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To Interested Parties, Statutory Parties
and Other Persons invited to the
Preliminary Meeting

Your Ref:

Our Ref: TR010054

Date: 22 October 2020

Dear Sir/ Madam

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

Application by Highways England for an Order Granting Development Consent for the M54 to M6 Link Road

Examination Timetable and procedure and notification of hearings

This letter provides you with the Examination Timetable, including confirmation of the timetable for the response to the Examining Authority's (ExA) Written Questions and other important information about the Examination.

All documentation associated with this project, including a note of the Preliminary Meeting and the audio recording taken at that meeting, can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m54-to-m6-link-road/?ipcsection=docs>

On 20 July 2020 we issued a Progress Note¹ [PD-005]² explaining our thoughts about the Examination in the light of the restrictions caused by the Covid-19 pandemic. This also set out Frequently Asked Questions [PD-006], our Initial Assessment of the Principal Issues [PD-007], a list of Statements of Common Ground [PD-008] and a set of Tasks [PD-009] that we asked the Parties to undertake. We will discuss these matters further below.

¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010054/TR010054-000435-200720%20M54toM6%20R5%20and%20R17%20letter.pdf>

² Documents in the [Examination Library](#) can be identified by being in square brackets. We would appreciate use of this referencing system if possible.

The Examination Timetable

We have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A**.

The Examination Timetable replaces the draft timetable that was included in the Rule 6 letter³ dated 20 August 2020 [PD-012]. In finalising the Examination Timetable, we have sought to accommodate requests and suggestions made at the Preliminary Meeting and in representations submitted in advance of that meeting.

The main change we have made relates to the Site Inspection. We consider that in the current situation that it will not be possible to undertake a conventional Accompanied Site Inspection. However, given the nature of the Proposed Development we consider that adequate site inspections can be completed through further Unaccompanied Site Inspections to land in the public domain, and by parties allowing us on to private land to view the site from there.

As indicated at the Preliminary Meeting we have **not** allowed for the Proposed Changes that have been submitted by the Applicant on the basis that they have not been, and may not be, accepted into the Examination. The Examining Authority has until 6 November 2020 to make this decision.

Should the Proposed Changes be accepted then a revised timetable to accommodate the making of representations will be issued. It may be that matters will be able to be dealt with in the Hearings in December 2020, but equally well that may not be the case and in that event further Hearings are likely to be needed.

Please note that the Examination Timetable contains a number of deadlines for receipt of information by the Planning Inspectorate. All deadlines are at 23:59 hours on the date specified. Please ensure submissions arrive by the deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

We request that Interested Parties send, where practicable, electronic copies of their submission as email attachments to M54toM6LinkRoad@planninginspectorate.gov.uk on or before the applicable deadline. Electronic attachments should be clearly labelled with the subject title and not exceed 12MB for each email. Providing links to websites where your submissions can be viewed is not acceptable. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

If you wish to submit drawings in support of any representations, we would ask that they are provided in a form that allows them to be easily displayed on shared computer screens. We set out a specification for this in our Progress Note dated 20 July 2020.

If we consider it necessary to vary the Examination Timetable during the Examination, notification will only be sent to Interested Parties and Other Persons⁴ invited to the

³ Your invitation to the Preliminary Meeting

⁴ Other Persons are persons that we chose to invite to the Preliminary Meeting, in addition to the prescribed persons listed in section 88(3) of the Planning Act 2008 – see 'Your status in the Examination and future notifications' below.

Preliminary Meeting. The changes will be published on the M54 to M6 Link Road project page of the National Infrastructure Planning website.

Other Procedural Decisions

Annex B contains important details and clarifications about our other Procedural Decisions made at, or following, the Preliminary Meeting. These include:

- **Examination Timetable**
- **Examining Authority's Written Questions**
- **Statements of Common Ground**
- **Local Impact Reports**
- **Habitats Regulations Assessment**
- **Site Inspections**

Written Representations

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by **Deadline 1** in the Examination Timetable (**Annex A**).

Written Representations can cover any relevant matter and are not restricted to the matters set out in our Initial Assessment of Principal Issues discussed at the Preliminary Meeting and included in our Progress Note or the Main Issues included in the Rule 6 letter⁵. Nor are they restricted to the content of our Written Questions (see next heading, below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why⁶. Interested Parties should also provide with their Written Representations "*the data, methodology and assumptions used to support their submissions*"⁷.

