



## Bramford to Twinstead Reinforcement

### Agenda for Compulsory Acquisition Hearing 1

<b>Topic</b>	<b>Compulsory Acquisition and Temporary Possession matters.</b>
<b>Date</b>	<b>Wednesday 8 November 2023</b>
<b>Time</b>	<b>10.00am</b>
<b>Venue</b>	<p>Blended hearing held at the Stoke by Nayland Resort, Keepers Lane, Leavenheath, CO6 4PZ (free onsite parking), and online through Microsoft Teams (instructions on how to join online or by telephone will be provided in advance to those who have pre-registered).</p> <p><b>Seating available at the venue from 9.30am.</b></p> <p><b>The virtual room opens at 9.30am</b> for those participating online. Join between 9.30am and 9.45am to enter the virtual lobby. From here you will be admitted to the Arrangements Conference, greeted and given further instructions. The Arrangements Conference will be hosted at 9.45am by the Case Team. It will cover housekeeping arrangements for those participating online and answer any questions about taking part.</p>
<b>Attendees</b>	<p>All registered Affected Persons and Interested Parties are welcome to attend. Those Affected Persons wishing to make oral representations should register with the case team as soon as possible.</p> <p>(Email <a href="mailto:bramfordtotwinstead@planninginspectorate.gov.uk">bramfordtotwinstead@planninginspectorate.gov.uk</a> or call 0303 444 5000.)</p> <p>The Examining Authority would be assisted by the attendance of the following, and would be grateful for confirmation of attendees and whether they will be joining in person at the venue or virtually:</p> <ul style="list-style-type: none"><li>• The Applicant</li><li>• Essex County Council</li><li>• Suffolk County Council</li><li>• Babergh District Council</li><li>• Mid Suffolk District Council</li><li>• Braintree District Council</li><li>• Individual Affected Persons listed in the Applicant's Book of Reference</li><li>• Pivoted Power LLP</li><li>• Cadent Gas Limited</li></ul>

<b>Agenda for Compulsory Acquisition Hearing 1</b>	
<b>10.00am</b>	<b>Examining Authority opens the Hearing.</b>
Item 1	Welcome, preliminary matters, introductions, and the order in which representations will be heard.
Item 2	Purpose of this Compulsory Acquisition Hearing (please read Annexes A and B below in advance).
Item 3	<p><b>The Applicant's case for Compulsory Acquisition (CA) and Temporary Possession (TP) powers.</b></p> <p>The ExA will ask the Applicant to present and justify its case for CA and TP in brief, including the following matters:</p> <ul style="list-style-type: none"> <li>• identification of the powers sought and their purposes;</li> <li>• relevant provisions in the draft Development Consent Order (dDCO);</li> <li>• how the relevant statutory and policy tests under the Planning Act 2008 (including s122, s123, s127, s132 and s138) and Department for Communities and Local Government guidance related to CA would be met;</li> <li>• the Applicant's strategy and criteria for determining whether to seek powers for CA of land, CA of rights or TP of land; and</li> <li>• consideration of alternatives to CA and TP.</li> </ul>
Item 4	<p><b>Site-specific representations from Affected Persons</b> (parties who may be affected by the CA and TP provisions in the dDCO).</p> <p>Any related matters arising from the Examining Authority's First Written Questions.</p>
Item 5	<b>Site-specific matters for the Applicant</b> , including any relevant matters arising from the Examining Authority's First Written Questions.
Item 6	<b>Statutory Undertakers</b> , including any relevant matters arising from the Examining Authority's First Written Questions.
Item 7	<b>Human Rights</b> , including any related matters arising from the Examining Authority's First Written Questions.
Item 8	<b>Consideration of duties under the Equalities Act 2010</b> , including any matters arising from the Examining Authority's First Written Questions.
Item 9	<b>Funding</b> , including any related matters arising from the Examining Authority's First Written Questions.
Item 10	Any other business.
Item 11	Review of actions arising.
Item 12	Close of Compulsory Acquisition Hearing 1.

**Note that the agenda is provided for general guidance and may be subject to change on the day.**

**If you simply wish to observe this Hearing**, you will be able to:

- attend the event in person to watch the proceedings;
- view a livestream of the event (a link will be made available on the [project webpage](#) shortly before the event is scheduled to begin); or
- view the recording of the livestream that will be published on the [project webpage](#) shortly after the event has finished.

## Annex A

### Procedure at Compulsory Acquisition Hearings

The Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 dictate that the Examining Authority presides at a Hearing, that it has powers of control over the conduct of the Hearing, and that it is responsible for determining the procedure.

The parties requested to attend are specified on page 1 of this document. If you wish to participate in the Hearing and have not already confirmed your attendance, please do so as soon as possible by contacting the Case Team on 0303 444 5000 or by email at [bramfordtotwinstead@planninginspectorate.gov.uk](mailto:bramfordtotwinstead@planninginspectorate.gov.uk).

If you are experiencing any COVID-19 symptoms, please do not attend the Hearing in person. Contact the Case Team who will ensure you have access to the Hearing virtually. Please ensure that you read our [Privacy Notice](#) before attending the Hearing.

The event will be livestreamed and a link for watching the livestream will be posted on the project webpage of the National Infrastructure Planning website closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to it using the livestream, or view and listen to the recording, after it has concluded.

Participants may be legally represented if they wish, but the Examining Authority will conduct the Hearing in such a way that legal representation will not be required. The Examining Authority will lead the questioning of parties making oral representations and probe, test and assess the evidence. There is usually no cross-examination of witnesses by other parties, though the Examining Authority does have the power to allow this under certain circumstances.

The Hearing will finish when the Examining Authority considers that all matters have been covered and all participants have had an opportunity to make their representations. If there are additional matters to be dealt with, it may be necessary to defer some matters to written questions.

A summary of the evidence presented orally at Compulsory Acquisition Hearing 1 should be included in post-hearing submissions to be submitted by Deadline 4 in the Examination Timetable (16 November 2023).

The Examining Authority would recommend any parties who are new to the process and wish to learn more about the background and procedures in hearings to read the Planning Inspectorate's [Advice Note 8.5](#), *The Examination: hearings and site inspections*.

## **Annex B**

### **The purpose of this Compulsory Acquisition Hearing**

The main purpose of Compulsory Acquisition Hearing 1 is:

- to enable the ExA to inquire into the Applicant's case for Compulsory Acquisition of land or rights over land and to take Temporary Possession of land;
- for the ExA to examine whether the relevant legal and policy tests applicable to Compulsory Acquisition and Temporary Possession proposals have been met;
- to hear any Affected Persons who have requested to be heard; and
- to address any related matters.

The agenda is indicative and may be subject to change on the day. Documents in the Examination Library should be taken as read and need not be repeated in oral submissions, although signposting to key documents may assist.

The ExA recognises that other Hearings may contribute information and evidence that will be used in support of any recommendation in respect of Compulsory Acquisition.

Discussion at the Hearing may be based on the following documents. Active participants are advised to have an electronic or hard copy of each to hand:

- Book of Reference [REP1-005]
- Statement of Reasons [APP-038]
- Land Plans [REP1-004]
- draft Development Consent Order [REP2-005]
- Explanatory Memorandum [APP-035]
- Funding Statement [APP-037]
- Special Category Land Plans [APP-009]