

## **A1 Birtley to Coal House Improvement Scheme**

### **Agenda for Further Compulsory Acquisition Hearing**

**Date:** Tuesday 14 July 2020  
**Time:** 2.30pm (Arrangements  
Conference at 2.00pm)  
**Venue:** Virtual Hearing via  
Microsoft Teams

#### **Introduction**

Details on participation, conduct and management of the Hearing are included in **Annex A** of this agenda and should be read by all participants in advance of the Hearing.

All participants of this Virtual Hearing are requested to read the [Virtual Hearings Arrangements Letter \(v2\) dated 6 July 2020](#).

#### **Purpose of the Compulsory Acquisition Hearing and attendees:**

The Examining Authority (ExA) has accepted a proposal to amend the application and to include Additional Land. This Further Compulsory Acquisition Hearing is being held for the following purposes:

- To enable any Affected Person and/or Interested Party (who has notified the ExA of their wish to speak) to make oral representations on the compulsory acquisition of the Additional Land.
- To enable any additional Affected Persons (who has notified the ExA of their wish to speak) to make oral representations on matters relating to the proposed compulsory acquisition of land and rights.

The agenda and recording of the previous Compulsory Acquisition Hearing have been published in the Examination Library.

#### **Agenda**

- 1. Welcome, introductions and arrangements for the hearing**
- 2. Statutory Conditions**
  - a) The Applicant to confirm that the statutory conditions for the exercise of compulsory powers in respect of the Additional Land are met.
  - b) The Applicant to confirm that the requirements of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 have been met in respect of the Additional Land.

c) Any questions from the ExA regarding the compulsory powers sought in respect of the Additional Land.

**3. Oral representations**

a) The ExA will invite Affected Persons and /or Interested Parties to make oral representations on the compulsory acquisition of the Additional Land.

b) The ExA will invite additional Affected Persons to make oral representations on matters relating to the proposed compulsory of land and rights.

**4. Actions arising and next steps**

**5. Closing**

## **Annex A**

### **Conduct and Management of Hearings**

Guidance under the Planning Act 2008 and the Examination Procedure Rules provides that at Hearings it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the Hearing will therefore be led by the ExA. Parties wishing to make a representation will be invited to do so at the ExA's discretion.

The ExA will start the Hearing by making introductory comments, introductions and running through housekeeping matters and how the Hearing will be conducted. The duration of the Hearing will depend on the number of participants and will be subject to the ExA's powers of control over the conduct of the Hearing.

Questioning at the Hearing will be led by the ExA. Cross-questioning of the person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case.

The Agenda may be amended by the ExA at the start of the hearing session. Furthermore, the ExA may wish to raise matters arising from oral submissions, Relevant Representations and Written Representations, and pursue lines of inquiry in the course of the discussion which are not listed on the Agenda.

The Hearing is being held at the discretion of the ExA to consider matters that it considers to be important and relevant to the effective and robust examination of the application. Consequently, the business of a Hearing will be limited to the matters identified in the agenda or otherwise raised by the ExA..

Oral participation is at the invitation and discretion of the ExA. Oral submissions must address the matters, issues and questions identified in the Hearing agenda and raised by the ExA at the hearing. Oral submissions on other subject matters or from persons who have not been invited to speak by the ExA may only be heard at the discretion of the ExA, who may decide that such matters are not heard in the interests of relevance or time efficiency.

If any party is unable to make an oral representation due to technical difficulties or not being able to participate in the Hearing then the ExA may decide to accept any such submissions in writing.

Recordings of the Hearing will be published by the Planning Inspectorate and any Interested Party may make a written submission on the specific matters either included in the agenda or arising at the hearing by Deadline 11 on 17 July 2020.