Further written submissions will be requested by the ExA at various points in the Examination.

Any Written Representations, and any further written submissions requested by the ExA in the course of the Examination which exceed 1500 words should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

⁵ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010054/TR010054-000468-200820%20M54toM6%20Rule%206%20letter%20and%20Annexes.pdf>

⁶ Required under Rule 10(4) of The Infrastructure Planning (Examination Procedure) Rules 2010

⁷ <https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

ExA's Written Questions

At the same time as publishing our Progress Note we set out our Written Questions (WQ) [PD-010] about the application and the representations received to that point. These questions were published on the National Infrastructure Planning website and can be accessed through the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010054/TR010054-000440-200720%20M54%20to%20M6%20ExQ1.pdf>

We indicated that it was likely that we would request responses to those Questions shortly after the Preliminary Meeting and we can now confirm that answers to our WQs must be provided by **Deadline 1** in the Examination Timetable (**Annex A**), Tuesday 3 November 2020.

If you require a hard copy of our WQs, please contact the Case Team who will send you a copy.

Hearings

The Examination Timetable at **Annex A** includes periods of time reserved for any hearings to be held, and we will notify all Interested Parties of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include a deadline for Interested Parties to inform the Planning Inspectorate if they wish to attend the notified hearing(s).

Annex C provides details about what Interested Parties should include in a request to be heard at a hearing, and the procedure that will be followed at hearings.

Site Inspection

Information about the Site Inspection, scheduled to take place on 1 and 2 December 2020, is also contained in **Annex B**.

Availability of application documents and representations submitted to the Examination

All documentation and audio recordings associated with the examination of this application can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m54-to-m6-link-road/?ipcsection=docs>

Annex D provides details of locations in the vicinity of the Proposed Development at which all Examination documents can be viewed electronically, free of charge.

Advice to Interested Parties about how to access and navigate the Examination Library is also provided at **Annex D**.

Your status in the Examination

You have received this letter because you fall within one of the groups described in this FAQ document: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2019/02/Status-faq.pdf>

If your reference number begins with '2002', '54M6-0', '54M6-AFP', '54M6-S57, '54M6-APL', you are in Group A. If your reference number begins with '54M6-SP' you are in Group B. If your reference number begins with '54M6-OP' you are in Group C. The meaning and purpose of those groups is explained in the document published at the link above.

If having read the FAQ document published at the link above you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Award of costs

You should be aware of the possibility of the award of costs against parties who behave unreasonably.

To assist understanding of what 'unreasonable behaviour' means in the context of an Examination under the PA2008, you may find it helpful to read the government guidance 'Awards of costs: examinations of applications for development consent orders' (July 2013)⁸. It is in everyone's interest that information is brought forward as early as possible in the examination process so you are encouraged to do so.

Management of information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m54-to-m6-link-road/?ipcsection=overview>

All Examination documents can also be viewed electronically at the locations listed in **Annex D**.

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our Privacy Notice.

⁸ <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

We look forward to working with all parties in the examination of this application.

Yours faithfully

Robert Jackson

Robert Jackson, Lead Member of the Panel

Annexes

- A** Examination Timetable
- B** Procedural Decisions made by the Examining Authority
- C** Notice of hearings and requests to appear and procedure to be followed at hearings
- D** Availability of representations and application documents

Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

Deadlines A, B, C, etc relate to **procedural** matters relating to the operation of the Examination.

Deadlines 1, 2, 3, etc relate to the **submission of evidence** as part of the consideration of the merits of the Proposed Development.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

This timetable includes events that have already occurred so the full timetable is set out in a single location.

Item	Matters	Due Dates
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Confirmation as to wish to participate in or observe Preliminary Meeting (Part 1) • Submission of written comments or questions on the proposed procedural arrangements for the Examination • Submission by Applicant of suggested Accompanied Site Inspection (ASI) itinerary 	<p>Thursday 10 September 2020</p>
2.	<p>Preliminary Meeting (Part 1)</p>	<p>Thursday 1 October 2020</p>
3.	<p>Reserve date for Preliminary Meeting (Part 1) (if necessary due to overrun or technical issues)</p>	<p>Friday 2 October 2020</p>
4.	<p>Procedural Deadline B</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Submission of written responses to matters discussed at the Preliminary Meeting (Part 1) • Confirmation as to wish to participate in or observe Preliminary Meeting (Part 2) • Confirmation as to wish to participate in or observe Open Floor Hearing 1 (OFH1) 	<p>Monday 12 October 2020</p>

