

Application by Associated British Ports for an Order Granting Development Consent for the Immingham Eastern Ro-Ro Terminal

Agenda for Compulsory Acquisition Hearing 1 (CAH1):

Hearing	Date and Time	Location
Compulsory Acquisition Hearing 1 (CAH1)	<p>Thursday 28 September 2023</p> <p>Hearing Starts at 18:00</p> <p>Registration and seating available at venue from 17:30 and virtual Registration Process from 17:30</p>	<p>All hearings will be blended events at:</p> <p>Stallingborough Grange, Riby Road, Grimsby, DN41 8BU</p> <p>By virtual means using Microsoft Teams</p> <p>Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered</p>

Agenda

1. Welcome, introductions, arrangements for the Hearing

2. Purpose of the Hearing

3. The Applicant's case for Compulsory Acquisition (CA)

The Examining Authority (ExA) will ask the Applicant to present and justify its case for CA briefly, including addressing the following matters:

- a) Whether the purpose for which CA powers are sought would comply with section 122(2) of the Planning Act 2008 (PA2008)
- b) Whether all reasonable alternatives to CA have been considered
- c) Summary of reasons why the CA powers sought are necessary and proportionate, including the Applicant's strategy and criteria for determining whether to seek powers for CA

- d) Having regard to section 122(3) of the PA 2008, whether there is a compelling case in the public interest for CA and whether any public benefit would outweigh the private loss
- e) The availability of funding for CA
- f) Consideration of the European Convention on Human Rights (as transposed into UK law by the Human Rights Act 1998)
- g) Update with respect to site specific negotiations
- h) Update with respect to negotiations with the Crown Estate and concerning Plots 12 and 14 in the Book of Reference [APP-016]

The ExA will seek views from IPs and APs present on the Applicant's case as presented.

4. Actions arising and next steps

5. Close of the hearing

Purpose of the Compulsory Acquisition Hearing 1 (CAH1)

The main purposes of CAH1 are:

- To enable the ExA to enquire into the Applicant's case for the CA powers sought;
- For the ExA to examine whether the relevant legal and policy tests applicable to the CA proposals have been met; and
- To address any related matters.

Attendees

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

- Applicant

However, this does not indicate that Affected Persons and Interested Parties will not be able to attend CAH1 and participate, in the case of the latter 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 CAH1, who has not already advised the Case Team of this, should do by 16:00, Friday 22 September 2023.

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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 **18:00** those attending virtually should join promptly at **17:30** to ensure that all virtual attendees can complete the Registration Process in good time.

Procedure at CAH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.