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20 November 2019

Our ref: U0007293/ARHE/NABO/ANNI

Your ref: TR010027-000568-20190805

Dear Sir/Madam,

**Highways England (“the Applicant”)
Application by Highways England for a Development Consent Order (DCO)
M42 Junction 6 scheme (“the Scheme”)
Update on Progress for Deadline 10 (20 November 2019).**

Gerald Eve LLP acts for National Exhibition Centre Limited (“NEC Limited”) in respect of the Applicant’s DCO application for the Scheme.

We wrote to PINS on 21 October 2019 in advance of Compulsory Acquisition Hearing 2 to confirm NEC Limited’s decision not to appear.

As at the date of Compulsory Acquisition Hearing 2, progress had been made following Compulsory Acquisition Hearing 1 with a Statement of Common Ground (‘SoCG’) and draft heads of terms (‘HoTs’) for a formal agreement between the Applicant and NEC Limited on how they will work together to manage the works and mitigate disruption to the National Exhibition Centre during construction of the scheme. In short, it was decided that a Compulsory Acquisition Hearing 2 appearance was an inefficient use of time and resources.

Since 22 October 2019, NEC Limited and the Applicant have agreed the SoCG. This was signed by both parties during the week commencing 20 October 2019.

In contrast, NEC Limited was promised draft HoTs during a call with the Applicant, AECOM and BDB Pitmans LLP on 12 September 2019. These were eventually received on 17 October 2019. On 21 October 2019, NEC Limited issued comments and amendments to the Applicant.

We are disappointed that a formal response to NEC Limited’s comments and amendments on the HoTs has yet to be received. Progress appears to have stalled.

We reiterate that NEC Limited will not withdraw its representation dated 27 March 2019 until the SoCG and the Formal Agreement are signed and completed.

We hope that this is a useful Deadline 10 update and we thank PINS for their continuing support throughout this process. Please do not hesitate to contact Adam Rhead using the contact details below if you have any questions.

Yours faithfully



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