5.	Preliminary Meeting (Part 2)	Tuesday 20 October 2020
6.	Open Floor Hearing 1 (OFH1)	Wednesday 21 October 2020
7.	Reserve date for OFH1 (if necessary due to overrun or technical issues) ¹	Thursday 22 October 2020
8.	Publication by the ExA of: <ul style="list-style-type: none"> The Examination Timetable 	As soon as practicable following the PM
9.	Deadline (D1) Deadline for receipt by the ExA of: <ul style="list-style-type: none"> Responses to Written Questions, issued on 20 July 2020 [PD-010] Comments on Applicant's change application of 29 May 2020 [AS-004], accepted on 20 July 2020 [PD-005] Comments on Additional Documents submitted by the Applicant and other parties since the application was accepted [AS-001] to [AS-059] Comments on Relevant Representations (RRs) Summaries of all RR's exceeding 1500 words Written Representations (WRs) Summaries of all WRs exceeding 1500 words Applicant's submission of Integrity matrices as to effects on European sites Post Hearing submissions including written summaries following PM and OFH1 Interested Party comments on Applicant's suggested ASI itinerary Local Impact Reports (LIRs) (Annex B) Statements of Common Ground (SoCG) requested by the ExA (Annex B) Responses to any further information requested by the ExA for this deadline 	Tuesday 3 November 2020

¹ This was not necessary.

10.	<p>Procedural Deadline C</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Notification by Statutory Parties of their wish to be considered as an IP by the ExA • Notification of wish to speak at an Open Floor Hearing (OFH2) • Notification of wish to make oral representations at an Issue Specific Hearings (ISH) together with indication of specific topics that the party wishes the ExA to discuss • Notification of wish to speak at a Compulsory Acquisition Hearing (CAHs) • Notification of wish to have future correspondence received electronically 	<p>Tuesday 3 November 2020</p>
11.	<p>Deadline 2 (D2)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on responses to the ExA's Written Questions • Applicant's first revised draft DCO • Responses to comments on RRs • Comments on any additional information/submissions received by D1 • Responses to any further information requested by the ExA for this deadline 	<p>Tuesday 17 November 2020</p>
12.	<p>Procedural Deadline D</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Confirmation as to wish to participate or observe at Hearings scheduled for December 2020 • Notification of wish to attend, or part attend, an ASI should this be possible 	<p>Tuesday 17 November 2020</p>
13.	<p>Publication of ExA's Site Inspection Timetable for Site Inspections identified for 1 and 2 December 2020.</p>	<p>Monday 23 November 2020</p>
14.	<p>Deadline 3 (D3)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Comments on SoCGs • Comments on LIRs 	<p>Tuesday 24 November 2020</p>

	<ul style="list-style-type: none"> • Comments on Applicant's first revised draft DCO • Comments on Integrity matrices as to effects on European sites • Submission by the Applicant of low-resolution documents (see Annex F) • Comments on any additional information/submissions received by D2 • Responses to any further information requested by the ExA for this deadline 	
15.	<p>Procedural Deadline E</p> <p>Deadline for confirmation that Site Inspections access can be provided and matters that parties would like the ExA to particularly look for at Site Inspection on 1/2 December</p>	Thursday 26 November 2020
16.	Dates reserved for Site Inspection²	Tuesday 1 & Wednesday 2 December 2020
17.	<p>Issue by the ExA of:</p> <p>Further Written Questions (if necessary).</p>	Friday 4 December 2020
18.	<p>Hearings</p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> • Open Floor Hearing (OFH2) (if required) • Issue Specific Hearings (ISH 1 to 3) (if required) <p>Possible topics:</p> <ul style="list-style-type: none"> ○ Air Quality ○ Biodiversity ○ Cultural Heritage ○ Green Belt ○ Geology and Soils ○ Landscape and visual ○ Noise and Vibration ○ Socio-Economics ○ Traffic and Transport ○ Water issues ○ Draft DCO 	Tuesday 8 to Thursday 10 December 2020

² Please note: A Site Inspection can only go ahead if Government guidance on COVID-19 at that time permits. In the event it cannot be undertaken as a physical visit, alternative approaches (including the use of technology) will be explored, and all participants will be notified.

