

Planning Act 2008 – section 93

Application by Highways England for an Order Granting Development Consent for the A585 Windy Harbour to Skippool Improvement Scheme (Case Ref. TR010035)

Agenda for Open Floor Hearing 2 (OFH2)

The Examining Authority (ExA) notified Interested Parties in its letter dated 16 April 2019 of the decision to hold an Open Floor Hearing on the following date:

Hearing	Date and time	Location
Open Floor Hearing	Wednesday 3 July 2019. Seating available from 5.30pm. The hearing will start at 6.00pm	Thornton Little Theatre Fleetwood Road North Thornton-Cleveleys FY5 3SZ

Access and Parking: Full disabled access. Free parking at venue

Invited Participants

The ExA requests that Highways England (the Applicant) attends the hearing. The Applicant may be asked by or through the ExA to address questions raised by IPs and will be provided with a brief opportunity to respond to IPs oral cases.

Participation, conduct and management of Hearing

All Interested Parties (IPs) who wish to make oral representations are invited to participate in the hearing. However, this hearing does not have a subject matter controlled agenda and participants may bring up any matter arising from the application that is also important and relevant to a decision taken under the Planning Act 2008 (as amended) (PA2008).

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required. The Applicant and IPs may attend with expert advisers, but IPs may participate without expert advice.

Participation is subject to the ExA's power to control the hearing.

Guidance under the PA2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

Cross-questioning of the 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 a person has had a fair chance to put their case. IPs should note that it is not normal procedure at an OFH for an ExA to permit the

cross-questioning of an unrepresented IP by the Applicant or the Applicant's representatives, or of the Applicant by an IP.

Please note that the following agenda is indicative and may be amended. The ExA may wish to raise other matters arising from submissions and pursue lines of enquiry during the discussion which are not on the agenda.

The hearing will run until all IPs who have made a written request to be heard have made their oral representations and responded to the ExA's exploration of the matters arising from them (Agenda Item 2).

If by ten minutes after the conclusion of Agenda Item 2, no other IPs have attended and sought a hearing in relation to any of the remaining agenda items, the ExA is entitled to conclude that none wish to do so and may then proceed to Agenda Item 4 and close the hearing with immediate effect.

If there are more IPs in attendance than can reasonably be heard in Agenda Item 3 (IPs who have not made a written request to be heard), the ExA may make alternative arrangements to enable those IPs to make their positions known, including arrangements for the submission of Written Representations.

Agenda

1. Welcome, introductions and arrangements

2. Representations from Interested Parties who requested to be heard

- The ExA will identify those IPs in attendance who have already made a written request to be heard.
- If no such IPs are present, the ExA will proceed to Agenda Item 3.
- IP's in attendance who have made a written request to speak will be invited to put oral submissions to the ExA. A time guide of ten minutes will apply.
- The ExA may ask questions of the IP and the Applicant about matters arising from written and oral submissions.
- The Applicant will be provided with a brief summary right of reply. A time guide of five minutes will apply.

3. Representations from any other IPs

- Making use of time remaining, each IP in attendance and asking to speak will be invited to put oral submissions to the ExA. A time guide of ten minutes will apply.



The Planning Inspectorate

- The ExA may ask questions of the IP and the Applicant about matters arising from written and oral submissions.
- The Applicant will be provided with a brief summary right of reply. A time guide of five minutes will apply.

4. Review of issues and actions arising

- The ExA will address how any actions placed on the Applicant or IPs are to be met and consider the approaches to be taken in further hearings or written procedures, in the light of issues raised in this hearing.

5. Next steps

6. Close

Please note: The hearing will close at the conclusion of business. Interested parties who have registered to speak in advance will be provided with a table and microphone. Individuals who have not registered in advance may participate at the discretion of the ExA.