

From: [REDACTED]
To: [M42 Junction 6](#)
Subject: Philip O'Reilly - Comments on Relevant Representations
Date: 03 June 2019 21:47:31

Dear Sir / Madam,

General Comment:

The majority of relevant representations submitted have been from parties who have access to legal and professional advice, at no personal cost. The parties I am most affected by (HE and WGAA) are represented by solicitors and planning experts, again at no personal cost. May I therefore request for the Planning Inspectorate to instruct HE to cover costs for the provision of legal and professional advice which I believe I am entitled to considering the growing impact of the scheme on my property?

In response to relevant representations (RR) submitted to the Planning Inspectorate:

Can Solihull Metropolitan Borough Council (SMBC), as the local planning authority, explain why they failed to mention the Warwickshire Gaelic Athletics Association (WGAA) reconfiguration and its potential impact on my property, and the greenbelt, in their RR submission?

One can only assume that the fact the WGAA reconfiguration is hardly mentioned in any submission is because it is impossible for anyone to comment on a 'final' scheme or its impact when no details of that actual scheme are provided. Highways England (HE) failed to reach any meaningful agreement with WGAA prior to submission of the DCO or provide details in the DCO application of a scheme that was actually being discussed and pursued with the WGAA. Instead HE included their own five options in the DCO, none of which were actively being progressed with the WGAA at the time their application was submitted or indeed subsequently. It would appear that HE are attempting to push through a scheme for the WGAA reconfiguration that is not open to the same scrutiny as the rest of the DCO application in order to satisfy and silence a major objector to their scheme.

Regarding the RR submission by Gateley Plc on behalf of WGAA:

- The planning consent to extend the clubhouse - reference 2012/799 (which for some reason is actually hidden away on the SMBC Planning Portal under reference 2012/01288) – has lapsed. This is not made clear in the submission.
- With regard to HE funding the reconfiguration works, and any legacy options, it should be noted that SMBC confirm in their planning decision notice dated 1/10/2014 that the extension for which permission was granted 'shall be used solely for ancillary purposes related to the use of the sports ground by the WGAA and shall not be open for activities or events to which the general public are invited to or can attend, unless agreed in writing by the Local Planning Authority'.
- The submission refers to a commitment made to WGAA on 10th August 2017, at a meeting attended by the WGAA and HE, regarding a preferred site which had been identified and agreed for the purpose of relocating the WGAA facility. It would appear from the submission that from that meeting onwards the WGAA believed they were relocating to the site subsequently identified in material published by HE (for their initial public consultation January 2018) and that it was pretty much set in stone. As such, they have expressed their dissatisfaction at the way they have been treated by HE and in particular the fact that HE allegedly reneged on an agreement. However, when I met with HE in January 2018 I was informed that the site shown on the HE drawings was only one of a number of options being discussed with WGAA as a potential site and an agreement with WGAA had yet to be reached. It should also be noted that I was contacted by WGAA on 23rd November 2017 to enquire about whether I would sell my property to HE / WGAA as WGAA's preference was to relocate their pitches to the field that surrounds my property and to build a clubhouse and car park where my property currently stands. I have also been informed by WGAA that they made further enquiries directly with HE, regarding the potential purchase of my property, and on at least two occasions HE told WGAA that they had approached me and I had failed to respond. In fact, I was never approached by HE at any time regarding the potential purchase of my property to facilitate the WGAA reconfiguration. When I raised the matter with HE and AECOM at a meeting on 25th January 2019 I was informed by them that WGAA had never mentioned purchasing my property, or suggested an option that included my property. HE

and AECOM also confirmed at that meeting that they had not explored any option that included my property. This was somewhat surprising as the option was raised with HE on 19th January 2018, during the consultation event at Fentham Hall. Furthermore, HE have consistently maintained that they have explored all possible options for the WGAA reconfiguration. It should be noted that HE did advise me, on more than one occasion, to submit a discretionary purchase application.

- The submission refers to a meeting on 10th August 2017 attended by Jonathan Pizzey from Highways England and a subsequent meeting on 6th June 2018 which I understand Jonathan Pizzey also attended. It goes on to mention how WGAA adopted an 'open and transparent approach to discussions'. It should therefore be noted that: I was not invited to any of the meetings they had with HE, despite being considerably affected by their reconfiguration proposals; they felt the need to go above the heads of the project team and have meetings with Peter Mumford, Highways England Director of Major Projects & Capital Portfolio Management; the meetings with Peter Mumford have not been mentioned in their submission; what was discussed or agreed at those meetings has not been mentioned in their submission.

- The submission confirms once and for all that none of the proposals for the WGAA reconfiguration, including those submitted with the DCO application and those discussed separately between HE and WGAA, are acceptable to WGAA. HE have confirmed that the site identified in their public consultation documents cannot be achieved. Surely it is about time HE and WGAA looked at alternative proposals for the WGAA reconfiguration which satisfy the needs and concerns of all affected stakeholders i.e. WGAA, HE, ESSO, SMBC, Sport England, Birmingham Airport, residents and neighbours?

Veale Wasbrough Vizards LLP (VWV) on behalf of Esso Petroleum Company Limited have confirmed in their RR submission and subsequent submission dated 20th May 2019 that HE have failed to properly engage with them with regard to a Protective Provisions Agreement. This is despite HE advising me on more than one occasion that 'ESSO' had no issues with proposals to build over their pipeline whether it be new pitches, a new clubhouse, a 3m high soil bund or raising the ground level in order to provide a level site for the WGAA. It is also worth noting that the options being pursued by HE involve some degree of work over or near the pipeline and yet it appears that they have not had any meaningful discussions with VWV regarding their proposals.

Kind regards,
Philip