	<ul style="list-style-type: none"> • Compulsory Acquisition Hearing (CAH1) (if required) 	
19.	<p>Hearings Dates reserved for hearings (if necessary due to overrun or technical issues)</p>	Tuesday 15 to Thursday 17 December 2020
20.	<p>Deadline 4 (D4) Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post December 2020 Hearing submissions including written submissions of oral case • Any revised/updated SoCG • Responses to the ExA's Further Written Questions (if issued) • Applicant's revised draft DCO (if required) • Comments on any additional information/submissions received by D3 • Responses to any further information requested by the ExA for this deadline 	Friday 8 January 2021
21.	<p>Deadline 5 (D5) Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any revised/updated SoCG (if any) • Comments on Applicant's revised draft DCO (if any) • Comments on responses to ExA's further written questions (if issued) • Comments on any additional information/submissions received by D4 • Responses to any further information requested by the ExA for this deadline 	Wednesday 20 January 2021
22.	<p>Publication of:</p> <ul style="list-style-type: none"> • The ExA's Third set of Written Questions (if required) 	Friday 29 January 2021
23.	<p>Deadline 6 (D6) Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's Third set of Written Questions (if required) • Comments on any additional information/submissions received by D5 • Responses to any further information requested by the ExA for this deadline 	Friday 12 February 2021

24.	Publication of: <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) (if required) • The ExA's proposed schedule of changes to the draft DCO (if required) 	Friday 26 February 2021
25.	Procedural Deadline F <ul style="list-style-type: none"> • Confirmation as to wish to participate or observe the Open Floor Hearings, Issue Specific Hearings, Compulsory Acquisition Hearings and Accompanied site visit in March (if required). 	Friday 5 March 2021
26.	Hearings Dates reserved for: <ul style="list-style-type: none"> • Further Issue Specific Hearings (if required) • Further Issue Specific Hearing on the draft DCO (if required) • Further Open Floor Hearing (if required) • Further Compulsory Acquisition Hearing (if required) • Further Accompanied Site Inspection (if required) 	Tuesday 16, Wednesday 17, Thursday 18 and Tuesday 23 March 2021
27.	Deadline 7 (D7) Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Post March 2021 Hearing submissions including written submissions of oral case (if required) • Comments on responses to the ExA's further Written Questions (if required) • Comments on the RIES (if issued) • Comments on the ExA's proposed schedule of changes to the draft DCO (if issued) • Comments on any additional information/submissions received by D6 • Responses to any further information requested by the ExA for this deadline 	Friday 26 March 2021
28.	Deadline 8 (D8) Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Responses to comments on the RIES (if issued) 	Wednesday 7 April 2021

	<ul style="list-style-type: none"> • Responses to comments on the ExA's proposed schedule of changes to the draft DCO (if issued) • Final DCO to be submitted by the Applicant in the SI template with the SI template validation report (MS Word) • Final updated Book of Reference • Final SoCGs • Final Statement of Commonality of SoCG • Final Compulsory Acquisition Schedule • Final updated Guide to the Application • Comments on any additional information/submissions received by D7 • Responses to any further information requested by the ExA for this deadline 	
29.	<p>Deadline 9 (D9) Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any additional information/submissions received • Responses to any further information requested by the ExA for this deadline • Statements of Final Position in respect of matters examined 	Friday 16 April 2021
30.	The ExA 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.	Tuesday 20 April 2021

Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after each deadline for submissions.

Hearing agendas

We will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Report on the Implications for European Sites

Where the Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may

decide to issue a Report on the Implication for European Sites (RIES) during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of the Habitats Regulations³.

³ The Conservation of Habitats and Species Regulations 2017

Procedural Decisions made by the Examining Authority

We have made a number of Procedural Decisions following the Preliminary Meeting¹:

1. Examination Timetable

The main change we have made relates to the Site Inspection. We consider that in the current situation that it will not be possible to undertake a conventional Site Inspection, and given the nature of the Proposed Development we consider that this can be through further Unaccompanied Site Inspections to land in the public domain, and by parties allowing us on to private land to view the site from there on an unaccompanied basis.

As indicated at the Preliminary Meeting we have **not** allowed for the Proposed Changes that have been submitted by the Applicant on the basis that they have not been, and may not be, accepted into the Examination. The Examining Authority has until 6 November 2020 to make this decision.

Should the Proposed Changes be accepted then a revised timetable to accommodate the making of representations and any responses from the Applicant will be issued. It may be that matters will be able to be dealt with in the Hearings in December 2020, but equally well that may not be the case and in that event further Hearings are likely to be needed.

