

M4 JUNCTIONS 3-12 SMART MOTORWAY (CASE REFERENCE TR010019)

**Updated Position Statement on behalf of Anita Thomas and Bloor Homes Limited
(Representations 294 and 300)**

For 8th January 2015 Deadline

- 1 This brief representation is intended to update the Examining Authority as to the current position following the position statement of 16 November 2015 in relation to the objections raised by Anita Thomas and Bloor Homes in respect of Construction Compound 5.
- 2 Subsequent to the compulsory purchase hearing, meetings have been held with Highways England ('HE') to discuss Heads of Terms for a Conditional Licence to be granted by the owners to HE for an alternative compound based on the Figure 8 Plan previously provided to HE and the Examining Authority (July 2015). The alternative compound is considered likely to mitigate the worst risk to the development potential of the land and the completion of the Conditional Licence in a satisfactory form would allow for the objections raised by Anita Thomas and Bloor Homes in respect of Construction Compound 5 to be withdrawn.
- 3 Discussions for a Conditional Licence are at an early stage with significant detail yet to be agreed. Time is of the essence if agreement is to be reached before the end of the Examination Period.
- 4 In the meantime the objectors remain very concerned about the continued risk to the development potential of the land presented by the DCO at this late stage and despite their best efforts to engage with Highways England to mitigate this risk over an extended period. This is in the context of:
 - (a) the late extension of HE's likely interest in the site as a construction compound to 2026;
 - (b) the site at which Construction Compound 5 is to be located, has been and continues to be promoted for housing;
 - (c) the proximity of the frontage of Construction Compound 5, as originally drawn in the DCO, to residential occupiers, which is to a great extent mitigated by the proposals for the alternative compound.
- 5 As completion of the Conditional Licence is fundamental to resolving the objection in respect of the Compound as originally proposed, the objection remains until such time as the terms of the Licence are settled and the Licence has been completed. The objectors reserve the right, therefore, to make further representations in respect of their objection and to appear at any further hearing in relation to compulsory purchase matters.

7th January 2016