

Application by Norfolk County Council for an Order Granting Development Consent for the Great Yarmouth Third River Crossing

Compulsory Acquisition Hearing 1

Date:	Wednesday, 20 November 2019
Time:	10am, doors open at 9:30am
Meeting Place:	Lord Nelson Conference Centre, Great Yarmouth Racecourse, Jellicoe Road, Great Yarmouth, NR30 4AU

Purpose of the Hearing

1. To consider the Compulsory Acquisition and related provisions within the draft Development Consent Order (dDCO);
2. To consider whether the conditions relating to the land being required for the Proposed Development or required to facilitate or be incidental to the Proposed Development are met; and
3. To consider whether there is a compelling case in the public interest for the Compulsory Acquisition provisions.

Requested Attendees

The Examining Authority (ExA) would find it helpful if the following parties could attend this Hearing.

- Norfolk County Council (the Applicant)
- ASCO/Perenco
- GYPC (Peel Ports)
- Any other persons with land and/or interests which are or may be affected by the Proposed Development

However, this does not indicate that other parties will not be able to contribute. All Interested Parties (IPs) are invited to attend and make oral representations on the matters set out in the agenda, subject to the ExA's discretion. The event notification of 17 October 2019 gave a deadline of 5 November to register an interest to attend and/or speak. If you've not notified the case team (GYTRC@planninginspectorate.gov.uk) of a wish to participate and you now wish to please do so by Friday 15 November.

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

Each IP is entitled to make oral representations at Hearings. However, this is subject to the ExA's power to control hearings. Those who have no formal status in the examination may participate at the discretion of the ExA.

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

This 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.

Should the consideration of the 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 at any Hearing 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 written questions.

Agenda

1. Welcome, introductions, arrangements for the Hearing

2. Purpose of the Compulsory Acquisition Hearing (CAH)

3. dDCO provisions

a) The Applicant to set out briefly which Articles engage Compulsory Acquisition and Temporary Possession powers.

b) The Applicant to set out briefly whether Protective Provisions are in a satisfactory form that is agreed with the relevant parties.

c) The Applicant to summarise any other provisions in the dDCO relating to Compulsory Acquisition and Temporary Possession.

4. Statutory conditions and general principles

- a) The Applicant to confirm that the application includes a request for Compulsory Acquisition in accordance with s123(2) of the PA2008.
- b) The Applicant to set out briefly whether and how the purposes for which the Compulsory Acquisition powers are sought comply with section 122(2) of the PA2008.
- c) The Applicant to state whether and how consideration has been given to all reasonable alternatives to Compulsory Acquisition and Temporary Possession.
- d) The Applicant to state whether and how the rights to be acquired, including those for Temporary Possession, are necessary and proportionate.
- e) The Applicant to state whether and how, in accordance with s122(3) of the PA2008, there is a compelling case in the public interest for the Compulsory Acquisition, both in relation to the need in the public interest for the Proposed Development to be carried out and in respect of the private loss to those affected.

5. Review of the Compulsory Acquisition Negotiations and Objections Tracker [NCC/GY3RC/EX/020] and related matters

- a) The Applicant to summarise outstanding objections and progress with negotiations on alternatives to Compulsory Acquisition.
- b) The Applicant to summarise any proposed changes to the extent of the Order lands.

**6. Other parties who may be affected by provisions in the dDCO
The ExA will invite oral representations from:**

- a) Affected Persons who have notified a wish to make oral representations.
- b) Other Affected Persons.
- c) Persons whose land or rights are not proposed to be acquired compulsorily but who may be affected and able to make a relevant claim.
- d) Any section 102 parties or Category 3 interests.

7. Impacts on other land and interests

- a) Temporary use of land.
- b) Any other matters not already covered.

8. Statutory Undertakers

a) The Applicant to set out the current position in respect of representations made and whether there are any remaining which have not been withdrawn.

9. Human rights and Public Sector Equality Duty (PSED)

a) Article 1 of the First Protocol to the European Convention on Human Rights (ECHR).

b) Article 6 of the ECHR

c) Article 8 of the ECHR.

d) The degree of importance to be attributed to the existing uses of the land which is to be acquired.

e) The weighing of any potential loss of ECHR rights against the public

benefit if the Order is made.

f) PSED

10. Any other business

11. Close of Hearing