2. Examining Authority's Written Questions

The Written Questions (WQ) were published at the same time as the Progress Note (20 July 2020). We can now confirm that we would like responses in writing by **Deadline 1 (Annex A, 3 November 2020)**.

Some of our WQs are directed to specific Statutory Parties which have not, at the time of writing, confirmed that they wish to become Interested Parties for the purposes of the examination of the application.

All relevant Statutory Parties will receive this correspondence and we request for each to check our WQs carefully in order that they may identify and respond to any questions posed to them. No party should feel inhibited or restricted in responding to any question we ask, even if it is directed elsewhere.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015².

3. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their

¹ Section 89(1) of the Planning Act 2008

² <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/legislation/>

production. Final signed versions of the SoCGs listed below are requested to be submitted by **Deadline 1 (Annex A, 3 November 2020,)**.

The Applicant and the South Staffordshire Council including:

- The effect of air quality
- The effect of biodiversity
- The effect on cultural heritage
- Landscape and visual effects
- The effect of noise and vibration
- Socio-economic effects, including effects on delivery of development plan aims and objectives

The Applicant and Staffordshire County Council including:

- The effect on minerals and waste
- Transport and traffic effects
- The effect on Non-Motorised Users
- Water environment effects, including any permits required from SSC as LLFA
- Socio-economic effects

The Applicant and Wolverhampton City Council including:

- Water environment effects, including any permits required from WCC as LLFA
- Transport and traffic effects
- Landscape and visual effects
- The effect of noise and vibration
- Socio-economic effects

The Applicant and Shropshire Council including:

- Transport and traffic effects
- Landscape and visual effects
- Socio-economic effects

The Applicant and the Environment Agency including:

- Water environment effects, including abstraction and discharge
- Drainage including provision for containment and treatment /disposal of contaminated run-off
- Waste management issues, including permitting and formal exemption requirements, and the likelihood that any such requirements outside the DCO process may be obtained.

The Applicant and Natural England including:

- Habitats, Ecology and Nature Conservation, including assessment of cumulative effects
- The loss of the Best and Most Versatile (BMV) Agricultural Land
- Adequacy and means of securing mitigation
- Effects on protected species and sites
- Effects on Whitgreaves Wood and other areas of ancient woodland
- The need for and means of securing mitigation actions
- Need for Habitat Regulations Assessment/Appropriate Assessment

The Applicant and Historic England including:

- The effect on the setting of Hilton Hall and the Conservatory
- The effect on the setting of Moseley Old Hall

- The effect on the setting of other listed buildings in the vicinity

The Applicant and relevant statutory undertakers including:

- Relevant Protective Provisions in the draft DCO

The Applicant and the National Trust including

- The effect on the setting of Moseley Old Hall
- Effects on Whitgreaves Wood
- The need for and means of securing mitigation actions

The Applicant and Allow Ltd including:

- Those issues raised in the Relevant Representation

The Applicant and Nurton Developments (Hilton) Limited including:

- Those issues raised in the Relevant Representation

The Applicant and Four Ashes Ltd including:

- Those issues raised in the Relevant Representation [RR-005] and in particular the effect of the West Midlands Interchange, which has recently been consented.

The Applicant and M6 Diesel including:

- Those issues raised in the Relevant Representation [RR-012]

The Applicant and St Francis Group including:

- Those issues raised in the Relevant Representation [RR-029]

The Applicant and Staffordshire Wildlife Trust including:

- Those issues raised in the Relevant Representation [RR-042]

The Applicant and Mrs Whitehouse & Mrs S L M Arblaster including:

- Those issues raised in the Relevant Representation [RR-036]

The Applicant and Mr & Mrs Byard including:

- Those issues raised in the Relevant Representation [RR-026]

The Applicant and Messrs Nigel & Paul Simkin including:

- Those issues raised in the Relevant Representation [RR-034]

The Applicant and Messrs I & A Simkin including:

- Those issues raised in the Relevant Representation [RR-033]

The Applicant and Mr and Mrs B Jones including:

- Those issues raised in the Relevant Representation [RR-035]

All of the SoCGs listed above should cover the Articles and Requirements in the draft DCO. Any Interested Party seeking for an Article or Requirement to be reworded should provide in the SoCG the form of words which are being sought.

