



The Planning Inspectorate

National Infrastructure Planning
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Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: M42Junction6@planning-inspectorate.gov.uk

All Interested Parties, Statutory
Parties and Other Persons

Your Ref:

Our Ref: TR010027

Date: 23 April 2019

Dear Sir/ Madam

Planning Act 2008 – Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6 etc

Application by Highways England for an Order Granting Development Consent for the M42 Junction 6 Improvement

Notice of appointment of the Examining Authority and date, time and place of the Preliminary Meeting

I write to you following my appointment by the Secretary of State as the lead member of a Panel who will be the Examining Authority (the Panel) to carry out an examination of the above application. I am David Cullingford and the other member of the panel is Richard Jones. A copy of the appointment letter can be viewed at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010027/TR010027-000289-Notice%20of%20Appointment%20of%20Panel%20of%20Examiners%20TR010027%20190315%20.pdf>

We would like to thank those of you who submitted Relevant Representations which have assisted us when preparing our proposals regarding how to examine this application.

Invitation to the Preliminary Meeting

This letter is an invitation to the Preliminary Meeting to discuss the Examination procedure:

<https://infrastructure.planninginspectorate.gov.uk>



Date of meeting: Tuesday 21 May 2019

Seating available from: 9.30am

Meeting begins: 10.00am

Venue: Ramada Hotel, The Square, Solihull, West Midlands, B91 3RF
<https://www.wyndhamhotels.com/ramada/solihull-birmingham-united-kingdom/ramada-birmingham-solihull/overview>

Access and parking Parking at the hotel
Nearest bus stops on New Road, Solihull opposite the venue and beside St Alphege Parish Church, routes 812, A7 and A7W
Nearest station is Solihull with trains to and from Birmingham, Kidderminster, Worcester and London Marylebone

Note: Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an examination, the Planning Inspectorate aims to communicate with people by email wherever possible. If you have received a postcard but are able to receive communications by email, please confirm this with the Case Team using the contact details at the top of this letter, as soon as possible.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to us about the way in which the application is to be examined. At this stage, the Panel is looking at the procedure, and not the merits of the application. These will only be considered once the Examination starts, which is after the Preliminary Meeting has closed.

We wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, where appropriate we strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

This letter contains several supporting annexes. The agenda for the meeting is in **Annex A**. This has been set following our initial assessment of the Principal Issues arising from our reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex B**. As a result of this assessment we wish to hear at the meeting from the Applicant, Interested Parties, Statutory Parties and Local Authorities where they consider changes may be needed to the draft timetable set out in **Annex C**. **Annexes D** and **E** are covered later in this

letter. Up to date information about the project and the Examination can be obtained from:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-junction-6-improvement/?ipcsection=overview>.

This is the project website address on the National Infrastructure Planning website, at which the Planning Inspectorate will make copies of all future communications and Examination documents available to the public. You can use this page to track progress of the Examination and access all relevant documents and correspondence from the links it contains. As the examination process makes substantial use of electronic documents, it will be useful to become familiar with this resource.

If you wish to receive an email notification when relevant documents and correspondence are published, you can register on the project website to do so.

Attendance at the Preliminary Meeting

If you wish to attend the Preliminary Meeting please contact the Case Team using the details set out at the top of this letter. Please confirm this by **12.00pm (noon) on Tuesday 14 May 2019**.

It will help the management of the meeting and benefit everyone if you also:

- tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- notify us of any special requirements you may have (eg disabled access, hearing loop etc).

The Preliminary Meeting will provide a useful introduction to the examination process. We will use it to make procedural decisions that will affect everyone participating in the Examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. If you intend to play an active part in the Examination or you have questions about procedure it is useful to attend the meeting.

However, please note that **you are not required to attend the Preliminary Meeting in order to participate in the Examination**. If you are an Interested Party, you will still be able to make a Written Representation and submit comments on the Written Representations made by other Interested Parties. You will also be able to participate in any hearings that are arranged. Should you no longer wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing

After the Preliminary Meeting

After the Preliminary Meeting you will be sent a letter setting out the firm timetable for the Examination in the light of our consideration of any points which have been put to

us. An audio recording and a note of the meeting will also be published on the project page of the National Infrastructure Planning website.

