

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

### **Agenda for Open Floor Hearing 2**

<b>Hearing Date:</b>	Monday 13 July 2020
<b>Time:</b>	10.00am (Arrangements Conference at 9.30am)
<b>Venue:</b>	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 also requested to read the [Virtual Hearings Arrangements Letter \(v2\) dated 6 July 2020](#).

### **Attendees**

Interested Parties who have provided notification of their wish to speak at an Open Floor Hearing by 8 July 2020, along with any observers.

### **Agenda**

- 1. Welcome, introductions and arrangements for this Open Floor Hearing**
- 2. Representations by Interested Parties requesting to be heard**

Each Interested Party (IPs) in attendance who has made a written request to be heard will be invited to put oral submissions to the Examining Authority (ExA).

Depending on the numbers wishing to speak, a maximum speaking time guide of **five minutes per IP** will be applied. IPs who may have matters they wish to raise in common with others may wish to nominate a spokesperson to present them.

The ExA may ask questions of any IPs about matters arising from written and oral submissions.

If requested, the Applicant will be allowed a brief summary response once all submissions have been made by the Interested Parties listed above. A maximum speaking time guide of five minutes will be applied to the Applicant's submissions.

### **3. Review of any issues and actions arising**

The ExA will address how any actions arising from the Hearing are to be dealt with.

### **4. Close of the hearing**

## **Annex A**

### **Conduct and Management of the Hearing**

#### **General Arrangements**

The ExA will start the Hearing by making introductory comments, introductions and running through housekeeping matters and how the Hearing will be conducted. The ExA's expectation is that the Hearing will typically last for 20-60 minutes. However, the actual duration will depend on the number of speakers wishing to make oral submissions.

#### **Open Floor Hearings**

These Hearings do not have a subject matter controlled Agenda and participants may bring up any matter arising from the application that is also important and relevant to a decision taken under the Planning Act 2008 (as amended) (PA2008).

You are advised not to repeat in your oral submissions material that has already been included in your Relevant or Written Representations. These have been read by the ExA. Any new evidence that you present in your oral representation should be included in post-hearing submissions (including written submissions of oral cases) at Deadline 11 (17 July 2020).

The Applicant may be asked by or through the ExA to address questions raised by any IPs and will be provided with an opportunity to respond to IPs oral and written cases.

Participants may be legally represented if they wish, but the Hearings will be conducted to ensure that legal representation is not required. The Applicant and IPs may attend with expert advisers, but IPs may participate without expert advice. The ExA may impose a time limit on speakers. This will be dependent on the numbers of IPs who wish to speak.

Any 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. IPs should note that it is not normal procedure at an OFH for an ExA to permit the cross-questioning of an unrepresented IP by the Applicant or the Applicant's representatives.

The OFH will run until all IPs have made their oral representations and responded to the ExA's exploration of the matters arising from them, and for the Applicant to have been given an opportunity to respond. If, after ten minutes no IPs who have previously notified of their wish to speak have joined the hearing, the ExA is entitled to conclude that none wish to make any oral address, and the ExA may then close the hearing with immediate effect.