

National Infrastructure
Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer
Services: 0303 444 5000
e-mail: M25junction10@planninginspectorate.gov.uk

All Affected Persons and Interested
Parties

Your Ref:

Our Ref: TR010030

Date: 14 May 2020

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Examination Procedure) Rules 2010 (as amended) – Rules 9 and 13**

**Application by Highways England for an Order Granting Development Consent
for the M25 Junction 10 / A3 Wisley Interchange Improvement Scheme**

Notification of Hearing

We write to all Affected Persons (APs) to announce details of a forthcoming virtual Compulsory Acquisition Hearing (CAH) which will be held between 16 and 18 June 2020 and, if required, between 23 and 25 June 2020. Important details are set out at **Annex A** and **Annex B** to this letter.

Coronavirus

Because of the Coronavirus (COVID-19) measures introduced by the Government, <https://www.gov.uk/coronavirus>, social distancing and other restrictions are in place. Further details of how this virtual hearing will work are given in **Annex A** to this letter.

Hearing

As set out in the Examination Timetable annexed to our Rule 8(3) letter dated 5 May 2020, those Parties who wish to speak at the CAH were asked to notify the Planning Inspectorate by 14 May 2020 (Deadline 9). Details for the CAH are set out at **Annex B**.

You should inform us if you plan to attend the CAH and whether you wish to speak **no later than 19 May 2020**. Please ensure that you quote your AP reference number whenever you contact us: it is shown either in the email covering this letter or on the accompanying notification you received by post.

We will aim to publish the agenda on the M25 Junction 10 / A3 project page of the National Infrastructure Planning website

(<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/m25-junction-10a3-wisley-interchange-improvement/?ipcsection=overview>) at least one week before the CAH is due to take place. The actual agenda on the day may be subject to change at the discretion of the Examining Authority (ExA).

If any of the events scheduled are no longer required, reasonable notice will be provided to APs of our decision to cancel them by the posting of a banner on the project website.

A Frequently Asked Questions (FAQ) document, which may be updated from time to time, is at: <http://infrastructure.planninginspectorate.gov.uk/document/TR010030-000960>.

If you have any further queries please contact the Case Team using the details at the top of this letter.

Notification of hearing - Site notices

On 14 May 2020 the Applicant made a request [[AS-033](#)] for the requirements under Rule 13(6) (a) and (b) to be waived in the current Coronavirus circumstances. Having considered the request, the ExA hereby directs in accordance with Rule 13(6) that the requirements for the Applicant to post and maintain site notices under Rule 13(6) (a) and (b) regarding the CAH are not required to be undertaken, unless the Applicant considers that this can be safely carried out at some point closer to the virtual hearing. The ExA also directs the Applicant, in light of the above procedural decision, to advertise the hearing under Rule 13(6)(c) in the local newspaper on two separate occasions.

If you have any further queries, please do not hesitate to contact us.

Yours faithfully

Gavin Jones

Gavin Jones
Lead Member of the Panel of Examining Inspectors

Annex A – How the new style hearing will work

Annex B – Date, time and place for forthcoming hearing

How the new style hearing will work

Because of the Coronavirus (COVID-19) measures introduced by the Government, <https://www.gov.uk/coronavirus>, social distancing and other restrictions are in place.

We will not be conducting the Compulsory Acquisition Hearing (CAH) in the way we have conducted the previous hearings we have held. Instead, we will be conducting a virtual CAH either over the internet, or by telephone link for anyone without access to the internet, or by teleconference only. You will be able to take part at home. We will do this robustly and fairly and in a way which mirrors as far as possible the way in which the in-person hearings have been conducted previously.

Requests to be heard at the CAH

If you are an Affected Person (AP) or a representative for an AP wishing to speak in person at the CAH, please contact our case team as usual. You must advise them of your request to be heard by **no later than 19 May 2020**. Instead of having to travel to a hearing venue, you will be able to be heard from home or your office. You should note that because arrangements have to be made in advance to enable you to join the hearing, **it is essential that you make your request to participate by the above date**.