Interested Parties have the right to request an Open Floor Hearing and we have scheduled one to take place after the Preliminary Meeting in the evening. Those persons affected by any request for compulsory acquisition or temporary possession of their land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings are at the discretion of the Panel and will be arranged if we feel that consideration of oral representations would ensure an issue is adequately considered. Our Examination will consist principally of Written Representations about the proposal and any oral representations made at the hearings, in addition to consideration of the application documents, policy and legal positions, site inspections and any other matters we consider to be relevant and important.

All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

Notification of hearings

We have made a Procedural Decision to hold hearings. Important information about the two planned hearings, including the venue, the times, dates, type and main subject of each is contained within **Annex C**.

If you wish to make oral representations at these hearings, please contact the Case Team using the contact details at the top of this letter. We will need to receive notice of your attendance no later than **5 working days** before the date of the hearing at which you wish to speak.

It will help the management of the hearing and benefit everyone if you also:

- tell us whether you wish to speak at the hearing and set out the issues about which you wish to make oral representations; and
- notify us of any special requirements you may have (eg disabled access, hearing loop etc).

Other Procedural Decisions made by the Examining Authority

In addition to the hearings notified above and at **Annex C**, we have made some further Procedural Decisions.

These include the acceptance of late representations and requests for Statements of Common Ground. These Procedural Decisions are all set out in full at **Annex E**.

Your status in the Examination

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008 (PA2008).

If you have made a Relevant Representation, have a legal interest in the land affected by the application, or are a relevant Local Authority (reference numbers beginning with 42j6-AFP, 42j6-s57, 200), you have a formal status as an Interested Party in the Examination. Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application.

If you are a statutory party (ie body specified in the relevant regulations supporting the PA2008) or a Local Authority bordering the Local Authorities in which the development is proposed; but have not made a Relevant Representation (reference numbers beginning with 42j6-SP) you will not automatically be an Interested Party. However, following the Preliminary Meeting, you will have a further opportunity to notify the Panel that you wish to be treated as an Interested Party.

If you are not an Interested Party or a statutory party (ie a body specified in the relevant regulations supporting the PA2008), you have received this letter because we wish to invite you to the Preliminary Meeting as an 'Other person' because it appeared to us that the Examination could be informed by your participation. 'Other persons' have a reference number beginning with 42j6-OP.

If you are not sure whether you are an Interested Party, please contact the Case Team using the details at the top of this letter. Information regarding the formal status of Interested Parties and how you can get involved in the process is set out in the Planning Inspectorate Advice Note 8 Series on the National Infrastructure Planning website:

<http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Award of Costs

We also draw your attention to the possibility of the Award of Costs against Interested Parties who behave unreasonably. You should be aware of the relevant cost guidance 'Awards of costs; examinations of applications for development consent orders' which applies to National Infrastructure projects. This guidance is available at:

<http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

Management of Information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the Panel) and any record of advice which has been provided, will be published at:

[https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-
junction-6-improvement/?ipcsection=overview](https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-
junction-6-improvement/?ipcsection=overview)

All Examination documents can also be viewed electronically at the locations listed in **Annex D**.

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

Finally, we look forward to working with all parties in the examination of this application.

Yours faithfully

David Cullingford

David Cullingford
Lead Member of the Panel of Examining Inspectors

Annexes

- A** Agenda for the Preliminary Meeting
- B** Initial Assessment of Principal Issues
- C** Draft timetable for examination of the application & notification of hearings
- D** Availability of Examination documents
- E** Procedural decisions made by the Examining Authority

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate

Agenda for the Preliminary Meeting

Date: Tuesday 21 May 2019

Registration open from: 9.30am

Meeting Start Time: 10.00am

Venue: Ramada Hotel, The Square, Solihull, West Midlands, B91 3RF
<https://www.wyndhamhotels.com/ramada/solihull-birmingham-united-kingdom/ramada-birmingham-solihull/overview>

