

Standing up for the Warwickshire Countryside

7 August 2019

M42 Junction 6 Improvement Scheme Role and involvement of Solihull Metropolitan Borough Council

The Examination needs to review and assess the M42 Junction 6 proposal and its justification by reference to the involvement of Solihull Metropolitan Borough Council in developing the proposal and its involvement in it. The application for the Development Consent Order while being made by Highways England is in fact a plan that is sought by Solihull MBC which developed the concept.

The Council has however been less than open about its involvement and has submitted conflicting information.

The history of the proposals were set out at the Issue-Specific Hearing on 2 July 2019 verbally by Jonathan Pizzey, speaking for Highways England. He explained:

- Solihull MBC promoted improvements to Junction 6 to the Highways Agency in the early 2000s.
- The response then was that HA widened some entries to the gyratory and changed signal timings.
- Solihull then promoted more extensive works and sought the programming of these as a major project (that is, in the RIS). The original scheme promoted to HE by Solihull was for a new Junction 5A and parallel roads either side of M42 from it to Junction 6.
- HA/HE worked with Solihull, developing 37 options which with Solihull's involvement extended to 41.
- A sifting review produced 6 'families of options' and the conclusion was that the only solution is a link from A45 Clock Interchange to the M42 south of Junction 6 along with various improvements to Junction 6 itself.

On the same day as this was explained, Solihull MBC sent a letter to CPRE Warwickshire under the Environmental Information Regulations (attached). The Council had been asked under EIR 2004 procedures for:

The documents produced by Solihull in drawing up proposals for the M42 Junction 6 Improvement and related road improvements, its submissions to Ministers and to the Highways Agency (now Highways England), and its meetings internally, and with Highways Agency/ England, the Department for Transport, the NEC, Birmingham Airport and HS2 Ltd between 2011 and 2019.

The Council's response is that "Solihull Council were not involved in drawing up the proposals for the M42 Junction 6 and related road improvements and we have been unable to locate any relevant information."

This is clearly incorrect, as shown by:

- the oral evidence of Highways England on 2 July;
- the list of meetings and details in the HE document 'Statement of Common Ground' (Updated Draft) posted on the Application website at the end of July 2019;
- and the letter of 7 November 2013 from the Leader of Solihull MBC to the then Secretary of State for Transport and the then Solihull proposals for M42 Junc 5A and Junc 6 (attached)

The attached drawing showing the Council's proposal for a 'new southern junction' and a 'new northern junction' was prepared by HE in January 2016 from the SMBC's original. At present CPRE Warwickshire has not been able to obtain the original drawing or drawings from the Council.

The M42 Junction 5A proposal is shown by this evidence to originate with Solihull Council.

Full evidence of the Council's planning of this proposal and its justification for it needs to be presented to the Examination, dating from the letter from the Leader to the Secretary of State.

CPRE Warwickshire is awaiting the response to its second application under EIR 2004 to Solihull Council for the relevant information, dated 8 July 2019 (attached).

Please can this set of documents, along with this Statement, be posted on the Examination website now as information submitted by an Interested Party.



Mark Sullivan
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Resources Director
ICT and Information Governance
Solihull Metropolitan Borough Council
Council House, Solihull B91 3QB

12 May 2019

Dear Sir
Environmental Information Regulations 2004

This is an application for the documents produced by Solihull in drawing up proposals for the M42 Junction 6 Improvement and related road improvements, its submissions to Ministers and to the Highways Agency (now Highways England), and its meetings internally, and with Highways Agency/ England, the Department for Transport, the NEC, Birmingham Airport and HS2 Ltd between 2011 and 2019.

The proposals now before an Examination under the Planning Act 2008 are published by Highways England but originate in proposals first developed for M42 Junction 6 and surrounding roads by Solihull MBC, from 2011 if not earlier.

The Council now appears to be seeking a restoration of trunk road status to part of the A45 that was detrunked around the year 2000, although that is not part of the published proposal.