In notifying the Planning Inspectorate of your wish to speak at the CAH you must provide:

- your name and Affected Person reference number;
- your email address (if available), for us to send you arrangement details;
- a telephone number that we can contact you on, before or during the CAH;
- the name of any organisation that you are representing and your role;
- the sessions (1 or 2, see sections below) that you would like to participate in and, if session 2, the plot number(s) that you would like to discuss;
- the Examination Library reference number for all of documents that you intend to talk about at the CAH; and
- your availability for a Hearing access trial run with a member of the Case Team during week commencing 8 June 2020, should you wish.

A questionnaire was circulated with the Rule 8(3) letter on 5 May 2020 (<https://infrastructure.planninginspectorate.gov.uk/document/TR010030-000956>) for completion by deadline 9 (14 May 2020) for those who wished to participate, asking if you have an internet connection at home and, if you have, whether you would like to access and speak at the hearing over the internet using a video link. If you would like to participate in this way, the questionnaire will have asked what type of digital device you intend to use, for instance a smartphone, tablet, laptop or desktop computer. The way in which you will join will be different, depending on the device that you use. More detailed information will be provided with the joining instructions.

Depending on the performance of your device or the internet in your locality, it may be that you join by video and audio, or by audio alone. If you have a slow or intermittent connection, switching off your video camera and using just your audio connection can improve the quality and reliability of your involvement.

If you do not have an internet connection, or you do not feel confident or able to use a digital device, but you have a telephone with a keypad, the joining instructions will include a telephone number to ring instead, enabling you to be heard. In addition, if your internet connection fails during the hearing you will also be able to use the telephone number in the joining instructions to re-join the event by telephone.

Joining the CAH – the Arrangements Conference and Main Hearing Sessions

Once you have requested to be heard and received the CAH Agenda and joining instructions, including a digital link and telephone number by email, you will use one of these to sign in half an hour before the start of the hearing, please see Annex B. Further details will also be included in the forthcoming Agenda. Please have your postcode and your AP reference to hand (your AP reference begins with 'M25J10-' and is shown either in the email covering this letter or on the notification letter you received in the post), which may be needed for identification purposes. Annex B, the Agenda and joining instructions will refer to this time as an **Arrangements Conference**. This gives time for the case team to admit everyone to the virtual hearing, check that you can hear and be heard, and to let you know when it will be your turn to speak. In order to better understand the process and avoid disruption, you must sign in at the start time for each Arrangements Conference for the sessions that you are participating in.

Once the hearing has commenced you will then be able to follow the proceedings by video link, audio link or telephone and speak when your turn comes. As before, the Examining Authority (ExA) will control the hearing and will invite you to speak when it is your turn.

After the event has closed, a recording will be published on the project page. This may be an audio recording, or if people have participated by video, it may be a video recording. If you wish to make written submissions following the CAH you must do so by **3 July 2020** (Deadline 11).

What if things go wrong during the CAH?

If something goes wrong during the CAH, you should contact the case team by email (m25junction10@planninginspectorate.gov.uk) or telephone 0303 444 5000 and ask to be put through to the M25 Junction 10/A3 case team who will attempt to help you to re-join the hearing at an appropriate point. It may be that if you initially joined by video, you can re-join by the audio only option available through the video-conferencing platform or by telephone, to overcome any technical issues that you may have been experiencing.

If you cannot join or re-join the hearing at all and you are an AP, you will be able to make a written submission by **3 July 2020** (Deadline 11). Your submission should state what you would have wished to say and can respond to the oral submissions made by other participants.

The ExA has reserved additional time for the CAH between 23 to 25 June 2020 that at this stage it does not propose to use. However, if a hearing session is disrupted by technical or other matters during the course of the 16 to 18 June sessions, the ExA may decide to adjourn it or part of it to one of the reserve dates. If you have registered to speak but your participation between 16 to 18 June is disrupted or prevented due to unforeseen circumstances, you can contact the case team and

request to be heard on a reserved date and the ExA will seek to accommodate any such requests or there will be the opportunity to submit your comments in writing by **3 July 2020** (Deadline 11).