09.30am	Registration opens
Item 1 (10.00am)	Welcome and introductions
Item 2	The Panel's remarks about the examination process
Item 3	Initial Assessment of Principal Issues – see Annex B
Item 4	Draft timetable for the application – see Annex C
Item 5	Deadlines for submission of: <ul style="list-style-type: none"> • Written Representations • Local Impact Reports • Responses to the ExA's Written Questions • Statements of Common Ground • Notifications relating to hearings • Notifications relating to nomination of locations for site inspections • Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by Tuesday 14 May 2019
Item 6	Hearings and Accompanied Site Inspection (ASI): <ul style="list-style-type: none"> • Date of ASI to application site and surrounding area • Confirmation of date of the first Issue Specific Hearing on draft Development Consent Order • Dates reserved for Open Floor Hearing(s) • Time period reserved for Issue Specific Hearings • Time period reserved for Compulsory Acquisition Hearing • Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by Tuesday 14 May 2019
Item 7	Any remaining submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by Tuesday 14 May 2019
Item 8	Any other matters
Item 9	Close of the Preliminary Meeting

Please note: Please register and be available from the start and throughout the meeting. The agenda is subject to change at the discretion of the Panel. The Panel will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the Panel may change the order of the agenda items and may introduce breaks in the proceedings.

Initial Assessment of Principal Issues

This is the initial assessment of the principal issues arising from consideration by the Examining Authority (the Panel) of the application documents and Relevant Representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the Examination is concluded.

The policy and consenting requirements and documents associated with the Planning Act 2008 (PA2008) are an integral part of the Examination and are therefore not set out as separate Principal Issues. Similarly, the effectiveness of proposed mitigation measures and the extent to which such measures would be secured through the DCO are considerations that will run throughout the Examination.

The Principal Issues set out below are interrelated and overlap; this will be reflected in the Examination.

No.	Principal Issue	Brief Amplification.
1.	Need for improvements at junction 6 on the M42	Compliance with the National Policy Statement and relevant Local Plans: current baseline conditions
2.	Traffic and other improvements predicted due to the proposed scheme and the effects of possible variations	Traffic modelling, experience elsewhere, UK Central Hub etc:
3.	The physical and functional relationship of the improvements at junction 6 with other projects	Construction and operational effects
4.	The impact of the scheme on biodiversity, ecology and the natural environment	Construction and operational impacts on SSSIs, LNRs, Ancient Woodland etc.
5.	The impact of the scheme on the landscape, heritage assets, local settlements and the countryside	Baseline perceptions: construction and operational impacts

No.	Principal Issue	Brief Amplification.
6.	The impact of the scheme on visual amenity and living conditions	Baseline perceptions: construction and operational impact
7.	Content of the Development Consent Order (DCO)	Adequacy and structure of the draft DCO
8.	Compulsory Acquisition (CA) and Temporary Possession (TP)	The need and justification for the land proposed to be subject to compulsory acquisition and temporary possession alternatives

Draft timetable for examination of the application

The Examining Authority (the Panel) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Panel's examination of the application primarily takes the form of the consideration of written submissions. The Panel will also consider any oral representations made at Hearings.

Item	Matters	Due Dates
1	10.00 Preliminary Meeting 18.30 Open Floor Hearing	Tuesday 21 May 2019
2	14.00 Issue Specific Hearing: Content of the draft Development Consent Order (DCO 1)	Wednesday 22 May 2019
3	Issue by the Panel of: <ul style="list-style-type: none"> • Examination Timetable • The Panel's First Written Questions 	As soon as practicable following the PM

Item	Matters	Due Dates
4	<p>Deadline 1</p> <p>Deadline for the receipt of:</p> <ul style="list-style-type: none"> • Notification of wish to speak at a Compulsory Acquisition Hearing • Notification of wish to speak at an Issue Specific Hearing • Notification of wish to speak at an Open Floor Hearing • Notification of wish to attend an Accompanied Site Inspection (ASI), suggested locations and justifications • Notification by statutory parties of wish to be considered as an Interested Party • Notification of wish to have future correspondence electronically • Comments on Relevant Representations (RRs) • Written Representations (WRs) • Summaries of all WRs exceeding 1500 words • Post hearing submissions including written submissions of oral case • Responses to any further information requested by the Panel for this Deadline 	<p>Midnight Monday 3 June 2019</p>
5	<p>Deadline 2</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Local Impact Reports (LIRs) from local authorities • Statements of Common Ground (SoCGs) requested by the Panel – see Annex E • Responses to the Panel's First Written Questions • Comments on any additional information and submissions received by previous deadline • Responses to any further information requested by the Panel for this Deadline 	<p>Midnight Monday 24 June 2019</p>

