

A19 Downhill Lane Junction Improvement Agenda for Second Open Floor Hearing (OFH2)

This document sets out the agenda for the Open Floor Hearing (OFH), which I notified all Interested Parties (IPs) of in my Rule 8 letter of 21 August 2019 (Annex C).

Date: Tuesday 15 October 2019
Time: 6.00pm, room opens from 5.30pm
Venue: **George Washington Hotel,**
Stone Cellar Road,
High Unsworth,
Washington,
Newcastle upon Tyne
NE37 1PH

Access and Parking: Free parking available on site

Purpose of the Open Floor Hearing (OFH2)

The OFH is held to discharge the Examining Authority's (ExA's) duty to hear Interested Parties (IPs) who request to be heard.

Participation, conduct and management of hearing

All IPs who wish to make oral representations are invited to participate in the hearing, attending at the appointed start time of 6.00pm. Participation is subject to the ExA's power to control the hearing. However, this hearing does not have a subject matter controlled agenda and participants may bring up any matter arising from the application that is also important and relevant to a decision taken under the Planning Act 2008 (as amended) (PA2008). Participation is therefore of most relevance to IPs who wish to raise matters that are not addressed in the agenda for an Issue Specific Hearing (ISH).

I have received formal requests from two Interested Parties as well as notification from two other individuals who all wish to speak at the OFH. The OFH will provide them with an opportunity to make their oral case at this public meeting.

The ExA requests that Highways England (the Applicant) attends the hearing. The Applicant may be asked by or through the ExA to address questions raised by any IPs and will be provided with an opportunity to respond to IPs written and oral cases.

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required. The Applicant and IPs may attend with expert advisers, but IPs may participate without expert advice.

Guidance under the PA2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

Cross-questioning of the person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. IPs should note that it is not normal procedure at an OFH for an ExA to permit the cross-questioning of an unrepresented IP by the Applicant or the Applicant's representatives.

The agenda may be amended by the ExA at the start of the hearing session. Furthermore, the ExA may wish to raise matters arising from oral submissions, Relevant Representations and Written Representations, and pursue lines of inquiry in the course of the discussion which are not listed on the agenda.

The hearing will run until all IPs have made their oral representations and responded to the ExA's exploration of the matters arising from them.

If by ten minutes after the conclusion of Agenda item 2, no IPs have attended and sought a hearing in relation to any of the remaining agenda items, the ExA is entitled to conclude that none wish to do so and may then close the hearing with immediate effect.

Agenda for Open Floor Hearing 2

1. Welcome, introductions and arrangements for this Open Floor Hearing

2. Representations by any Interested Parties

Each Interested Party (IP) in attendance and wishing to speak will be invited to put oral submissions to the ExA. A time guide of ten minutes per IP will be applied to these submissions.

The ExA may ask questions of the IP and the Applicant about matters arising from written and oral submissions.

The Applicant will be provided with a summary right of reply. A time guide of three minutes will be applied to these submissions.

3. Review of issues and actions arising

The ExA will address how any actions placed on the Applicant are to be met and consider the approaches to be taken in further hearings, in the light of issues raised in this hearing.

4. Next steps

5. Closure of the hearing