



National Infrastructure Planning
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To Interested Parties and Statutory
Parties invited to the Preliminary
Meeting

Your Ref:

Our Ref: TR010027

Date: 13 September 2019

Dear Sir/Madam

**The Planning Act 2008 – Section 89 and The Infrastructure Planning
(Examination Procedure) Rules 2010 – Rule 8(3), Rule 9, Rule 13 and Rule 17**

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

**Notification of a change to the Examination Timetable, Notice of procedural
decision, notification of hearings and request for further information**

The Examination Timetable provided at **Annex A** to the Examining Authority's (ExA) Rule 8 letter¹ is hereby superseded by the amended Examination Timetable provided at **Annex A** to this letter.

Annex B provides notice of hearings to be held on 22 and 23 October 2019.

All documentation associated with this project can be found on the National Infrastructure Planning website here:

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

We have made a Procedural Decision that, due to the distance of the scheme from any European protected site, a Report on the Implications for European Sites is not required.

The Applicant was requested at the hearings over 21 and 22 August 2019 to carry out non-statutory consultation in relation to the proposed changes to the Application set out in the letter dated 9 August 2019 [AS-027]. We have subsequently made a

¹ Available here: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010027/TR010027-000377-20190528%20M42j6%20-%20Rule%208%20Letter%20and%20ExA%20WQ1%20Final.pdf>

Procedural Decision that a report on any consultation responses received should be submitted by the Applicant by Deadline 6 (Friday 11 October 2019).

We have also decided that the applicant should provide further justification for the statement in the letter dated 9 August 2019 that “the changes would not give rise to any materially new or materially different significant environmental effects to those reported in the Environmental Statement”, and additional information should be provided about the environmental appraisals, to which the same letter refers, also by Deadline 6 (Friday 11 October 2019).

Yours faithfully

David Cullingford

Lead Member of the Panel

Annex A Amended Examination Timetable

Annex B Dates, times and place for forthcoming hearings

This communication does not constitute legal advice.

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Amended Examination Timetable

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 	Friday 31 May 2019
4	Deadline 1 (D1) Deadline for the receipt of: <ul style="list-style-type: none"> • Notification of wish to speak at a Compulsory Acquisition Hearing • Request to hold a further Open Floor Hearing • Notification of wish to speak at an Issue Specific Hearing • Notification of suggested locations, and their justifications, for the Accompanied Site Inspection (ASI) on 3 and 4 July and any comments on the current draft ASI – which was submitted prior to the PM where 2 days for the ASI was agreed • 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) and summaries of all WRs which exceed 1500 words • Any further information requested by the Panel for this Deadline 	Monday 3 June 2019
5	Deadline 2 (D2) Deadline for receipt of: <ul style="list-style-type: none"> • Local Impact Reports (LIRs) from local authorities • Statements of Common Ground (SoCGs) requested by the Panel • Responses to the Panel's First Written Questions • Applicant to provide a final ASI itinerary based on requests received at D1 and discussions with Case 	Monday 24 June 2019

Item	Matters	Due Dates
	<p>Team</p> <ul style="list-style-type: none"> • Post hearing submissions including written submissions of oral case, arising from hearings held on 21 or 22 May • Comments on any additional information and submissions received for D1 • Comments on any further information requested by the Panel for Deadline 1 	
6	<p>Issue Specific Hearing (10.00) on: Content of the draft Development Consent Order (DCO 2)</p>	<p>Tuesday 2 July 2019</p>
7	<p>Issue Specific Hearing (14.00) on: Need for improvements at junction 6 on the M42</p>	<p>Tuesday 2 July 2019</p>
8	<p>Accompanied Site Inspection, to include for example:</p> <ul style="list-style-type: none"> • Junction improvements • NEC, Airport, Arden Hotel, Sports club, businesses • Bickenhill, Catherine de Barnes, Hampton in Arden • Locations requested as necessary 	<p>Wednesday 3 and Thursday 4 July 2019</p>
9	<p>Deadline 3 (D3) Deadline for receipt by the Panel of:</p> <ul style="list-style-type: none"> • Comments on WRs which were received at D2 • Any responses to comments on RRs which were received at D1 • Comments on LIRs which were received at D2 • Comments on responses received at D2 to the Panel's First Written Questions • Post hearing submissions including written submissions of oral cases, arising from Hearings on 2 July 2019 • Updates to Statements of Common Ground • Responses to any further information requested by the Panel • Comments on any additional information or submissions received for the previous deadline 	<p>Monday 15 July 2019</p>
10	<p>Issue of the Panel's Second Written Questions</p>	<p>Monday 5 August 2019</p>