The representation to the Planning Inspectorate from Solihull MBC of 19 March 2019 confirms the close working between the authority and the trunk road authority:

Received 19 March 2019
From Solihull Metropolitan Borough Council
Representation

"I represent Solihull Metropolitan Borough Council and, as the main affected Local Authority, we have been working closely with Highways England (HE) on this scheme - we will continue to do this and our current list of issues to resolve include :- 1/ Statements of Common Ground - HE have agreed to a number of enhancements we suggested for the scheme 2/ Strategic signing strategy 3/ Design issues inc departures from standard 4/ Traffic Management - maintaining current road capacity during construction 5/ Assurances that the section of A45 in both directions from the Clock Interchange to M42 J6 will become Trunk Rd following scheme completion 6/ Local Impact Report - we intend to submit this in due course We may reach agreement on these issues with HE over the next 2-3 months but if not we may wish to submit further details."

In view of the length of time during which Solihull MBC has been promoting and then involved with this proposal, it may be efficient if documents are made available at the Council's offices so that the need for copying papers and drawings can be reduced to those essential for the Examination process.

Yours faithfully,


M A SULLIVAN
MRTPI CMILT
Technical Secretary, CPRE Warwickshire

Mr Mark Sullivan
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PAUL JOHNSON
DIRECTOR OF RESOURCES &
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Our Ref: 4717628

Date: 2 July 2019

Dear Mr Sullivan,

Environmental Information Regulations 2004 (EIR)

This request has been handled under the above legislation, please find our response below. You asked:

The documents produced by Solihull in drawing up proposals for the M42 Junction 6 Improvement and related road improvements, its submissions to Ministers and to the Highways Agency (now Highways England), and its meetings internally, and with Highways Agency/ England, the Department for Transport, the NEC, Birmingham Airport and HS2 Ltd between 2011 and 2019.

It is important that you receive the information to which you are legally entitled and therefore, we have carried out extensive searches that has resulted in a 24 hour delay in responding, for which we apologise.

We can now confirm that Solihull Council were not involved in drawing up the proposals for the M42 Junction 6 and related road improvements and we have been unable to locate any relevant information. Therefore, Regulation 12(4)(a) EIR applies to your request; this provides an exception to the duty to disclose information when information is not held.

However, if you are able to provide details that leads you to believe the information existed or perhaps be specific about the documentation you are seeking, we will be happy to log it as a new request; and pursue that line of enquiry to establish if the information sought is held.

We trust this is of assistance. However, if you wish to request a review of our decision or make a complaint about how your request has been handled under the legislation, you should write to the following address or reply to the email to which this letter is attached:

Corporate Information Governance Manager
Resources Directorate
ICT and Information Governance
Council House, Manor Square
Solihull, West Midlands
B91 3QB

Your request for an internal review should be submitted to us within 40 days of receipt by you of this response. Any requests received after this time will be considered at the discretion of the Corporate Information Governance Manager.

If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO will not make a decision until you have exhausted the complaints procedure provided by the council. The Information Commissioner can be contacted at: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate). Website: www.ico.org.uk.

We will now close your request as of this date.

Yours sincerely

Carol Bowdery
Corporate Information Governance Officer
Corporate Information Governance Team

Standing up for the Warwickshire Countryside

8 July 2019

Corporate Information Governance
Solihull Metropolitan Borough Council
Council House, Solihull B91 3QB
infogov@solihull.gov.uk

Dear Sir

Environmental Information Regulations 2004 (EIR)

Thank you for your reply of 2 July (your ref 4717628) in reply to our application for information held by Solihull Council on the M42 Junction 6 Improvement scheme. This application was originally sent by post on 12 May 2019 but not it appears received until 3 June 2019.

The Borough Council has explained (on 2 July 2019) to the current Examination into the Highways England application for the Development Consent Order for this project how it was involved and what role it has played in developing the proposal. Highways England also explained the Council's involvement.

This is a new request for information under EIR. The information requested of the Council is

1. Solihull MBC communications to Department for Transport (DfT) and Highways Agency (HA) since the early 2000s about the traffic problems of M42 Junction 6 and the need for improvement, and the replies from DfT and HA.
2. The Mott Macdonald report commissioned by SMBC (dated March 2011) and the Council's report to councillors on this study. (It is not clear whether SMBC commissioned Mott Macdonald by itself or jointly with HA; the information on this report held by SMBC is part of this request.)
3. The SMBC proposals for a new junction on the M42 in the area of B4102 Solihull Road, the drawings prepared for this proposal, and the communications to and from Highways Agency and the Department for Transport on this proposal
4. Notes of all meetings held with the DfT and/or HA on the problems of and potential solutions for M42 Junction 6, between 2010 and 2019.
5. Plans and drawings prepared by or held by SMBC showing the relationship of potential M42 Junction 6 Improvement alternatives to existing and future development including UK Central.