Participation at the CAH

Speaker participation during the virtual CAH sessions, as would be the case at an in-person CAH, will be limited to the Applicant and APs who object to the proposal. APs are persons whose land or rights are affected by the Compulsory Acquisition and Temporary Possession powers sought by the Applicant. If you are an AP with an outstanding objection and wish to be heard orally, you must request to be heard by **19 May 2020**.

The hearing will be divided into two sessions:

The first session (session 1) will address the **Applicant's overarching or strategic case** for Compulsory Acquisition, its justification for the broad location and extent of land and rights sought and the degree to which this meets relevant legislative requirements, policy and guidance. You should ask to speak at this hearing/session if you are an AP and you object to the Compulsory Acquisition powers sought by the Applicant in general terms. Statutory Undertakers, Crown bodies and other bodies with special statutory protection under the Planning Act 2008 (as amended) should raise their objections during this session of the CAH. If your objections or comments relate to specific issues about your land or rights, you may choose to listen to, or watch, this session without speaking.

The second session (session 2) will focus on **objections from APs that relate to specific issues about individual plots of land and rights**. If you are an objecting AP who wishes to speak and did not speak during session 1 then it is important that you do speak at session 2. If you request to be heard at session 2, you will receive a specific time slot/appointment, which will be identified in the Agenda to be issued by the ExA. This may be for you alone or for a small number of APs requesting to be heard sharing similar objections, along with the ExA, case team and Applicant. Depending on the number of APs requesting to be heard and to ensure fair and appropriate access to this session 2, it is likely that there will be more than one Arrangements Conference and accompanying hearing session and you will be invited to the relevant one for your concerns. You will be allocated time to present your site specific case and respond to questions from the ExA, and the Applicant will be asked to respond to points that you put. You can refer to any matters raised at session 1 of the CAH (consideration of the Applicant's strategic case for compulsory acquisition etc) that affect your land or rights.

After you have spoken you may leave the hearing or continue to listen, although please do not interject when others are trying to speak. Should you not respect this courtesy the ExA may find it necessary for you to be logged out of the remainder of this part of the CAH.

Date, time and place for forthcoming hearing

Compulsory Acquisition Hearing (CAH)

Please be advised that the ExA will hold the hearing under Section 92 of the PA2008 on the following dates:

Event	Date	Time	Joining details
Compulsory Acquisition Hearing (CAH1) Session 1: The Applicant's overarching or strategic case	Tuesday 16 June 2020	Arrangements Conference at 9:30am Hearing starts 10:00am	Join by digital device or telephone using details to be provided in forthcoming agendas
CAH1 Session 2: Plot/AP specific (details to follow at forthcoming agenda)	Wednesday 17 June 2020	Arrangements Conference at 9:30am Hearing starts 10:00am	
CAH1 Session 2 continuation, if required	Thursday 18 June 2020	Arrangements Conference at 9:30am Hearing starts 10:00am	

The ExA intends to cover all matters in the above timeframe. However, notification is also made for reserve CAH time during the following week in case the ExA considers that it is necessary to use this, for example due to more time being needed or if a session is disrupted by technical or other issues.

Event	Date	Time	Joining details
Compulsory Acquisition Hearing (CAH1) Session 1: The Applicant's overarching or strategic case, if required	Tuesday 23 June 2020	Arrangements Conference at 9:30am Hearing starts 10:00am	Join by digital device or telephone using details to be provided in forthcoming agendas
CAH1 Session 2: Plot/AP specific (details to follow at forthcoming agendas), if required	Wednesday 24 June 2020	Arrangements Conference at 9:30am Hearing starts 10:00am	

Event	Date	Time	Joining details
CAH1 Session 2 continuation, if required	Thursday 25 June 2020	Arrangements Conference at 9:30am Hearing starts 10:00am	

If you wish to speak at the CAH, please let the Planning Inspectorate's Case Team know by emailing **no later than 19 May 2020**. If you wish to participate in the hearing, please indicate this clearly and set out the matters that you would like to speak about including any documents that you wish to refer to, using the reference from the examination library.

An Agenda, including the allocation of APs to the session 2 slots for the CAH, will be published on our website in advance of the hearing.