Item	Matters	Due Dates
11	<p>Deadline 3A</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Updated Guide to the Application • Outline Management Plan for Main Site Compound • Consideration of Alternative Locations for the M42 Junction 6 Main Site Compound • Response to CPRE Letter dated 15 July 2019 • Transport Modelling Hierarchy 	<p>Monday 12 August 2019</p>
12	<p>Compulsory Acquisition Hearing (10.00)</p> <p>Compulsory Acquisition (CA) and Temporary Possession (TP)</p>	<p>Tuesday 20 August 2019</p>
13	<p>Issue Specific Hearing (10.00) on:</p> <p>Content of the draft Development Consent Order (DCO 3)</p>	<p>Wednesday 21 August 2019</p>
14	<p>Open Floor Hearing (18.00)</p>	<p>Thursday 22 August 2019</p>
15	<p>Deadline 4 (D4)</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to the Panel's Second Written Questions • 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 	<p>Monday 2 September 2019</p>
16	<p>Deadline 5 (D5)</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Applicant's revised draft DCO • Responses to further information requested by the Panel • Post hearing submissions including written submissions of oral cases, arising from Hearings on 20-22 August 2019 • Comments on any additional information or submissions received by previous deadline 	<p>Monday 16 September 2019</p>

Item	Matters	Due Dates
17	Publication by the Panel of: <ul style="list-style-type: none"> • further Written Questions (ExQ3) 	Monday 23 September 2019
18	Issue Specific Hearing (10.00) on: Living conditions	Tuesday 1 October 2019
19	Issue Specific Hearing (10.00) on: Environmental matters	Wednesday 2 October 2019
20	Issue Specific Hearing (10.00) on: Environmental matters continued (if required)	Thursday 3 October 2019
21	Deadline 6 (D6) Deadline for receipt of: <ul style="list-style-type: none"> • Comments on the draft DCO, submitted on D5 • Responses to the Panel's Third Written Questions • Post hearing submissions including written submissions of oral cases, arising from Hearings on 1-3 October 2019 • Environmental Appraisals and Consultation Report on the Proposed changes to the application • Responses to any further information requested by the Panel • Comments on any additional information or submissions received by previous deadline 	Friday 11 October 2019
22	Compulsory Acquisition Hearing (CAH 2) Further consideration of Compulsory Acquisition (CA) and Temporary Possession (TP)	Tuesday 22 October 2019
23	Issue Specific Hearing on: Revised content of the draft Development Consent Order (DCO 4)	Wednesday 23 October 2019
24	Deadline 7 (D7) Deadline for receipt of: <ul style="list-style-type: none"> • Comments on responses to the Panel's Third Written Questions 	Monday 28 October 2019

Item	Matters	Due Dates
	<ul style="list-style-type: none"> • Responses to any further information requested by the Panel • Comments on any additional information or submissions received by previous deadline • Post hearing submissions including written submissions of oral cases, arising from Hearings 	
25	Publication by the Panel of: <ul style="list-style-type: none"> • The Panel's preferred dDCO or dDCO commentary (if required) 	Thursday 31 October 2019
26	Deadline 8 (D8) Deadline for receipt of: <ul style="list-style-type: none"> • Comments on the Panel's preferred dDCO or dDCO commentary (if required) • Responses to any further information requested by the Panel • Comments on any additional information or submissions received by previous deadline 	Tuesday 5 November 2019
27	Deadline 9 (D9) Deadline for receipt of: <ul style="list-style-type: none"> • 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 	Tuesday 12 November 2019
28	Deadline 10 (D10) Deadline for receipt of: <ul style="list-style-type: none"> • Responses to any further information requested by the Panel (if required) 	Wednesday 20 November 2019
29	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	Thursday 21 November 2019

Deadlines

Where a deadline is set on a date for the submission of any documents to the Panel, the documents must be received by the Panel by 11:59pm on that day.

Dates, times and place for forthcoming hearings

Compulsory Acquisition Hearing (CAH 2)

Please be advised that the Examining Authority (ExA) will hold a hearing under Section 92 of the Planning Act 2008 on the following date:

Hearing	Date	Time	Place
Compulsory Acquisition Hearing (CAH 2)	22 October 2019	10.00am (doors opening 9.30am)	The Ramada Hotel, Solihull Church Hill Road, Solihull, B91 3RF

Issue Specific Hearing (DCO 4)

Please be advised that the ExA will hold a hearing under Section 91 of the Planning Act 2008 on the following date:

Hearing	Date	Time	Place
Issue Specific Hearing on the draft Development Consent Order (DCO 4)	23 October 2019	10.00am (doors opening 9.30am)	The Ramada Hotel, Solihull Church Hill Road, Solihull, B91 3RF

If you wish to participate in or observe at the Compulsory Acquisition Hearing scheduled on 22 October 2019, or the Issue Specific Hearing scheduled on 23 October 2019 please let the Planning Inspectorate's Case Team know by emailing M42junction6@planninginspectorate.gov.uk no later than 15 October 2019 indicating your wish to attend and the matters in respect of which you wish to speak.

Agendas for the Compulsory Acquisition Hearing and Issue Specific Hearing will be published on our website approximately one week prior to the hearing to which they relate taking place.

The time allocated for the hearings has been estimated based on the matters identified for consideration. Should it take less time than anticipated, the ExA may conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to.

Access and parking

There is a car park at the hotel. The nearest bus stops are on New Road, Solihull, beside St Alphege Parish Church. These serve routes 812, A7 and A7W. The nearest train station is Solihull, with trains to and from Birmingham, Kidderminster, Worcester and London Marylebone.