



The Planning Inspectorate

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

Open Floor Hearing 3 (OFH3)

Date: 5 July 2023

Venue: Dartford Hilton, Kent and MS Teams

Action Points

No	Party	Action	Deadline
1	All IPs wishing to speak at an OFH	<p>Some Interested Parties (IPs) have registered to speak at Open Floor Hearings (OFHs) but have then requested to defer their attendance or have not attended the OFHs that have been held so far (OFHs 1 – 3).</p> <p>The ExA is required to provide a reasonable opportunity to be heard to any IP requesting to be heard at an OFH. But the provision of hearings comes at a cost to the taxpayer. It is not appropriate for the ExA to provide hearing capacity that is not used.</p> <p>Where an IP has registered to attend a specific OFH but does not attend, the ExA does not have to provide a further hearing opportunity. Once a reasonable opportunity to be heard has been provided but not taken up, it is sufficient for the ExA to seek the views of such an IP in writing.</p> <p>Any existing IP wishing to speak at an OFH and who has not yet done so must request to be heard at Deadline 1/ Procedural Deadline D on 18 July 2023. If there are any such requests to be heard, at least one further OFH will be provided during the Examination. If sufficient requests are made, then further OFHs would be provided to meet need. The ExA will ask IPs to register their intent to speak at a particular hearing. If any IPs register but do not attend any such further hearing(s), in the absence of very special circumstances the ExA will not hold additional OFHs solely to meet their needs.</p>	D1 PDD
2	All IPs wishing to	If you wish to observe an OFH but do not wish to speak, you can do so in the following ways:	All

No	Party	Action	Deadline
	observe an OFH	<ul style="list-style-type: none"> • All OFHs are public hearings. If an OFH is held in a physical venue, there will always be public seating available. You do not need to register to speak in advance to use this seating. • If an OFH is held in either a physical or a virtual venue, you can follow the livestream available from the LTC landing page on the National Infrastructure Planning website; or • You can view the recording(s) of the event after it has closed from the Examination Library. Go to 'Events and Hearings'. <p>You have the opportunity to comment in writing on the matters raised in the hearing at the next timetable deadline.</p> <p>You do not need to register to speak at an OFH in order to observe it. Please only register to speak at an OFH if you do intend to speak.</p>	
3	All Agents for IPs	<p>Where a person registers to speak at a hearing on behalf of an IP (acting as an 'Agent'), it is important that they do attend and speak at the hearing that they have registered for.</p> <p>Where an Agent fails to attend a hearing that they have registered to speak at and does not provide a reason for their non-attendance, the consequences can include that the IP they are representing has to speak for themselves without proper preparation. If the IP is not present, they can lose their right to speak. Where non-attendance without good reason by an Agent leads to any loss by another IP (for example of preparation time reading their representations and time set aside to listen to their case), this may amount to unreasonable behaviour and can be the subject of an application for costs against the IP whose Agent failed to attend. A failure to attend by an Agent can also lead to professional conduct and financial claims against them by the IPs that they were supposed to represent.</p> <p>Such circumstances are unsatisfactory, unfair to all participants in the Examination and should always be avoided.</p>	All