Item	Matters	Due Dates
6	Accompanied Site Inspections <ul style="list-style-type: none"> • Junction improvements • NEC, Airport, Arden Hotel, Sports club, businesses • Bickenhill, Catherine de Barnes, Hampton in Arden • Locations requested 	Tuesday 2 July 2019
7	Issue Specific Hearing (10.00) on: Content of the draft Development Consent Order (DCO 2)	Wednesday 3 July 2019
8	Issue Specific Hearing (10.00) on: Need for improvements at junction 6 on the M42	Thursday 4 July 2019
9	Deadline 3 Deadline for receipt by the Panel of: <ul style="list-style-type: none"> • Comments on WRs and responses to comments on RRs • Comments on LIRs • Comments on responses to the Panel's First Written Questions • Post hearing submissions including written submissions of oral cases • Updates to Statements of Common Ground (SoCGs) requested by the Panel • Responses to any further information requested by the Panel • Comments on any additional information or submissions received by previous deadline 	Midnight Monday 15 July 2019
10	Issue of the Panel's Second Written Questions (if required)	Monday 12 August 2019

Item	Matters	Due Dates
11	Issue Specific Hearing (10.00) on: Compulsory Acquisition (CA) and Temporary Possession (TP)	Tuesday 20 August 2019
12	Issue Specific Hearing 10.00 on: Content of the draft Development Consent Order (DCO.3)	Wednesday 21 August 2019
13	Date reserved for Issue Specific or other Hearing, if required	Thursday 22 August 2019
14	Deadline 4 Deadline for receipt of: <ul style="list-style-type: none"> • Responses to the Panel's Second Written Questions (if required) • Responses to any further information requested by the Panel • Updates to Statements of Common Ground (SoCG) requested by the Panel • Comments on any additional information or submissions received by previous deadline 	Midnight Monday 2 September 2019
15	Issue of the Panel's Third Written Questions (if required)	Monday 9 September 2019
16	Deadline 5 Deadline for receipt of: <ul style="list-style-type: none"> • Applicant's revised draft DCO • Responses to further information requested by the Panel • Comments on any additional information or submissions received by previous deadline 	Midnight Monday 16 September 2019

Item	Matters	Due Dates
17	Publication by the Panel of <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) (if required) 	Monday 23 September 2019
18	Dates reserved for Issue Specific and any other Hearings (if required)	Tuesday 1 to Thursday 3 October 2019
19	Deadline 6 Deadline for receipt of: <ul style="list-style-type: none"> • Comments on the draft DCO • Comments on responses to the Panel's Third Written Questions (if required) • Responses to any further information requested by the Panel • Comments on any additional information or submissions received by previous deadline 	Midnight Monday 7 October 2019
20	Draft DCO to be submitted by the Applicant in the statutory instrument (SI) template with the SI template validation report, together with a revised version of the Explanatory Memorandum	Tuesday 15 October 2019
21	Issue Specific Hearing on: Revised content of the draft Development Consent Order (DCO.4)	Tuesday 22 October 2019
22	Issue Specific Hearing on: Further consideration of Compulsory Acquisition (CA) and Temporary Possession (TP)	Wednesday 23 October 2019
23	Date reserved for Issue Specific and any other Hearing (if required)	Thursday 24 October 2019

Item	Matters	Due Dates
24	<p>Deadline 7</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to comments on the draft DCOs (if required) • Responses to further information requested by the Panel • Comments on the Report on Implications for European Sites (RIES) • Comments on any additional information or submissions received by previous deadline 	<p>Midnight Monday 28 October 2019</p>
25	<p>Final draft DCO to be submitted by the Applicant in the statutory instrument (SI) template with the SI template validation report, together with a revised version of the Explanatory Memorandum</p>	<p>Tuesday 5 November 2019</p>
26	<p>The Panel is under a duty to complete the Examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting</p>	<p>Wednesday 20 November 2019</p>
27	<p>The Panel is under a duty to complete the Report to the Secretary of State within 3 months from the close of the Examination</p>	<p>Wednesday 20 February 2020</p>

Publication Dates

All information received will be published on the project website as soon as practicable after the deadline for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the project page. Each document will be afforded a unique reference. These references will be used by the Panel during the Examination:

[https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-
junction-6-improvement/?ipcsection=docs](https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-
junction-6-improvement/?ipcsection=docs)

Report on the Implications for European Sites (RIES)

Where the Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the Panel may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the Panel on HRA matters during the

Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake a HRA. It is not the Panel's opinion on HRA matters. Comments on the RIES will be invited by the Panel and any received will be taken into account as part of the Panel's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet the obligations under Regulation 63(3) of the Habitats Regulations.

