



The Planning  
Inspectorate

## Agenda

|                         |  |
|-------------------------|--|
| <b>Title of meeting</b> | A30 Chiverton to Carland Cross<br>Compulsory Acquisition Hearing (CAH) |
| <b>Date</b>             | Wednesday 3 April 2019   |
| <b>Time</b>             | 2.30pm (open) for 3.00pm   |
| <b>Venue</b>            | Old Bakery Studios, Blewett's Wharf, Malpas Road, Truro, TR1<br>1QH    |
| <b>Attendees</b>        | Invitees   |

### **Purpose of the Compulsory Acquisition Hearing 1 (CAH1)**

Guidance on Compulsory Acquisition under the Planning Act 2008 is available online.

Sections 122 to 134 of the Planning Act set out the main provisions regarding compulsory acquisition of land.

Section 122 sets out that a development consent order may only authorise compulsory acquisition if the Secretary of State is satisfied that:

- the land is required for the development to which the consent relates, or is required to facilitate, or is incidental to, the development, or is replacement land given in exchange under section 131 or 132, and
- there is a compelling case in the public interest for the compulsory acquisition.

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

The hearing is open to all Affected Persons shown in the Rule 17 letter issued on 8 March 2019. For the HE response please see REP2-023.

The following parties have indicated an intention to attend a CAH:

- Highways England (the Applicant)
- Lucy Chamberlain
- Steve Chamberlain
- Peter Mewton
- NFU

The following parties are noted to have objections outstanding and/or may wish to attend a CAH:

- Cornwall Council (CC)
- James Foote
- David Mewton
- Reginald Mewton

- Robert Mewton
- Trewithen Estate
- Adrian Hare
- Edward Buckland obo Tregothnan Estate
- Edward Buckland obo the Harvey Family
- Simon Lutey obo Residents of Trevalso
- Bronwen Lloyd
- Peter Keast

The ExA would find it helpful to know who will be attending this CAH. However, this does not indicate that other parties will not be able to contribute; all APs are invited to attend and make oral representations on matters set out in the agenda, subject to ExA's ability to control the hearing.

Please note that the following agenda is indicative and may be amended. The ExA may wish to raise other matters arising from submissions and pursue lines of enquiry during the discussion which are not on the agenda.

The ExA will be referring to the revised version of the draft Development Consent Order (dDCO) accepted into the Examination at Deadline 2 [REP2-012 and associated documents].



## **Agenda CAH1**

- 1. Welcome, introductions and arrangements**
- 2. Summary of outstanding objections and progress with negotiations following meetings**
- 3. Parties who may be affected by the project**
  - a) Affected persons who have notified a wish to make oral representations
  - b) Other affected persons
  - c) Persons whose land or rights are not to be acquired compulsorily but who may be affected and able to make a relevant claim
- 4. Whether protective provisions are in a satisfactory form and one that is agreed with the relevant parties.**
- 5. Statutory undertakers**
- 6. Whether there are any other outstanding matters**
- 7. Statutory conditions and general principles**
  - a) Whether consideration has been given to all reasonable alternatives to compulsory acquisition and temporary possession
  - b) Whether the rights to be acquired, including those for temporary possession, are necessary and proportionate
  - c) Whether all land to be acquired is necessary and proportionate
  - d) Whether, in accordance with PA 2008 s122(3), there is a compelling case in the public interest for the compulsory acquisition, both in relation to the need in the public interest for the project to be carried out and in respect of the private loss to those affected
- 8. Funding**
- 9. Human rights and Public Sector Equality Duty (PSED)**
- 10. Next steps**
- 11. Close**

**Please note:** The hearing will close at the conclusion of business. Affected persons who have registered to speak in advance will be provided with a table and microphone. Individuals who have not registered in advance may participate at the discretion of the ExA.