Where a particular SoCG cannot be agreed between the parties by **Deadline 1**, or in so far as any local authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted **by the Applicant** to

Deadline 1. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs is necessary to help inform us as to the need to hold any Issue Specific Hearings in December 2020, and to enable us and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

4. Local Impact Reports (LIRs)

A LIR is a report in writing giving details of the likely impact of a Proposed Development on a local authority's area (or any part of that area). For more information about the importance and content of LIRs see the Inspectorate's Advice Note One: Local Impact Reports³.

Local authorities⁴ are invited to submit LIRs by **Deadline 1 (Annex A, 3 November 2020)**.

5. Habitats Regulations Assessment

The Applicant has concluded in its Habitats Regulations Assessment – No Significant Effects Report [APP-216] that the Proposed Development would not result in a likely significant effect on European sites, either alone or in combination with other plans or projects.

However, Natural England, in its Relevant Representation [RR-037] supplemented by an Additional Submission [AS-002], advised that it could not yet agree that this would be the case in respect of effects on the Cannock Extension Canal Special Area of Conservation.

Although it is understood discussions are continuing between the Applicant and Natural England it may be that under the Habitats Regulations⁵, in order to inform the Secretary of State as the competent authority, certain information needs to be provided and consultation undertaken during the course of the Examination. The Applicant is requested to complete integrity matrices.

These must be provided by **Deadline 1 (Annex A, 3 November 2020)**, following which the Examination Timetable provides opportunities and deadlines for comments to be submitted.

Depending on evidence, the ExA may decide to issue a Report on the Implication for European Sites (RIES) during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake an HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's recommendation to the Secretary of State. The Secretary of State may rely on the

³ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

⁴ Defined in s56A of the Planning Act 2008

⁵ The Conservation of Habitats and Species Regulations 2017 (as amended)

consultation on the RIES to meet the obligations under Regulation 63(3) of the Habitats Regulations.

6. Site Inspections

Time has been reserved in the Examination Timetable to undertake Site Inspections on **1 and 2 December 2020**.

As requested in Annex D of our Rule 6 letter dated 20 August 2020, on 10 September 2020 the Applicant submitted to the Examination a draft itinerary for an Accompanied Site Inspection timetabled to take place on **1 December 2020**. The draft itinerary has been published to the National Infrastructure Planning website and is available to view, here:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m54-to-m6-link-road/?ipcsection=overview>

Due to the current Covid-19 public health emergency, the ExA considers it extremely unlikely that it will be possible to hold conventional Accompanied Site Inspections. Consequently, the ExA intends to hold further site inspections in the following way.

For land in the public domain, which includes from public rights of way, the ExA will undertake further Unaccompanied Site Inspections. For land for which there is no public access, the ExA will set out an itinerary and request permission to enter that land to make site inspections unaccompanied.

Therefore, we now invite comments from any Interested Party on the Applicant's draft itinerary by **Deadline 1 (Annex A, 3 November 2020)**. This is to identify additional land which should be inspected, along with specific features that the Interested Party believes that the ExA should inspect, or what the ExA should specifically appreciate.

Given the current restrictions on public gatherings, all suggestions must be accompanied by an explanation as to why they cannot be carried out as an Unaccompanied Site Inspection by the ExA, and full details of any access permissions and arrangements that would be necessary.

The ExA will then draw up a proposed visit schedule and request this is arranged. The final itinerary for the Site Inspection will be published on the project page of the National Infrastructure Planning website on or before 23 November 2020.

The public health situation may change so that the Site Inspection cannot or does not take place in early December. In which case the ExA will issue a Procedural Decision and look to alternative arrangements.

Interested Parties should be aware that **Site Inspections are not an opportunity to make any oral representations to the ExA about the Proposed Development**.

Notice of hearings and requests to appear and procedure to be followed at hearings

The Examination Timetable reserves two periods of time for two series of hearings to be held, between 8 and 10 December 2020 with reserved dates on 15 to 17 December 2020 and between 16 and 23 March 2021.

At least one Issue Specific Hearing, dealing with the draft Development Consent Order, and if Affected Persons so request a Compulsory Acquisition Hearing will be held in the first series of hearings,

In relation to the notice given by the Applicant of the forthcoming hearings to be held in the week commencing 8 December 2020, we have made a Procedural Decision directing the Applicant to comply with the Rule 13(6) notification requirements¹ as soon as practicable and not later than 21 days before the dates fixed for the commencement of the hearings. This is to enable the Applicant to meet the print deadlines for publication of the notice of hearings in the local newspapers.