Notification of hearings

Date	Hearing	Start time	Venue	Access and parking
Tuesday 21 May 2019	Open Floor Hearing	18.30	Ramada Hotel, The Square, Solihull, West Midlands, B91 3RF	Parking at the hotel Nearest bus stops on New Road, Solihull beside St Alphege Parish Church routes 812, A7 and A7W
Wednesday 22 May 2019	Issue Specific Hearing Content of the draft Development Consent Order (DCO 1)	14.00		Nearest station is Solihull with trains to and from Birmingham, Kidderminster, Worcester and London Marylebone

Information about hearings is included in the Planning Inspectorate's 'Advice Note 8.5: The examination: hearings and site inspections', available on the National Infrastructure Planning website here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

If you wish to attend any of these hearings please contact the Case Team using the details at the top of this letter **no later than date indicated in the timetable**, stating whether:

- you wish to speak at the hearing and the issues about which you wish to make oral representations;
- if you have any special needs (eg disabled access, hearing loop etc).

Seating will be available at the venue 30 minutes prior to the start of the hearing to enable a prompt start. The hearing will finish as soon as the Examining Authority (the Panel) deems that all those present have had their say and all matters have been covered. Depending on the numbers wishing to speak at the hearing, it may be necessary for the Panel to limit the time allocated to each speaker.

Hearing agendas

Please note that for Issue Specific Hearings and Compulsory Acquisition hearings the Panel will aim to publish a detailed draft agenda on the project website at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the Panel.

For Open Floor Hearings agendas will not be published unless, in consideration of the number of participants notified to the Planning Inspectorate, the Panel decides that establishing a running order will facilitate the process on the day.

Availability of Examination documents

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

[https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-
junction-6-improvement](https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-
junction-6-improvement)

All further documents submitted in the course of the Examination will also be published at the above location.

For ease of navigation, please refer to the Examination Library (EL) which is accessible via a blue button under the 'Documents' tab. The EL will be updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the project webpage is also provided. Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.

Documents can be viewed electronically, free of charge, at the following locations listed in the table below. Please note that you may need to bring a form of identification to use a computer at these locations.

Electronic deposit locations

Local authority	Venue address	Opening hours	Access
Solihull Metropolitan Borough Council	Marston Green Library, Land Lane, Marston Green, Birmingham, B37 7DQ	Mon: 10am – 1pm and 2pm – 6pm Tue: CLOSED Wed: 10am – 1pm Thu: 10am – 1pm and 2pm – 6pm Fri: CLOSED Sat: 10am – 1pm Sun: CLOSED	Free computer access (up to 2 hours per day) to members, £1.25 to non-members. A4 printing (25p per page black & white, 80p per page colour).
Solihull Metropolitan Borough Council	Solihull Central Library (The Core), Homer Road Solihull, B91 3RG	Mon: 9am - 8pm Tue: 9am – 6pm Wed: 10am – 6pm Thu: 9am-8pm Fri: 9am – 6pm Sat: 9am – 5pm Sun: CLOSED	Free computer access (up to 2 hours per day) to members, £1.25 to non-members. A4 printing (25p per page black & white, 80p per page colour).
Link to all council library locations			
http://www.solihull.gov.uk/Resident/Libraries/Find-a-library			

Procedural decisions made by the Examining Authority (Panel)

The Panel has made the following Procedural Decisions under Section 89(3) of the PA2008:

1 Deadline for Notification by Statutory Parties, or certain Local Authorities of their wish to be considered as an Interested Party

We have made a procedural decision that, in order to facilitate a timely start to the examination, Statutory Parties and certain Local Authorities must have decided whether they wish to be considered as an Interested Party and notified the Planning Inspectorate of their decision by **Monday 3 June 2019 (Deadline 1)**.

