

**M42 Junction 6 Development Consent Order  
Scheme Number TR010027**

**8.61 Written Summary of Applicant's Case at  
the Second Open Floor Hearing on 22 August  
2019**

Planning Act 2008

Rule 8(1)(k)

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**M42 Junction 6**  
Development Consent Order 202[ ]

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## 1. Introduction

- 1.1.1 This document summarises the case put forward by Highways England (the Applicant), at the second Open Floor Hearing (OFH 2) for the M42 Junction 6 scheme (the Scheme) which took place at the Ramada Hotel, Church Hill Road, Solihull on 22 August 2019.
- 1.1.2 Whilst the Applicant was primarily in attendance at OFH 2 to gain a better understanding of the Interested Parties' concerns, at the request of the Examining Authority (ExA) some oral submissions were made, and these are summarised below.

## 2. Representations at OFH 2

### **Representations by Philip O'Reilly**

- 2.1.1 Nick Evans (NE) on behalf of the Applicant noted Philip O'Reilly's (POR) questions about a potential legacy scheme for the Warwickshire Gaelic Athletic Association (WGAA) and confirmed that the Applicant had no further information on this beyond the information provided in the first Compulsory Acquisition and Temporary Possession hearing on 20 August 2019.
- 2.1.2 NE also confirmed that the Applicant was not in a position to say whether POR would be able to bring a compensation claim should the WGAA facility be redeveloped via a planning application rather than as part of the Development Consent Order (DCO) process and agreed that the Applicant would respond in writing to particular points raised by POR where appropriate.
- 2.1.3 In response to the ExA's request, the Applicant agreed to provide the compensation documents to the Planning Inspectorate for Deadline 4 so that they could be published on their website, and if any further tailoring was required, to provide that for Deadline 5.
- 2.1.4 POR shared his concerns that there may not be time to properly scrutinise any drawings being provided for Deadline 6 in advance of the hearings scheduled for 1 to 3 October 2019. NE explained that the DCO process was a largely written one and therefore the absence of hearings did not mean that there was no opportunity for scrutiny.
- 2.1.5 POR mentioned in some detail the lapsed WGAA planning application for works to its club house and the possible planning application that may be submitted for the redevelopment of the WGAA facility outside of the DCO which was likely to include a larger clubhouse sited closer to his property and additional car parking. NE acknowledged POR's concerns about the reconfiguration of the WGAA facility and made clear to the ExA and POR that if POR set out his various concerns in writing then the Applicant would consider these points in further detail and provide, where appropriate, a written response to those concerns where it is able to do so.

**Representations by Jonathan Horton, Parish Councillor of Bickenhill and Marston Green Parish Council**

- 2.1.6 NE noted John Horton's (JH) list of concerns as read out, many of which had been articulated at the previous Issue Specific Hearing on the dDCO (DCO3) and the first Compulsory Acquisition Hearing.
- 2.1.7 NE confirmed that the Applicant was in listening mode at the open floor hearing and that it would provide written responses to the issues and concerns. The ExA encouraged JH to submit to the examination, in writing, the concerns of the Parish Council so that the Applicant could respond more fully where able.
- 2.1.8 NE noted that many of the concerns raised by JH (and other residents) centred on the working practices at the main site compound and how local residents would be kept informed. NE explained that the dDCO includes an Outline Environmental Management Plan (OEMP) which will be used to inform a Construction Environmental Outline Management Plan (CEMP) which would provide a framework of controls for the construction period and any variation to this would have to be agreed with Solihull Metropolitan Borough Council (SMBC).
- 2.1.9 NE acknowledged that the number of DCO documents can be overwhelming, and that it can be difficult to see how the various documents relate to each other. He confirmed that residents would be able to locate the OEMP and other relevant documents on the M42 Junction 6 project page of the Planning Inspectorate's website.
- 2.1.10 It was explained that the OEMP could be found by searching 'management' on the 'Documents' tab of the website and was document 6.11. If read in conjunction with Requirement 4 of Schedule 2 to the draft DCO (which can also be found on the Planning Inspectorate's website), this would provide an overview for the controls that would be in place during the construction phase.
- 2.1.11 NE confirmed that the Applicant was happy to meet with the residents of Bickenhill to take them through this information and to explain how these framework of controls would work in practice.

**Representations by Barbara Tocher, Parish Councillor of Bickenhill and Marston Green Parish Council**

- 2.1.12 NE noted Councillor Tocher's concerns about the provision of bridleways, which were shared by Camilla Burton of Church Farm Accommodation who asked about the arrangements for the bridleways during construction. James Hemmingway of AECOM, on behalf of the Applicant, confirmed that the existing bridleways would be maintained and NE confirmed that the Applicant would consider the arrangements for the maintenance of temporary bridleways during construction.

**Representations by Mr Sullivan, Warwickshire CPRE**

- 2.1.13 NE noted Mr Sullivan's comments about the safety of the proposed pedestrian bridge and diverted footpaths, and confirmed to the ExA that these had been agreed with SMBC, the local footpath authority.