

M42 Junction 6 Improvement Project Agenda for Compulsory Acquisition Hearing

Date:	Tuesday 22 October 2019
Time:	10.00am Hearing room opens from 9.30am
Venue:	Ramada Hotel, The Square, Solihull, West Midlands, B91 3RF
Access and Parking:	Parking at the venue

Purpose of Compulsory Acquisition Hearing 2 (CAH2)

This Compulsory Acquisition Hearing 2 (CAH2) is being held to assess progress following the first Compulsory Acquisition Hearing (CAH1) held on Tuesday 20 August 2019 and to identify any outstanding issues or the need for any further work required:

- to allow the Panel to substantially complete its inquiry into the Applicant's case to Compulsorily Acquire (CA) land or rights over land or to take Temporary Possession (TP) of land;
- to make appropriate provision for the Panel to hear about any outstanding issues from all persons 'affected' by CA and TP proposals who request to be heard; and
- 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; at this stage in the Examination such issues may be dealt with in writing or, if suitable, raised at the subsequent ISH into the dDCO (DCO4) on Wednesday 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
- Gateley Hamer Limited for the Warwickshire Gaelic Athletics Association
- Beth Youngs of Birketts LLP for The Trustees of the Sir Major Timothy Gooch Will Trust
- Gerald Eve LLP for the National Exhibition Centre

Guidance under the Planning Act 2008 (PA 2008)¹ 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.

¹ 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

Agenda

- 1. Welcome, introductions and arrangements for the Hearing**
- 2. Purpose of the Compulsory Acquisition Hearing**
- 3. Applicant's update and responses from 'affected' persons, where present:**
 - Progress and expectations:
 - Crown land and HS2 – more details at D9
 - SoCGs involving CA or TP issues – more details at D7
 - NEC
 - WGAA
 - Gooch Estate
 - Others including Birmingham Airport Limited, Severn Trent Water and Royal Mail
 - Negotiations involving, or possibly involving, CA or TP issues
 - David and Camilla Burton
 - Mr Andrew Bennet
 - Cadent Gas Limited
 - National Grid
 - Severn Trent
 - Any other 'affected' person present
- 4. Remaining objections to compulsory acquisition and temporary possession**
 - 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**
- 8. Next steps**
- 9. Closure of the Hearing**