Please acknowledge receipt of this request under EIR.

Yours faithfully

M A SULLIVAN
Technical Secretary mark@cprewarwickshire.org.uk

The Rt Hon Patrick McLoughlin MP
Secretary of State for Transport
Department for Transport
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COUNCILLOR K I MEESON
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Date: 7th November 2013

Dear Secretary of State

UK Central – Delivering the National Growth Agenda

I wrote to you in July enclosing a copy of the recently launched master plan for UK Central. This area already has one of the fastest growing economies in the country and has the potential to deliver 100,000 jobs building upon the existing key strategic assets of Birmingham Airport, the National Exhibition Centre, Jaguar Landrover, right at the heart of the national motorway and rail network. By targeting investment in local infrastructure and committing to deliver an expanded Airport and proposed HS2 interchange station, the benefits for the area and the UK are significant.

I am mindful of the challenge recently issued by Lord Deighton and am writing to you again to seek your support and agreement to move forward the most critical piece of infrastructure investment for UK Central, that will not only provide the catalyst to accelerate the vision for growth in the area but also maximise the benefits of the proposed HS2 Solihull interchange station.

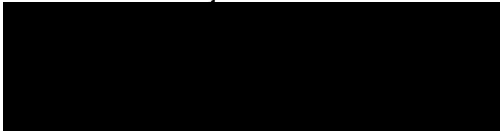
You will be aware that Junction 6 on the M42 currently operates at, or over, capacity and is heavily influenced by events at the NEC and traffic accessing Birmingham Airport, meaning significant queues can develop on the surrounding motorway and local link roads. It is a key element of the West Midlands motorway box, between the M42, M6, M1 and M5 as well as a key node on the A45 route between Birmingham and Coventry. In the future Junction 6 will be a main component in accessing the new HS2 interchange station development, but the current HS2 plans do not allow for the development and growth of UK Central, nor do they maximise the regeneration potential of the interchange site. There is therefore a real opportunity to work together, and with our private sector stakeholder partners in this area, to make best use of public funding and harness third party contributions to the required critical infrastructure investment.

The UKCentral masterplan proposes a preferred two junction solution, to replace Junction 6, which would better manage competing demands and growth as well as providing greater network resilience. A northern junction would provide access into the UKCentral hub area, including the NEC and proposed HS2 interchange, also to the north of the Borough, whilst a southern junction would provide access to Birmingham Airport and the A45 corridor between Birmingham and Coventry.

