



National Infrastructure Planning
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Email: A428.Blackcat@planninginspectorate.gov.uk

Applicant;
All Interested Parties;
Other Persons;
and Statutory Parties

Our Ref: TR010044

Date: 19 October 2021

Dear Sir/ Madam

Planning Act 2008 Section 91 and 92 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 13

Application by Highways England for an Order Granting Development Consent for the A428 Black Cat to Caxton Gibbet Improvements

Notification of Hearings

The Examining Authority (ExA) has decided to hold further Hearings on the dates reserved in the Examination Timetable [PD-007]:

- **Issue Specific Hearing 4 (ISH4)** on Social, Economic and Environmental matters on Tuesday 30 November 2021;
- **Issue Specific Hearing 5 (ISH5)** on Highways matters on Wednesday 1 December 2021;
- **Issue Specific Hearing 6 (ISH6)** on the draft Development Consent Order (dDCO) on Thursday 2 December 2021; and
- **Compulsory Acquisition Hearing 2 (CAH2)** on Thursday 2 December 2021.

1. Issue Specific Hearing – Section 91 of the Planning Act 2008 (PA2008)

The ExA provides notification of the date, time and place for Issue Specific Hearings (ISHs) under Rule 13 of the Examination Procedure Rules 2010.

ISHs provide an opportunity for the ExA to invite Interested Parties (IPs) to make oral representations about specific issues relating to the application. The ISHs are



proposed to address progress in respect of Social, Economic and Environmental matters (ISH4), Highway matters (ISH5) and the draft Development Consent Order (dDCO) (ISH6). ISH6 will be conducted without prejudice to the positions of participants on planning merits.

Date	Hearing	Time	Joining
Tuesday 30 November 2021	Issue Specific Hearing (ISH4) Social, Economic and Environmental matters to cover: <ol style="list-style-type: none">1. Assessment of alternatives2. Heritage matters, in particular Brook Cottages3. Biodiversity including HRA matters4. Flood risk, including interactions between different sources and groundwater dewatering5. Sustainability effects, including climate change	Arrangements Conference: 09:20 am Hearing: 10:00 am	These hearings will be held virtually using Microsoft Teams. You can join by digital device or telephone using the joining link which will be issued under separate email to participants in advance. Please see registration and joining details.
Wednesday 1 December 2021	Issue Specific Hearing (ISH5) Highways matters to cover: <ol style="list-style-type: none">1. Traffic effects on the nearby highway network2. Highway layouts and structures3. Effects on Non-Motorised Users4. Outline Construction Traffic Management Plan	Arrangements Conference: 09:20 am Hearing: 10:00 am	
Thursday 2 December 2021	Issue Specific Hearing (ISH6)	Arrangements Conference: 09:20 am	



Date	Hearing	Time	Joining
	Matters relating to the draft Development Consent Order	Hearing: 10:00 am	

2. Compulsory Acquisition Hearing – Section 92 of the PA2008

The ExA provides notification of the date, time and place for the second Compulsory Acquisition Hearing (CAH2) under Rule 13 of the Examination Procedure Rules 2010.

CAHs provide an opportunity for the ExA to examine the Applicants’ case for Compulsory Acquisition (CA) and Temporary Possession (TP) and for the Applicant and Affected Persons (APs) to make oral representations about these matters. At CAH2 we will hear individual objections to CA and/ or TP relating to individual parcels of land and/ or interests in land.

Date	Hearing	Time	Joining
Thursday 2 December 2021	<p>Compulsory Acquisition Hearing (CAH2)</p> <p>Matters relating to the powers sought for CA and TP:</p> <ol style="list-style-type: none"> 1. The case for CA and TP 2. Site specific matters 3. Statutory Undertakers’ Land 4. Human Rights Act, Public Sector Equality Duty and Equalities Impact Assessment 5. dDCO provisions 	<p>Arrangements Conference: 01:20 pm</p> <p>Hearing: 02:00 pm</p>	<p>These hearings will be held virtually using Microsoft Teams. You can join by digital device or telephone using the joining link which will be issued under separate email to participants in advance. Please see registration and joining details.</p>

3. Reserved Hearing dates

The ExA intends to cover all necessary matters as set out above. However, notification is also made of further Hearings on the following date, in the event that the ExA considers they are required, for example if a Hearing is disrupted by technical issues. Reserved Hearings that are not required may be cancelled in the banner on the [project webpage on the National Infrastructure Planning website \(NI website\)](#) and no other notice is required.



