



# The Planning Inspectorate

## Planning Act 2008 – Sections 91, 92 & 93

## The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regulations) – Regulation 14, 15 & 16.

EN010132

### Application by West Burton Solar Limited for an Order Granting Development Consent for the West Burton Solar Project

Agendas for Compulsory Acquisition Hearing 2 (CAH2), Open Floor Hearing 3 (OFH3) and Issue Specific Hearing 6 (ISH6)

We notified Interested Parties (IPs) and Additional Affected Persons on Monday 25 March 2024 [[PD-015](#)] of the decision to hold the Hearings listed below:

Hearing	Date	Start Time	Location
Issue Specific Hearing under Regulation 14 of the CA Regulations (ISH6)	Tuesday 23 April 2024	Virtual Registration Process from: 09.30am Event start: 10.00am	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)	Tuesday 23 April 2024		Hearings held pursuant to Regulations 14, 15 and 16 of the CA Regulations will be held concurrently with each other.
Open Floor Hearing under Regulation 16 of the CA Regulations (OFH3)	Tuesday 23 April 2024		Business will be conducted to enable each individual participant to make oral submissions as required for each hearing as a consolidated group of submissions.

## Purpose of the Hearings

The Compulsory Acquisition Hearing is being held to enable us 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 our duty to hear persons 'affected' by Compulsory Acquisition (CA) and TP proposals who request to be heard and will enable us 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 our duty under Section 93(2) of the Planning Act 2008 and CA Regulations.

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

## Agendas

In order to ensure that those attending the hearings can make the best use of the time available, we have prepared the agenda below. Please note that this is indicative and is subject to change. We 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

The Applicant, all IPs and Affected Persons are invited to attend (including additional APs and IPs). The amended timetable included in our letter dated 1 February 2024 [PD-011] requested notification of a wish to speak at the above hearings at Deadline 4B on 18 March 2024. On Monday 25 March 2024 [PD-015] we advised any AAP or AIP, including National Grid Electricity Distribution (East Midlands) PLC, to contact the case team no later than Tuesday April 16 April 2024 if they wish to register for these Hearings. These deadlines have now passed, however, as the event is being held virtually it would assist with the running of the hearing if you could let the Planning Inspectorate's Case Team know by **Friday 19 April 2024** if you wish to attend the hearings and have not yet done so, by email to: [westburtonsolarproject@planninginspectorate.gov.uk](mailto:westburtonsolarproject@planninginspectorate.gov.uk).

The event will be livestreamed and a link for watching the livestream will be posted on the [project page of the National Infrastructure Planning website](#) closer to the Hearing date. Those who wish to observe the Hearings, but not participate directly, can view and listen using the livestream, or view and listen to the recording, after it has concluded.

## **Participation, conduct and management of hearing**

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 (ExA) 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 us.

The ExA will keep to the timings as much as possible. Anyone who is not able to provide all their oral submissions by the close of the hearing should follow it up in writing. 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.

## **Registration Process**

Anyone wishing to participate in the Hearings who has not already advised the Case Team of this, should do so as soon as possible via the project mailbox [westburtonsolarproject@planninginspectorate.gov.uk](mailto:westburtonsolarproject@planninginspectorate.gov.uk), or by calling 0303 444 5000.

Parties who have registered to speak will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **10:00am** those attending virtually should join promptly at **09:30am** to ensure that all attendees can complete the Registration Process in good time.

The hearings will finish as soon as we deem that all those present have had their say and that all matters have been covered.

Please contact the Case Team if you have any questions regarding the arrangements for the Hearing.

Yours faithfully

*Andrea Mageean*

**Lead Member of the Panel of Examining Inspectors**

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## AGENDA

### CAH2, OFH3 AND ISH6

Please note the hearings will be held concurrently. Business will be conducted to enable each individual participant to make oral submissions as required for each hearing as a consolidated group of submissions.

<b>Item</b>	<b>Matters</b>
1.	<b>Welcome and introductions</b>
2.	<b>Purpose of these Hearings</b>
3.	<b>Brief summary by the Applicant of Changes to the application and any effect these have on the Applicant's case</b>
4.	<b>Representations from Additional Affected persons and Additional Interested Parties including in relation to the Proposed Development and the proposed provisions of the Change Request.</b> <ul style="list-style-type: none"><li>• Each party who has indicated a wish to speak will be invited in turn to address the ExA.</li><li>• Following each submission, the ExA may wish to ask the speaker questions.</li><li>• The Applicant will be invited to respond to any matters raised by each speaker, or in summary at the close of the Hearing. –</li><li>• 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 ExA.</li></ul>
5.	<b>Responses by Applicant</b> (If not taken individually under item 4)
6.	<b>Other Matters</b>
7.	<b>Close</b>