



The Planning Inspectorate

The Planning Act 2008 – section 92

Application by Highways England for an Order granting Development Consent for the A47 North Tuddenham to Easton project.

Agenda for Compulsory Acquisition Hearing 1: Wednesday 3 November 2021,

Date: 3 November 2021

Joining available from: 9.30am

Meeting start time: 10.00am

Location: Virtual event

Agenda for Compulsory Acquisition Hearing 2: Wednesday 3 November 2021

Date: 3 November 2021

Joining available from: 1.30pm

Meeting start time: 2.00pm

Location: Virtual event

Notes on participation and management of Hearings

All Affected Persons (AP) are invited to attend Compulsory Acquisition Hearings (CAHs) but as these are virtual events, to assist in their running please let the Inspectorate's Case Team (A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk) know by **25 October 2021** of a wish to participate so that the relevant instructions can be sent for you to join the event.

The events will also be livestreamed and a link for watching the livestream will be posted on the project page of the National Infrastructure Planning website closer to the events date.

Each AP is entitled to make oral representations at hearings. However, this is subject to the Examining Authority's (ExA) power to control hearings.

The ExA would find it helpful for the following attendees to participate in both Compulsory Acquisition Hearing 1 (CAH1) and Compulsory Acquisition Hearing 2 (CAH2):

- Highways England (the Applicant) - including representatives of the Applicant who are in a position to discuss the matters on the agenda;
- Any Affected Persons who wish to discuss Compulsory Acquisition (CA) or Temporary Possession (TP) matters; and
- Norfolk County Council.

Participants may be legally represented if they wish, but the hearings will be conducted to ensure that legal representation is not required.

At present, there are no requests to be heard from Statutory Undertakers or other relevant bodies. However, the ExA will endeavour to accommodate further requests to be heard from such bodies if these are made.

Guidance under the Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearings will therefore be led by the ExA.

The virtual event will be open 30 minutes prior to the start of the hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of these issues take less time than anticipated, the ExA may conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

These are the first CAHs scheduled to be held in this Examination. Provision has been made for a further CAH to be held during the week commencing 3 January 2022, if required. If all necessary oral process investigations are completed beforehand, other CAHs may not proceed. If further CAHs are required, they are likely to enable only supplementary questions to be asked by the ExA and will not re-examine the Applicant's CA and TP case. For these reasons, it is important that any AP with outstanding objections to CA and/or TP who wishes to be heard should attend the first set of hearings.

The Applicant and any APs with outstanding objections to CA and or TP are entitled to be heard.

The business of the CAHs is limited to the effects of CA and TP and to participation by the Applicant and APs. Oral submissions on other subject matters or from persons who are not APs will not be heard. Any such issues must be brought to another hearing.

The evidence presented orally at CAH1 and CAH2 should be included in post-hearing submissions and submitted by Friday 12 November 2021 (Deadline 4).

Purpose of CAH1 and CAH2

The main purposes of CAH1 and CAH2 is:

- To enable the ExA to inquire into the Applicant's case for CA of land or rights over land and / or to take TP of land;
- To discharge the ExA's duty to hear from APs affected by CA and TP (APs) who request to be heard;
- To enable the ExA to consider whether relevant legal and policy tests applicable to CA and TP have been met; and
- To address any related matters.

Contingencies

The ExA will endeavour to hear all participants. If either CAH1 or CAH2, or parts of them, are unable to proceed, for example for technical reasons, then the ExA may adjourn incomplete business to reserved hearings later in the Examination Timetable. Notice of any adjournments will be provided on the project page of the National Infrastructure Planning website.

Microsoft Teams

The Hearings will take place virtually using Microsoft Teams. Further information about virtual events in relation to Nationally Significant Infrastructure Projects can be found in the Planning Inspectorate's Advice Note 8.6: Virtual examination events:

[Advice Note 8.6: Virtual examination events | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.gov.uk/guidance/advice-note-8-6-virtual-examination-events)

Further information, including a short video regarding taking part in a Planning Inspectorate virtual event, can be found on the Planning Inspectorate's website:

[Planning Inspectorate virtual events: guide to participating - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-inspectorate-virtual-events-guide-to-participating)

Please contact the Case Team if you have any questions about using Microsoft Teams.



Agenda

Title of meeting	A47 North Tuddenham to Easton project Compulsory Acquisition Hearing 1
Date	3 November 2021
Time	10.00am
Venue	Online via Microsoft Teams
Attendees	Invitees

Arrangements Conference

Please join at 9:30am. The Case Team will admit you from the lobby and register your attendance.

1. Welcome, introductions and arrangements for the hearing

2. The Applicant's case for Compulsory Acquisition (CA) and Temporary Possession (TP)

- The ExA will ask the Applicant to present and justify its case for CA and TP and to address the following matters:
 - The statutory and policy tests relevant to CA and / or TP under the Planning Act 2008 (including s122 and s123) and Department for Communities and Local Government guidance related to procedures for the compulsory acquisition of land;
 - Human rights and Public Sector Equality Duty considerations;
 - The structure and content of the Book of Reference;
 - The structure and content of the Statement of Reasons; and
 - The structure and content of the Funding Statement.
- The ExA will invite submissions from Affected Persons (APs) who wish to raise matters of general application in relation to these items.
Please note site-specific submissions will be reserved to CAH2.
- The Applicant will be provided with a right of reply.

3. Review of issues and actions arising

4. Any other matters

5. Closure of the hearing



Agenda

Title of meeting	A47 North Tuddenham to Easton project Compulsory Acquisition Hearing 2
Date	3 November 2021
Time	2.00pm
Venue	Online via Microsoft Teams
Attendees	Invitees

Arrangements Conference

Please join at 1:30pm. The Case Team will admit you from the lobby and register your attendance.

1. Welcome, introductions and arrangements for the hearing

2. Site-specific issues for the Applicant

- The ExA will ask the Applicant to provide a brief update on the progress of negotiations with APs and the timetable for their conclusion.
- The ExA may ask questions of the Applicant about matters arising from written and oral submissions.

3. Site-specific representations by APs

- The ExA will ask APs to briefly set out any outstanding concerns in relation to CA and / or TP for the land which they own and / or occupy that have not been addressed by the Applicant.
- The ExA may ask questions of APs about matters arising from written and oral submissions.
- The Applicant will be provided with a right of reply.

4. Statutory Undertakers

- The ExA will ask the Applicant to summarise any outstanding matters arising from representations by Statutory Undertakers.
- The ExA will invite any Statutory Undertaker or other relevant body in attendance to speak in relation to an objection or issue raised that is relevant to the effects of the Proposed Development on its undertaking, apparatus or land.
- The ExA may ask questions of the Statutory Undertaker or other relevant body, and the Applicant, about matters arising from written and oral submissions.
- The Applicant will be provided with a right of reply.

5. Crown Land

- The Applicant will be asked to provide an update on matters relating to Crown Land.

6. Review of issues and actions arising

7. Any other matters

8. Closure of the hearing