



# 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 3: Wednesday 5 January 2022, 10am.

**Date:** 5 January 2022

**Joining available from:** 9.30am

**Meeting start time:** 10.00am

**Location:** Virtual event

### Notes on participation and management of Hearing

All Affected Persons (AP) are invited to attend Compulsory Acquisition Hearing 3 (CAH3) but as these are virtual events, to assist in their running please let the Inspectorate's Case Team ([A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk](mailto:A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk)) know by **22 December 2021** of a wish to participate so that the relevant instructions can be sent for you to join the event.

The event 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 event date.

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

The ExA would find it helpful for the following attendees to participate in CAH3:

- 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 hearing 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.

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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 the hearing. Questioning at the hearing 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. The hearing 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.

As this is the third CAH scheduled to be held in this Examination, the ExA does not intend to re-examine the Applicant's CA and TP case.

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

The business of CAH3 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 CAH3 be included in post-hearing submissions and submitted by Monday 17 January 2022 (Deadline 7).

### **Purpose of CAH3**

The main purpose of CAH3 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, and to receive an update on progress made by the applicant in their discussions with APs;
- 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.

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## **Contingencies**

The ExA will endeavour to hear all participants. If CAH3, or parts of it, are unable to proceed, for example due to technical reasons, then the ExA will deal with any remaining matters via written questions. Notice of any adjournments will be provided on the project page of the National Infrastructure Planning website.

## **Microsoft Teams**

The Hearing 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.planninginspectorate.gov.uk/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

<b>Title of meeting</b>	A47 North Tuddenham to Easton project Compulsory Acquisition Hearing 3
<b>Date</b>	5 January 2022
<b>Time</b>	10.00am
<b>Venue</b>	Online via Microsoft Teams
<b>Attendees</b>	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. Change request**

- The ExA will ask the Applicant to briefly outline its request for a change to the application. The ExA may ask questions on this matter.

#### **3. 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.

#### **4. 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.

#### **5. 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.

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- 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.

## **6. Crown Land**

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

## **7. Review of issues and actions arising**

## **8. Any other matters**

## **9. Closure of the hearing**