

## **Planning Act 2008 – Section 93**

### **Application by Highways England for an Order Granting Development Consent for the A47 Blofield to North Burlingham project**

#### **Agenda for virtual Open Floor Hearing 3: Tuesday 9 November 2021, 10:00am**

Notification of the dates, times and joining instructions for the virtual Open Floor Hearing 3 (OFH3) was provided in the [Examining Authority's \(ExA\) letter](#) dated 8 October 2021.

#### **Arrangements Conference**

Please join at **9:40am**. The Case Team will admit you from the lobby and register your attendance.

Where necessary a break will be provided during the OFH in recognition of the fatigue associated with on-screen communication during virtual events.

#### **Agenda:**

##### **1. Welcome, introductions and arrangements for the hearing**

##### **2. Representations by Interested Parties (IPs)**

Each IP in attendance and wishing to speak will be invited to put oral submissions to the ExA. A time limit may be applied to these submissions depending on numbers of participants. The ExA may ask questions of the IP about matters arising from written and oral submissions.

##### **3. Responses by the Applicant**

The Applicant will be invited to respond to matters raised and to questions arising from the ExA either orally after all IPs have spoken, or in writing by Thursday 18 November 2021 (Deadline 7).

##### **4. Closure of the hearing**

#### **Purpose of the OFH**

The formal purpose of an OFH is to discharge the ExA's duty to Interested Parties who request to be heard. An OFH is an opportunity for Interested Parties to make their case on any relevant matter orally.

## **Participation, conduct and management of the hearings**

### *Participation by speakers*

At an OFH, each IP is entitled (subject to the ExA's powers of control over the conduct of the hearing) to make oral representations about the application. If on the day there are other individuals who are not registered as IPs but who wish to make oral submissions at the OFH, it will be open to the ExA to use its discretion to hear these should time permit.

OFHs do not have subject-matter controlled agendas and participants may raise any matters arising from the application that is important and relevant to the decision taken under the Planning Act 2008. However, oral submissions should be based on representations previously made in writing by the particular participant and should not simply repeat matters previously covered in a written submission or at other OFHs, but rather provide further detail, explanation and evidential corroboration to help inform the ExA. Please note that the ExA has already read any written submissions you have made.

The ExA would expect any oral submissions to be no longer than 10 minutes. If the ExA considers that points are beginning to be repeated or the concerns that are being raised are not matters for the Examination or the matters being raised are to be considered at an Issue Specific Hearing, then the ExA may ask you to draw your contribution to a conclusion

Cross questioning is not normally allowed and the ExA will ask any questions that arise. The ExA will make appropriate provision for the introduction of more detailed evidence from experts at Issue Specific Hearings. People who have land or rights affected by Compulsory Acquisition or Temporary Possession have a right to be heard at a Compulsory Acquisition Hearing, and that will be the best forum to raise those issues.

Once you have spoken at one OFH you do not normally 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.

Unlike other Hearings, the ExA will not ask all participants to introduce themselves at the outset of the hearing, but will ask individuals who wish to speak to do so when they address the hearing.

The evidence presented orally at the OFH should be included in post-hearing submissions and submitted by **Thursday 18 November 2021 (Deadline 7)**.

### *The Applicant*

The ExA asks that the Applicant attend the OFH3. The ExA will invite the Applicant to address matters raised by participants in summary form at the end of the hearing. The primary purpose of the hearing is not to enable the

Applicant to make its own case beyond immediately necessary points of clarification. The Applicant's responses to participants oral cases should also be made in writing by **Thursday 18 November 2021 (Deadline 7)**.

### *Contingencies*

The ExA will endeavour to hear all participants. If the OFH3, or parts of it, are unable to proceed, for example for technical reasons, then the ExA may adjourn incomplete business to 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 OFH3 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:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/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:

<https://www.gov.uk/government/publications/planning-inspectorate-virtual-events-guide-to-participating>

Please contact the Case Team if you have any questions about using Microsoft Teams or if you would like to test your access arrangements:

[A47BlofieldtoNorthBurlingham@planninginspectorate.gov.uk](mailto:A47BlofieldtoNorthBurlingham@planninginspectorate.gov.uk)

0303 444 5000

### **Digital recording**

A digital recording will be made of the hearing. This will be made available on the project page of the National Infrastructure website.

If you take part in the hearing it is important that you understand that your comments will be recorded and that the digital recording will be published and retained, usually for a period of 5 years from the Secretary of State's decision.

As such the Planning Inspectorate is subject to the General Data Protection Regulations. It is very unlikely that the ExA will ask you to put sensitive personal information such as email addresses and economic, financial, cultural or health related matters into the public domain. Indeed, the ExA would actively encourage you not to do that.

However, if for some reason you feel that it is necessary for you to refer to sensitive personal information the ExA would encourage you to speak to the case team in the first instance. The case team would then explore with you

whether the information could be provided in a written format which could then be appropriately redacted before being published.

Please bear in mind that the only official record of the proceedings will be the digital recording that will be placed on the project page of the National Infrastructure website. Tweets, blogs and similar communications arising out of the hearing will not be accepted as evidence in the Examination of this application.