

## **M42 Junction 6 Improvement Project Agenda for Compulsory Acquisition Hearing**

- Date:** **Tuesday 20 August 2019**
- Time:** 10.00am  
Hearing room opens from 9.30am
- Venue:** Ramada Hotel, The Square, Solihull, West Midlands, B91 3RF
- Access and Parking:** Free parking at the venue

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

The Compulsory Acquisition Hearing 1 (CAH1) is being held for the following purposes:

- To enable the Panel to inquire into the Applicant's case to Compulsorily Acquire (CA) land or rights over land or to take Temporary Possession (TP) of land.
- To discharge the Panel's duty to hear persons 'affected' by CA and TP proposals who request to be heard.
- To enable the Panel to consider whether relevant legal and policy tests applicable to CA and TP proposals have been met.

The business of this Compulsory Acquisition Hearing is limited to the effects of CA and TP proposals and to participation by the Applicant and any 'affected person'. Oral submissions on other matters or from persons who are not 'affected' by CA and TP proposals will not be heard; such issues can be brought to another hearing, for which provision has been made in the Examination Timetable. Should it be necessary, the Examination Timetable appended to our Rule 8 letter of 31 May 2019 also allows for a subsequent CA and TP hearing on 23 October 2019.

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

The Applicant and any person with outstanding objections 'affected' by CA and TP proposals are entitled to be heard. The Applicant and those who have requested to be heard are asked to attend and are listed below, but that does not preclude the participation of others 'affected' by CA and TP proposals.

- The Applicant
- Mr Andrew Bennett
- David & Camilla Burton
- Mr Philip O'Reilly



# The Planning Inspectorate

- Gateley Hamer Limited for the Warwickshire Gaelic Athletics Association
- Birketts LLP for The Trustees of the Sir Major Timothy Gooch Will Trust
- Robert Eaton for Birmingham International Airport Limited
- Gerald Eve LLP for the National Exhibition Centre
- CMS Cameron, McKenna Nabarro Olswang LLP for Cadent Gas Limited
- Bryan Cave Leighton Paisner LLP for the National Grid PLC

Guidance under the Planning Act 2008 (PA 2008)<sup>1</sup> 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.

## Agenda

- 1. Welcome, introductions and arrangements for the Hearing**
- 2. Purpose of the Compulsory Acquisition Hearing**
- 3. Applicant's introduction and update:**
  - General approach to compulsory acquisition and temporary possession
  - The effects of the proposed change to the dDCO
  - Progress and expectations on negotiations
    - with the parties listed above
    - with other parties where a SoCG is under discussion
    - with any other party
- 4. The objections to compulsory acquisition and temporary possession (in the order of those listed above)**
  - The effects of the proposed compulsory acquisition or temporary possession
  - Can the reasons for the objection be overcome?
- 5. Any other Compulsory Acquisition issues**
- 6. Consideration of whether updates or revisions to the Statement of Reasons and Book of Reference are required, and any implications for the drafting of the DCO**
- 7. Review of issues and actions arising**

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<sup>1</sup> DCLG: 'Planning Act 2008: Guidance for the examination of applications for development consent', March 2015.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418015/examinations\\_guidance-final\\_for\\_publication.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-final_for_publication.pdf)

**8. Next steps**

**9. Closure of the Hearing**