



## Bramford to Twinstead Reinforcement

### Agenda for Issue Specific Hearing 2

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| <b>Topic</b>     | <b>The draft Development Consent Order and related matters.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Date</b>      | <b>Wednesday 8 November 2023</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Time</b>      | <b>2.00pm</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 1.30pm.</b></p> <p><b>The virtual room opens at 1.30pm</b> for those participating online. Join between 1.30pm and 1.45pm 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 1.45pm 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 Interested Parties are welcome to attend. Those wishing to make oral representations on this specific topic should register in advance with the case team.</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 representatives from 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></ul> |

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| <b>2.00pm</b> | <b>Examining Authority opens the Hearing.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Item 1        | Welcome, preliminary matters and introductions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Item 2        | Purpose of this Issue Specific Hearing (please read Annexes A and B below in advance).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Item 3        | <b>Review of Applicant's Schedule of Changes to the dDCO</b> at Deadlines 2 and 3, including any further matters arising from the Examining Authority's First Written Questions.                                                                                                                                                                                                                                                                                                                                                                                      |
| Item 4        | <ul style="list-style-type: none"> <li>• Review of the parties' positions on:               <ul style="list-style-type: none"> <li>○ Considering what would constitute materially new or materially different environmental effects from those assessed in the ES.</li> <li>○ The case for the amendment of Article 57/ Schedule 17.</li> <li>○ The need for an 'appeal' mechanism if agreement could not be reached on materiality.</li> </ul> </li> <li>• Any related matters arising from the Examining Authority's First Written Questions.</li> </ul>            |
| Item 5        | <p><b>Local authorities' suggested amendments to dDCO.</b> Consideration of:</p> <ul style="list-style-type: none"> <li>• Amended wording of existing Articles, Requirements and Schedules suggested by the Suffolk councils in response to ExQ1 questions DC1.6.85, DC1.6.93, DC1.6.105 and DC1.6.119 [PD-005].</li> <li>• The need for, and wording of new Requirements put forward by the Essex councils in response to ExQ1 question DC1.6.97 [PD-005].</li> <li>• Any related matters arising from the Examining Authority's First Written Questions.</li> </ul> |
| Item 6        | Review of parties' current positions on Requirement 7 – Construction hours.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Item 7        | <p><b>Highway related matters:</b></p> <ul style="list-style-type: none"> <li>• Mechanism for highway authorities' recovery of costs associated with implementation of Articles 12 and 47 of the dDCO.</li> <li>• Any other dDCO highway-related matters arising from the Examining Authority's First Written Questions.</li> </ul>                                                                                                                                                                                                                                   |
| Item 8        | Any other matters arising from the Examining Authority's First Written Questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Item 9        | Any other business.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Item 10       | Review of actions arising.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Item 11       | Close of Issue Specific Hearing 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**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 Issue Specific 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 the first page 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 [bramfordtotwinstead@planninginspectorate.gov.uk](mailto:bramfordtotwinstead@planninginspectorate.gov.uk).

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.

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.

Parties who have registered to attend (both in person and virtually), and invitees, will receive an email shortly before the hearing containing a joining link and telephone number to enable participation virtually as necessary. If attending virtually, please join the Arrangements Conference promptly. The Case Team will admit you from the virtual lobby and register your attendance. The Arrangements Conference allows procedures to be explained and will enable the hearing to start promptly.

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 Issue Specific Hearing 2 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 Issue Specific Hearing**

This is the second Issue Specific Hearing to consider the dDCO and related matters, and it follows on from Issue Specific Hearing 1 held on 14 September 2023. The main purpose of this hearing is to continue the examination of the dDCO Articles and Schedules, and in particular to consider:

- issues around how the dDCO is intended to work – what would be consented, the extent of the powers and what requirements and agreements are proposed;
- any possible issues of prevention, mitigation or compensation which are not covered by the dDCO as currently drafted;
- the justification for any changes from established practice;
- the need for Protective Provisions and their scope; and
- the initial views of other parties as to the appropriateness, proportionality or efficacy of the proposals.

Discussion at the Hearing will be held without prejudice to the ExA's final recommendation about whether or not the dDCO should be made. In addition to the DCO matters requiring oral examination above, further matters pertaining to the dDCO may be the subject of further written questions from the ExA.

The agenda provided above is indicative and is 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.

Discussion at the hearing will be based on the following documents, and active participants are advised to have an electronic or hard copy of each available:

- Draft Development Consent Order [REP2-005]
- Explanatory Memorandum [APP-035]
- Applicant's Schedule of Changes to the dDCO [REP2-001]