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Water Resources



ENVIRONMENT AGENCY

NOTICE OF INTENTION TO HOLD AN INQUIRY

RIVER MEDWAY (FLOOD RELIEF) ACT 1976

PROPOSED ENLARGEMENT OF THE LEIGH FLOOD STORAGE AREA

– RIVER MEDWAY (FLOOD RELIEF) ACT 1976 SCHEME FOR THE OPERATION OF THE SLUICE GATES IN ACCORDANCE WITH SECTION 17 OF THE ACT

NOTICE IS HEREBY GIVEN that a virtual Public Local Inquiry will be held into:

- a) the Environment Agency's proposals for the Scheme listed above; and
- b) the objections which have been made in connection with these proposals.

A pre-inquiry meeting will be held virtually on 16 March 2021 at 10:00.

A local inquiry into this application will be held virtually by The Secretary of State for Environment, Food and Rural Affairs from 26 - 30 April 2021 and thereafter from 5 - 7 May 2021 at 10:00.

A person nominated by the Planning Inspectorate will hold THE INQUIRY into the proposed scheme listed above. The Scheme, which is subject to the public inquiry, will increase the maximum stored water level in the Leigh Flood Storage Area from 28.05m Above Ordnance Datum (AOD) to 28.6m AOD.

The application can be viewed at <https://gateleyhamer-pi.com/en-gb/river-medway/>

The procedures to be followed for anyone who wishes to appear and to give evidence are included within the Annex below or can be obtained by requesting a copy from floodscasework@defra.gov.uk.

The initial contact for any further information relating to this notice is: Monica Henry. Email: floodscasework@defra.gov.uk

Signed by authority of the Secretary of State for Environment, Food and Rural Affairs

William Harrington, Flood & Coastal Erosion Risk Management, Department for Environment, Food and Rural Affairs, floodscasework@defra.gov.uk

12th February 2021

ANNEX

RIVER MEDWAY FLOOD RELIEF SCHEME (LEIGH FLOOD STORAGE AREA VARIATION): INQUIRY PROCEDURE RULES

1. The power to hold an inquiry is provided for by section 17(3)(f)(i) of the River Medway (Flood Relief) Act 1976, but there are no rules provided: therefore it is proposed that these rules are based on the Compulsory Purchase (Inquiries Procedure Rules) 2007 (CPO Rules 2007) ¹, suitably modified to the key provisions below.

2. Notice of intention to hold an inquiry –

(1) Where a public local inquiry is to be held written notice must be served, by the Minister, on objectors and the Order promoting authority, i.e. the Environment Agency.

(2) The Notice of Intention of Inquiry is to be served also upon other interested parties.

(3) The date of the notices served pursuant to points (1) and (2) above is the "relevant date".

(4) The Inquiry is to be held not less than 13 weeks and not more than 22 weeks from the relevant date.

(5) The Inquiry is to be held at a suitable local venue.

(This notice will be published in local newspapers, the London Gazette and in appropriate places in the locality.)

3. Pre-Inquiry Meeting - If it appears desirable to the Minister, a pre-inquiry meeting may be held and the Minister shall give notice of the intention to hold a pre-inquiry meeting, which meeting shall be held not later than 16 weeks after the relevant date.

4. Statements of Case -

(1) The EA, as Order promoter, is also required to submit its 'Statement of Case' for the Order not later than 6 weeks after the relevant date.

(2) The Objectors must produce their Statements of Case not later than 8 weeks after the relevant date.

(3) Where the EA refer to documents in their statement of case, these must be sent to the objectors, or alternatively they may be placed in such places as the objectors may be able to attend and notices of such placement must accompany the statement of case.

Public local inquiries procedure to hearing

5. The following are the key time periods

(1) Each objector and the Order promoter must be given at least 42 days' notice of the date, time and place of the inquiry.

(2) The Order promoter must produce its evidence, and summaries ², at least 21 days before the Inquiry date or, where a pre-inquiry meeting has been held, by the date of submission given by the Inspector at that meeting.

(3) The objectors must produce their evidence and summaries, where appropriate, at least 14 days before the Inquiry date or by such other time as the Inspector may direct

(4) At least 14 days before the inquiry, site notices must be posted by the Order promoter, advertising the details.

(5) *The date of the Inquiry is not later than 22 weeks after the relevant date.*

(¹) S.I.2007/3617

(²) That is to say where the proof is more than 1,500 words long a summary of about 10% is to accompany it.