

DCO3 Issue Specific Hearing - Action Points

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

Actions arising from the Issue Specific Hearing into the draft **Development Consent Order 3** (DCO3) held at the Ramada Hotel, Solihull on **Wednesday 21 August 2019**.

Action Points

	Action	Party	Deadline
1	<p>Precedents</p> <p>The Applicant to provide a list and a brief summary or explanation (if necessary) of the precedents relied upon in Articles 19 and 50 of the dDCO to complete the actions agreed from ISH DCO2.</p>	The Applicant	D4
2	<p>Guillotine provisions</p> <p>The Applicant and the Gooch Estate to consider, with a view to reaching 'agreement', whether it is necessary to explicitly refer to the opportunities to seek more information or to refuse an application for works under any relevant Article where an absence of a decision within 28 days would result in a deemed consent. In addition, to consider how the guillotine provisions would interact with the Traffic Regulation provisions (Article 12) and the Traffic Management Plan in securing the access required throughout the Gooch Estate.</p>	The Applicant and Gooch Estate	D6
3	<p>Street works – Article 12</p> <p>The list of streets in Appendix B of REP-008 to be added as an appendix to the dDCO and a new paragraph 12(4) inserted into the dDCO indicating that:</p>	The Applicant, SMBC and WCC	D5



	Action	Party	Deadline
	<i>For information purposes only, Appendix X lists the streets where works are planned.</i>		
4	<p>Authority to survey land – Article 23</p> <p>The Applicant and the Gooch Estate to consider, with a view to reaching ‘agreement’, what should trigger the right to enter land adjacent or beyond the Order limits and the length of notice that might reasonably be required before doing so.</p>	The Applicant and Gooch Estate	D6
5	<p>Felling of trees and removal of hedgerows – Article 39</p> <p>The Applicant to annotate Table 1 in Appendix 1 of APP-128 to show whether the listed tree is in a Conservation Area or is protected by a TPO. Also, to provide a summary table showing the number of TPO and Conservation Area trees by category and management recommendation.</p> <p>The Applicant to annotate Table B-5-3 in Annex B to APP-131 to show whether the listed hedgerows are important for wildlife or historical reasons and to alter Table 1 in APP-131 to accommodate that information.</p>	The Applicant	D6
6	<p>Removal of human remains – Article 48</p> <p>The Applicant to alter Article 48 to explicitly recognise that human remains may have an archaeological interest, thereby engendering an appropriate response.</p>	The Applicant	D5
7	<p>Schedule 1 – Authorised development</p> <p>The Applicant to alter the wording of the further development within the Order limits under (o) by inserting after (o): ‘the works entailed in (a)-(n) above and such other works ...’.</p>	The Applicant, The Gooch Estate	D5



	Action	Party	Deadline
8	Requirements - R1, R3, R4, R5 and R8 Birmingham Airport to draft amendments sought for R1, R3, R4, R5 and R8 so that they provide the safeguards necessary for the operation of the Airport and send those drafts to the Applicant for consideration and with a view to reaching agreement and inclusion within the third draft of the DCO to be submitted for Deadline 5.	Birmingham Airport and the Applicant	D4
9	Requirements – R9 Archaeological remains The Applicant to devise a revised approach to the 'buffer' and the 14 day decision-making period based on the work done for the A303 and the archaeological remains in the vicinity of Stonehenge.	The Applicant	D5
10	Schedule 1 – Authorised development The Applicant to provide indicative plans of the satellite compounds and to outline the scale and duration of activities intended in each, perhaps adopting a simple 'tiered' classification (full duration of project, 2 years, 1 year, intermittent) or as may be appropriate, which in turn dictates whether they are explicitly linked to the OEMP, as per the main compound.	The Applicant	D6
11	Plots 3/51a, 3/57 and 3/58a These plots are shown as required for the stockpiling of construction materials. In looking at the alternative configurations and locations for the main compound (action from CAH1), the Applicant is asked to review the scale and duration of activities, as well as potential alternative arrangements and locations, for this 'satellite' compound.	The Applicant	D6



	Action	Party	Deadline
12	Landscaping The Applicant to involve the Bickenhill and Marston Green Parish Council in the detail of landscaping proposals and consideration of their physical impact. The Applicant to consider how this commitment might best be expressed. (Possibly in the job description of the community liaison officer.)	The Applicant	D6
13	Timing of works The Applicant to consider whether a broad outline of the start of works identified on plots in the vicinity of Bickenhill could usefully be given to residents of the village.	The Applicant	D6