



Planning Act 2008 – section 91

Application by Highways England for an Order granting Development Consent for the M25 Junction 28 Improvement scheme

Hearing	Date and Time	Location
Issue Specific Hearing 2	Friday 5 March 2021	Virtually meeting via Microsoft Teams

Issue Specific Hearings

All Interested Parties (IPs) are invited to attend issue specific hearings but it would assist the running of the hearings if notice could be given to the Inspectorate's Case Team (M25Junction28@planninginspectorate.gov.uk) of a wish to participate prior to the hearing.

Each IP is entitled to make oral representations at hearings. However, this is subject to the Examining Authority's (ExA) power to control hearings.

The arrangements conference will commence 30 minutes prior to the start of each hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the days that they are scheduled for. Should the consideration of the issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any Hearing, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.



Please Note:

In order to ensure timely publication of the agenda, this has been drafted very shortly after the receipt of submissions for Deadline 2. As a consequence, the ExA may need to adjust the agenda at the meeting to allow for responses received at this deadline.

Agenda

Title of meeting Issue Specific Hearing 2: Development Consent Order

Date Friday 5 March 2021

Time 10.00am

Venue Virtually via Microsoft Teams

Attendees Invitees

The main purpose of the first Development Consent Order (DCO) hearing is to undertake an examination of the draft DCO Articles and Schedules.

In particular, to:

- Clarify issues around how the draft DCO is intended to work – what would be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
- Identify any possible issues of prevention, mitigation or compensation which are not covered by the DCO as currently drafted; and
- Establish or confirm the views of other Interested Parties as to the appropriateness, proportionality or efficacy of the proposals.

1. Welcome, introductions, arrangements for the hearing

2. Ownership, management and maintenance responsibilities for Transport for London (TfL)

- 2.1 Discussion on the transfer of benefits and progress on negotiations between the Applicant and TfL and in respect to Part 5, Articles 35 and 36 and Schedule 6 of the draft DCO [REP3A-004].
- 2.2 Concerns raised in respect to Part 2, Article 9 and Part 3, Articles 11 and 16.
- 2.3 Clarification on who would be responsible for the environmental features.
- 2.4 The need for Protective Provisions for TfL.

3. Matters of concerns raised with the draft DCO

- 3.1 Part 1 - Definition of "*Commence*".
- 3.2 Part 1 - Definition of "*Maintain*".
- 3.3 London Borough of Havering to outline concerns for Articles 13, 18, 19 and 22 of the draft DCO.
- 3.4 London Borough of Havering and Applicant to confirm whether or not Part 5, Article 35 relates to highway land.

- 3.5 Whether Requirement 4 as worded is adequate.
- 3.6 The consultation parties to be applied to Requirements 3, 4, 5, 6, 8 and 10.
- 3.7 Time limits prescribed within Articles 18(5), 18(11), 19(9), 22(2), 35(2) and Requirement 17.

4. Consents, licenses and other agreements

- 4.1 The Applicant will be asked to provide an update of progress and timescales for completion.
- 4.2 The need for section 106 agreements as indicated by London Borough of Havering.

5. AOB

6. Action Points and Close

Invited attendees:

All IPs are welcome to attend the hearing. However, the ExA considers that representatives for the following parties should consider attending because the ExA believes that the material that they have submitted raises issues that may need to be explored at the hearing:

- The Applicant
- Network Rail
- Transport for London
- Environment Agency
- Cadent Gas
- Essex County Council
- London Borough of Havering
- All relevant electricity statutory undertakers