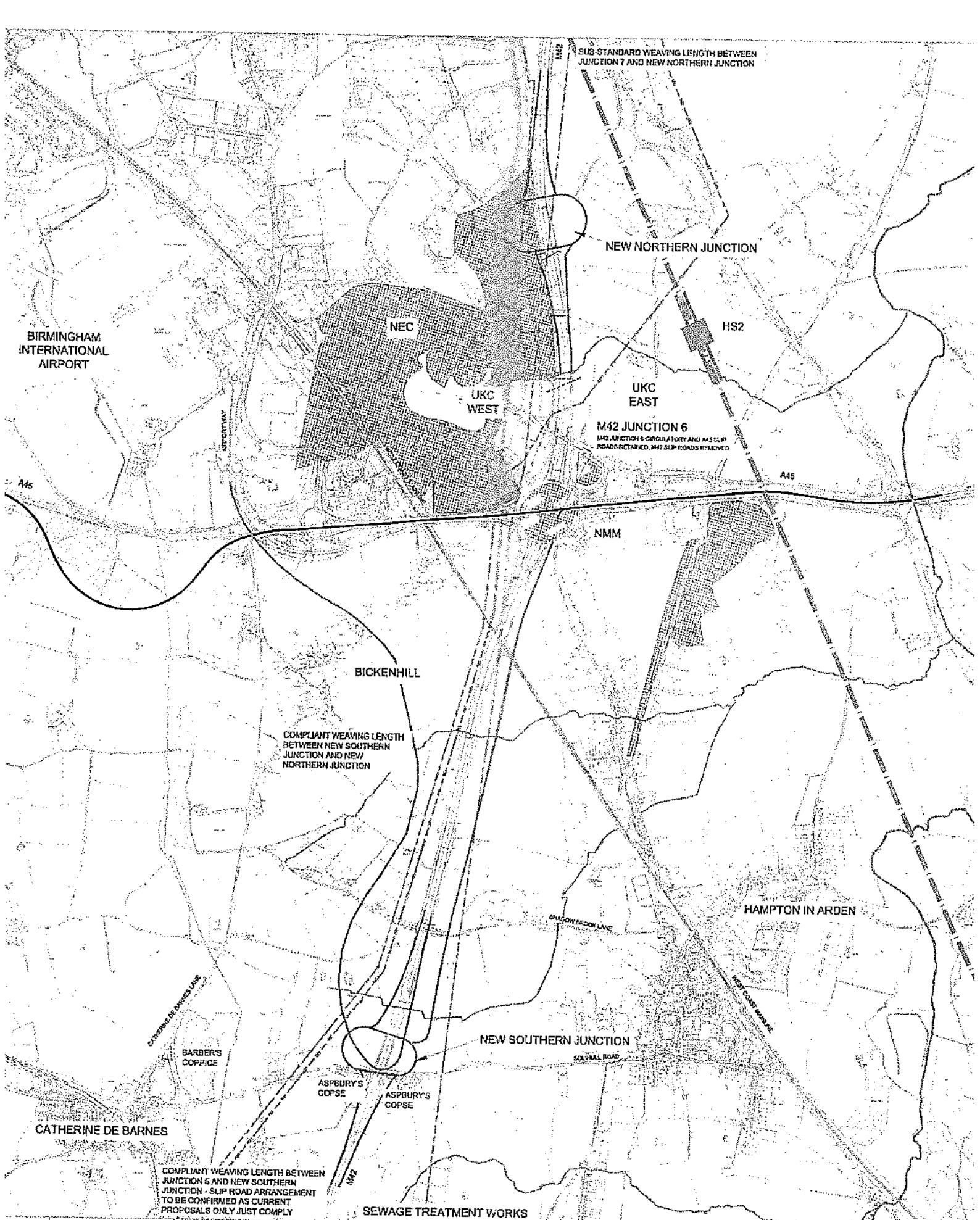
My officers have been working closely with your officials and advisors on the HS2 project and have consulted with colleagues at the Highways Agency. I am advised that the collective view of our officials is that urgent decisions are required in order to align our efforts to design the best possible solution to deliver the national growth agenda and maximise the potential around the interchange station for HS2. The current HS2 proposals are not a sustainable solution, and now is the time to make this decision and ask our officials to bring forward an alternative scheme. I would be most grateful if you could consider our proposals and advise me of your response.


I would be delighted to explain to you more about our Vision for UKCentral and the opportunities to maximise the benefits of HS2. Some months ago we made a presentation to the HS2 Board following the national launch of the UK Central project and they acknowledged that this will make a significant contribution to the economic dividend of the high speed line. We also have the support of our private sector stakeholders and we would be very pleased to welcome you to Solihull Borough for a briefing on our vision for this area around the planned Solihull Interchange. Our plan will deliver growth of national significance and is based upon international research and evidence, supporting our case that infrastructure investment is not an option but a necessity. I believe that with your support we have all the essential ingredients and an opportunity to get it right first time and demonstrate the best of public and private sector collaboration.

Yours sincerely



Councillor Ken Meeson
Leader of the Council



<p>Client Working on behalf of</p> 	<p>Project REGIONAL INVESTMENT PROGRAMME WEST MIDLANDS AREA 9 M42 JUNCTION 6 IMPROVEMENTS</p>	<p>Doc#</p>
<p>Issued only for purpose indicated</p> <p>INFORMATION</p> <p>Date</p>	<p>Title OPTION 1 PCF STAGE 1 OPTIONEERING</p>	<p>Overall Scheme Plan (NTS)</p> <p style="text-align: right;">9</p>