform the Examining Authority.
Item 7	Responses by Applicant (if not done individually under item 6)
Item 8	Actions points and post hearing notes
Item 9	Any other business and closing remarks
Item 10	Close of Issue Specific Hearing.