

Application by National Highways for an Order Granting Development Consent for the A46 Newark Bypass Project

Agenda for Compulsory Acquisition Hearing 2 (CAH2):

Hearing	Date and Time	Location
Compulsory Acquisition Hearing 2 for Individual Affected Persons	<p>Tuesday 3 December 2024</p> <p>Hearing Starts at 10:00am</p> <p>Registration and seating available at venue from 9:30am and virtual Registration Process from 9:30am</p>	<p>The Great Hall, The Renaissance at Kelham Hall, Main Street, Newark. NG23 5QX</p> <p>and</p> <p>By virtual means using Microsoft Teams</p>

Agenda

Item 1	Welcome, introductions and arrangements for the Hearing
Item 2	Purpose of the Compulsory Acquisition Hearing and Examining Authority's (ExA) opening remarks
Individual Site Specific Representations	
Item 3	<p>The ExA wishes to hear the following Affected Persons:</p> <p>For each Affected Person, the ExA will ask you to:</p> <ol style="list-style-type: none"> i. confirm the plots that you have an interest in (by reference to the book of reference and land plans) and the nature of the interest, ii. provide an outline of the current scope of objections, taking account of any progress in negotiations with the Applicant, iii. confirm whether CA and or TP powers (or both) are objected to and (with reference to the statutory tests and applicable guidance) why? iv. What relief is sought? v. Whether there are any issues of hardship or requests for non-statutory relief, and if so, the basis for these and any practice precedents,

	<p>vi. Where relevant, whether the Human Rights Act (ECHR) rights and or the Public Sector Equalities Duty (PSED) are engaged and what considerations emerge from this?</p> <p>3.1 Canal and River Trust 3.2 Newark and Sherwood District Council 3.3 Nottinghamshire County Council 3.4 John James Miller 3.5 James Sumsion 3.6 The Charity of Thomas Brewer 3.7 Aldergate Properties Ltd & Newark Branch Line Ltd</p> <p>The Applicant will be provided with a right of reply.</p>
Item 4	Any other matters
Item 5	Close

Purpose of CAH

The purpose of this CAH is to hear and inquire into certain individual objections to the compulsory acquisition or temporary possession of land, or with a possible bearing on the extent and operation of those powers, associated with the A46 Newark Bypass Project.

The process of hearing individual objections follows on from CAH1 on 9 October 2024 which dealt with the Applicant's Strategic case.

Attendees

The ExA would find it helpful if the following parties could attend this Hearing.

- Applicant
- Newark and Sherwood District Council
- Nottinghamshire County Council
- Canal and River Trust
- John James Miller
- James Sumsion
- The Charity of Thomas Brewer
- Aldergate Properties Ltd & Newark Branch Line Ltd

This hearing is primarily to provide a place to be heard by the objecting parties and the ExA does not anticipate seeking speaking contributions from persons who are not invited attendees, unless points are raised that engage directly with the objections. Any such point should be raised through the Panel Member in the chair. However, this does not indicate that other parties will not be able to contribute. All Interested Parties (IP) are invited to attend and make oral representations but

focussed on the matters set out in the Agenda, subject to the ExA's ability to control the Hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out above are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the Hearing in person, who has not already advised the Case Team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage of the National Infrastructure Planning website](#) closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Registration Process

Parties who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **10:00am** those attending virtually should join promptly at **9:30am** to ensure that all virtual attendees can complete the Registration Process in good time.

Procedure at CAH

This hearing is an individual CAH. Its structure and style will be like that of an Open Floor Hearing (OFH), where individual speaking appointments will be provided for individual or represented Affected Persons (APs) to raise site-specific issues. Unlike an OFH, strict speaking time limits are not applied, but the ExA would suggest APs should seek to contain their initial submissions to not longer than around 15 minutes, to ensure time following for discussion and questioning and that the business of the Agenda is completed. Participation is subject to the ExA's power to control the hearing. Hearings will be run to ensure that all submissions from those participating are fully heard within the allotted time.

Participants may be legally or professionally represented if they wish, but the hearing will be conducted to ensure that representation is not required. The Applicant and others permitted to speak may attend with relevant expert advisers, but others permitted to speak may participate on an equal basis without expert advice if they wish.

Cross-questioning is regulated by the ExA and is not permitted unless the ExA decides that it is necessary to ensure that representations are adequately tested or to ensure that all persons have had a fair chance to put their case.

This agenda may be amended by the ExA at the start of or during the hearings. The ExA may wish to raise supplementary matters arising from oral submissions and

written representations and to pursue lines of inquiry in the course of the discussions which are related to but not listed on the agenda.

Evidence presented orally at these hearings should be included in post-hearing submissions including written submissions of oral case and submitted at the next relevant deadline, in order to ensure that it has been recorded accurately.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. 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. If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any hearing, it may be necessary to prioritise matters and defer others to written responses to actions, to written questions or to a subsequent hearing. Should there not be sufficient time to hear from all those parties listed the outstanding parties representations will be heard at a subsequent compulsory acquisition hearing that would be scheduled in the hearings identified in the timetable for February 2025.

Please contact the Case Team if you have any questions regarding the arrangements for the hearing or how to participate.