Date	Hearing	Time	Joining
Tuesday 7 December 2021	Issue Specific Hearing or Compulsory Acquisition Hearing (if required)	Arrangements Conference: 9:20 am Hearing: 10:00 am	These hearings will be held virtually using Microsoft Teams. You can join by digital device or telephone using the joining link which will be issued under separate email to participants in advance. Please see registration and joining details.

4. Attendance and participation at the Hearings

If you wish to attend or speak Hearings, it is important that you register, at the latest, by **Procedural Deadline D, Tuesday 16 November 2021**.

Please note that all Examination timetable deadline submissions should continue to be provided via the "[Make a submissions](#)" Portal on the [project webpage of the NI website](#). To confirm attendance and participation at Hearings, you can also send us an email (A428.Blackcat@planninginspectorate.gov.uk).

If you are unable to submit your request to attend the hearings electronically, please contact the Planning Inspectorate on telephone (0303 444 5000) or by post (National Infrastructure Planning, Temple Quay House, 2 The Square, Bristol, BS1 6PN) by the deadline. Please include the following details:

- Name and Interested Party reference number;
- Email address (if available), to send you arrangement details;
- Name of the organisation that you are representing and your role;
- If you would like to speak at a Hearing(s) please state the agenda item that you wish you speak at; and
- Plot numbers if you would like to speak at the Compulsory Acquisition Hearing.

If you wish to participate and speak at the Hearings please tell us the matters you would like to raise, under the high level agenda items listed in this letter. Early sight of your requests will help the ExA in preparing detailed agendas; however, the ExA may choose not to accommodate your request if it feels that the issues that you wish to raise do not need to be tested orally. If you do not have anything specific to raise and have not provided advanced notice to participate at the Hearings, you may still be able to ask questions and raise comments, at specific points during the Hearing when the ExA provides opportunities.



5. Joining the Hearings and livestream

We draw your attention to the Planning Inspectorate's [Advice Note \(AN\) 8.6: Virtual Examination Events](#), in particular Sections 3, 4 and 6. Please refer to AN8.6 as your main source of advice for participating in virtual events.

These hearings will be held virtually using Microsoft Teams. You can join by digital device, such as a computer, tablet or smartphone. If you do not own a computer, tablet or smartphone, you can access the link from a public access internet-enabled computer (eg in a library booth).

Alternatively, you will be able to use a telephone instead and join via the telephone number sent to you. The telephone number will be a national rate call (not a premium rate) and may be included in your phone package. The joining link will be issued under separate email to participants in advance of the hearing.

On the day of the event, you will be admitted to an Arrangements Conference where the case team will provide information on the Hearing and reminders about using the technology. Arrive early so the Case Team can admit you before the start time of the events.

There will be a livestream recording of the event, a link will be posted to the banner of the [project webpage of the NI website](#) before the start of the event.

6. Reasonable adjustments

The ExA is sensitive to catering for different needs. Arrangements will be made for the Hearings to be as accessible to parties as they reasonably can and will make arrangements for support and guidance to be provided to the participants of the Hearings where required, for example by providing an opportunity to attend a Test Event (familiarisation session) either using an internet connected device or a telephone. This will be an opportunity to raise any technical queries about access and how to join and participate in the virtual Hearings. Please contact the Case Team using the details at the top of this letter if you would require support to participate in any of the Hearings.

7. Hearing Agenda

Please note that the ExA will aim to publish a detailed draft agenda on the [project webpage of the NI website](#) at least five working days in advance of the Hearing date. However, the actual agenda on the day of each Hearing may be subject to change at the discretion of the ExA.

CAH agendas will be published that establish a running order to facilitate the Hearing process on the day and to structure the time available for participants to speak. They will not specify the subject matters on which participants may speak.



8. Notification of Hearing and Accompanied Site Inspection not required

The ExA had reserved time to hold additional Open Floor Hearings and an Accompanied Site Inspection (ASI), during the week commencing 29 November 2021 [PD-007], if the ExA felt these were required. We can confirm that these events will not be required.

We would also like to remind all parties that the [ExA's second written questions \(WQ2\)](#) have now been published on the [project webpage of the NI website](#) and the deadline for responses is **Deadline 4, Thursday 4 November 2021**.

If you have any queries on these matters, please contact Emre Williams (Case Manager) via email A428.Blackcat@planninginspectorate.gov.uk or on telephone 0303 444 5000.

Yours sincerely,

Menaka Sahai

Lead Panel Member for the Examining Authority

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<https://infrastructure.planninginspectorate.gov.uk>

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