2. Statements of Common Ground (SoCG)

In relation to some of the Principal Issues identified in **Annex B** the Panel would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft timetable for the Examination at **Annex C** therefore provides a deadline for submission of SoCGs. This is **24 June 2019 (Deadline 2)**. There are also opportunities to correct or update the SoCGs by **15 July 2019 (Deadline 3)** and **2 September 2019 (Deadline 4)**.

The aim of a SoCG is to agree factual information and to inform the Panel and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant interested party or parties and submitted by the Applicant.

The SoCGs are requested to be prepared by:

A. **The Applicant and Solihull Metropolitan Borough Council**, to include:

- The agreed enhancements to the scheme
- The strategic signing strategy and its effects
- Traffic management measures
- The ability of the scheme to cater for planned development
- Environmental impact – habitats, noise, air quality, living conditions, Green Belt, landscape, heritage assets, public rights of way

B. **The Applicant, Natural England, Warwickshire Wildlife Trust and the Woodland Trust**, to include:

- Habitats, ecology and nature conservation relating to the measures of protection or mitigation for:
 - Bickenhill Meadows SSSI and any other SSSI (if necessary)

- Aspbury's Copse Ancient Woodland/ potential Local Wildlife Site (pLWS)
 - Priority habitats
- C. **The Applicant National Grid Electricity Transmission PLC, Western Power Distribution (West Midlands) PLC**, to include:
- Measures to mitigate the effects of the scheme on transmission and distribution systems including:
 - The 400kV transmission lines above ground
 - The 132kV (and below) transmission lines above and below ground
- D. **The Applicant, Cadent Gas Limited and the Health and Safety Executive**, to include:
- Measures to mitigate the effects of the scheme on transmission systems and equipment including:
 - The Bickenhill AGI
 - The safety of the measures proposed
- E. **The Applicant, the Esso Petroleum Company Limited and the Health and Safety Executive**, to include:
- Measures to mitigate the effects of the scheme on transmission systems and equipment
 - The safety of the measures proposed
- F. **The Applicant and High Speed Two (HS2) Limited**, to include:
- Measures to mitigate the effects of the scheme on operations and planned facilities at the HS2 Birmingham Interchange Station including:
 - The Automated People Mover (APM)
 - Diversion and maintenance facility
 - Compound facilities
 - Sequence of works

The SoCGs should cover the following topics, where relevant:

- Methodology
- Data collection methods
- Baseline data
- Data and statistical analysis, approach to modelling and presentation results (including forecasting methodology)
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose
- Feasible and deliverable mitigation and method for securing such mitigation within the Development Consent Order

Where a particular SoCG cannot be agreed between the parties by **Deadline 2**, or in

so far as any Local Authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted by the Applicant by **Deadline 3**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs is necessary to help inform the Panel as to the need to hold any Issue Specific Hearings on **22 August, 1-3 or 24 October 2019**, and to enable the Panel and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

3. Extended Relevant Representation Period

The section 56 notice provided on 6 February confirmed the period for Relevant Representations to be from 21 February 2019 to 28 March 2019.

On 6 March 2019 the Applicant informed us that they had received a returned notice from West Midlands Police and Crime Commissioner and requested an extension to 3 April; the letter was hand delivered to the named recipient on 6 March.

On 3 April 2019 the Applicant informed us that Highways England Historic Railways Estate (HRE) were re-sent the Notice on 4 March 2019 and provided with a later RR end date. HRE responded to the Applicant to state they had no assets in the area and were not a 'relevant statutory undertaker'.

On 29 March a new BoR was provided with certificates; the document is available on the Planning Portal website.

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-junction-6-improvement/?ipcsection=docs>

4. Additional Submissions

We have made a procedural decision to accept Additional Submissions from Birmingham City Council, Harlaxton Energy Networks Ltd, NATS, Public Health England, Birmingham Airport, Historic England West Midlands, Birmingham Dogs Home, Ministry of Defence and Coventry City Council. These documents have now been made available to view on the project pages of the M42 Junction 6 Improvement section of the National Infrastructure pages of the Planning Portal website:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-junction-6-improvement/?ipcsection=docs>

The documents are also available to view electronically at the deposit locations listed in Annex D.