

Application by National Highways for an Order Granting Development Consent for the Lower Thames Project

Agenda for Open Floor Hearing 2 (OFH2):

Hearing	Date and Time	Location
Open Floor Hearing 2 (OFH2)	Wednesday 28 June 2023 In person registration and seating available from 9:30am Virtual Registration Process from 9:30am Hearing Starts at 10.00am	Orsett Hall Hotel, Essex and virtually via Microsoft Teams

Please note: the Event is to now scheduled to be completed in one day, subject to the successful management of the Event by the Examining Authority.

Agenda

1. Welcome, introductions, arrangements for the Hearing

2. Purpose of the Open Floor Hearing

3. Representations by Interested Parties

- A maximum speaking time guide of five minutes per Interested Party (IP) will apply to submissions by individual IPs.
- A maximum speaking time guide of seven minutes will apply to shared speaking submissions between several IPs (for example representing more than one member of a household).
- Membership organisations and formal groups such as businesses, clubs or societies will receive a maximum speaking time guide of ten minutes.

The ExA may ask questions of IPs and the Applicant about matters arising from written and oral submissions. If they do so during a timed submission, the time taken by the ExA will not count against the speaking time guide.

4. Responses by the Applicant

The Applicant will be invited to respond to matters raised and to questions arising from the ExA. A maximum speaking time guide of five minutes will apply.

5. Next Steps

The ExA will review any actions placed on the Applicant, IPs or Other Persons speaking. It will also consider how those actions fit into the timetable and the next steps that need to be taken.

6. Closing

Purpose of OFHs

OFHs are hearings where Interested Parties who are individuals, groups and organisations can have their say. They do not have subject-matter controlled agendas. Participants may raise any matters arising from the Application that are important and relevant to a decision taken under the Planning Act 2008 (PA2008). OFHs aim to identify planning issues that are important and relevant. Once an issue has been identified it does not need to be repeated. It is sufficient to say that you agree with something a previous speaker has raised. All important and relevant issues raised at all OFHs are considered by the ExA and contribute towards its consideration of the planning balance in due course.

Participation

All speaking appointments are time-limited, and for reasons of fairness, the time limits shown on the Agenda will be strictly applied. You will be reminded to conclude approximately one minute before the end of your allotted speaking time. The order in which speakers are heard at OFHs and the timing of OFHs in the Examination period is not material.

Once you have spoken at one OFH you do not have a right to speak again at another. It is important that you use your allotted time well to communicate your messages to the ExA.

Any new evidence presented orally at an OFH (including written submissions of oral cases) should be included in post-hearing written submissions at **Deadline 1** (Tuesday 18 July 2023).

People who have land or rights affected by Compulsory Acquisition or Temporary Possession are Affected Persons and have a right to be heard at a Compulsory Acquisition Hearing (CAH). If you are an Affected Person wishing to speak about your land or rights then a CAH will be the best forum to raise any such issues.

The ExA has asked the Applicant to attend these hearings. The Applicant may be asked by the ExA to address questions raised by IPs in summary form at the end of each hearing and in written submissions. The primary purpose of these hearings is not to enable the Applicant to make their own cases beyond immediately necessary

points of clarification. Any Applicant responses to IP's oral cases should be made in writing.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage of the National Infrastructure Planning website](#) closer to the Hearing date. Interested Parties and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

All participation is subject to the ExA's power to control the hearing.

Requests to be Heard

Anyone wishing to speak at OFH2 who has not already advised the Case Team of this, should do so as soon as possible. There may not be the opportunity to speak if you have not notified the case team ahead of the Event. If your request cannot be accommodated then further OFHs are available during the Examination.

Interested Parties are still able to register for the following OFH that provides the option to be heard in-person south of the River Thames or virtually. This event will proceed as follows:

Hearing	Date and time	Location	Request to be Heard
Open Floor Hearing 3 (OFH3)	Wednesday 5 July 2023 (and 6 July if required) 10.00am	Dartford Bridge Hilton Hotel, Kent and virtually via Microsoft Teams	Via the MS Form by 23:39 Thursday 29 June 2023

If you have not yet requested to be heard at an OFH but would like to do so later in the Examination, then please submit your request to be heard at **Procedural Deadline D** (PDD) on Tuesday 18 July 2023. PDD will be the final opportunity to request to be heard at an OFH.

Event Registration Process

Parties who have registered to speak at OFH2 will receive a Joining Instruction email the day before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **10am**, those attending should arrive at the venue or log into the meeting, as appropriate, promptly at **9.30am** to ensure that the meeting is ready to start on time.

Procedure at OFH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a 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 an IP has had a fair chance to put its case. The time needed for any questions from the ExA will not be subtracted from your speaking time. The ExA may ask for more detailed information or evidence from experts to be provided later, by setting 'actions', by drawing issues into Issue Specific Hearings (ISHs) or asking written questions.

The ExA aims to hear the invited speakers at the appointed date and time. If the hearing is unable to proceed or conclude, then the ExA may add speakers to later OFH Agendas. Notice of any adjournments will be provided in the Lower Thames Crossing banner on the National Infrastructure Planning Website.

Advice

To help you participate effectively, the Planning Inspectorate has published advice and the ExA has published frequently asked questions (FAQs).

- Advice Note 8.5 – [Participating in an Examination](#)
- Advice Note 8.6 – [Virtual Events](#)
- Lower Thames Crossing Examination FAQ v2 [[PD-014](#)]

This material includes advice on how to use Teams (our virtual event system) and on protecting your privacy during virtual events.