Please note that in respect of this Procedural Decision, we write to Interested Parties for information purposes only. This Procedural Decision does not affect the Examination Timetable in any way and Interested Parties other than the Applicant are not required to respond to it.

Requests to appear at hearings

Interested Parties are required to notify the Examining Authority (ExA) in writing of their wish to take part in an Open Floor Hearing (OFH) or Compulsory Acquisition Hearing (CAH). We remind Interested Parties of the Procedural Decision issued with the Rule 6 letter requesting notification from Interested Parties in this regard on or before **Deadline C (Annex A, 3 November 2020)**.

If no written requests to take part in an OFH or CAH are received by the above deadline, we are not required to hold such a hearing; although we may choose to do so nonetheless.

We may also choose to hold Issue Specific Hearings (ISH) about topics that we think need to be explored orally.

The time, date and place of any confirmed hearing will be notified in writing to all Interested Parties, providing at least 21 days' notice.

If an Interested Party wishes to attend an OFH or ISH they should indicate which topics in their Relevant Representation or Written Representation they wish to address at the hearing. Similarly, any Affected Person wishing to attend a CAH should identify clearly the plots of land about which they wish to speak as identified in the Lands Plan [AS-007] and the nature of their objection by plot number.

¹ The Infrastructure Planning (Examination Procedure) Rules 2010

Notifications from Interested Parties in respect of the above should be sent separately from any other written submission, and appropriately titled to allow us to quickly identify which event the notification relates to.

Procedure at hearings

The procedure to be followed at hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010². Any oral representations must be based on either the Relevant Representation or Written Representation made by the person by whom, or on whose behalf, the oral representations are made.

The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties³. Our examination will be principally undertaken through the exchange of written submissions, and we will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important we consider an issue or topic to be.

Hearing agendas

We will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

² Rule 14

³ Rule 14(5)

Availability of representations and application documents

All application documents and representations submitted to the Examination are available to view on the project page on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m54-to-m6-link-road/?ipcsection=docs>

For ease of navigation, we recommend that you use the Examination Library (EL) which is accessible via a blue button under the 'Documents' tab. The EL is updated regularly throughout the Examination.

The EL records:

- each application document;
- each representation accepted to be read in conjunction with the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is provided with a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the National Infrastructure Planning website is provided. **Please use the unique reference numbers applied in the EL when referring to any Examination documents in representations that you make.**

Documents can also be viewed electronically at the following locations close to the application site, free of charge. Please note that you may need to bring a form of identification to use a computer at these locations. If you have difficulty accessing any documentation please contact the Case Team using the details provided at the top of this letter.

Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations overleaf. Please note that you may need to bring a form of identification and register as a library member in order to use a computer at these locations.

Please Note: Opening hours and the availability of information technology set out in the table below may be subject to local changes or additional limitations to address Coronavirus public health requirements. Bearing in mind the effect of public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend. Please note that opening hours could be subject to change at short notice resulting from the ongoing Covid-19 pandemic.

Local authority	Library/ address	Opening hours	Printing costs
Staffordshire County Council	Cannock Library Manor Avenue Cannock WS11 1AA	Mon 9am - 5pm Tues 9am - 7pm Wed 9am - 5pm Thurs 9am - 5pm	A4 B&W - 15p Colour - 50p

Local authority	Library/ address	Opening hours	Printing costs
		Fri 9am - 5pm Sat 9am - 4pm Sun - Closed	A3 B&W – 30p Colour - £1
Staffordshire County Council	Codsall Library South Staffordshire District Council Offices Wolverhampton Road Codsall WZ8 1PX	Mon 9am - 5pm Tues 12:30pm - 8pm Wed Closed Thurs - 9am - 5pm Fri 9am - 5pm Sat 9:30am - 4pm Sunday Closed	A4 B&W - 15p Colour - 50p A3 B&W – 30p Colour - £1
Staffordshire County Council	Stafford Library No1 Staffordshire Place Tipping Street Stafford ST16 2DH	Mon 9am - 6pm Tues 9am - 6pm Wed 9am - 6pm Thurs 9am - 6pm Fri 9am - 5pm Sat 9am - 4pm Sun 1pm - 4pm	A4 B&W - 15p Colour - 50p A3 B&W – 30p Colour - £1
Link to all council library locations			
<p>Cannock Library: https://www.staffordshire.gov.uk/Libraries/branchlibraries/CannockLibrary/CannockLibrary.aspx#ad-image-0</p> <p>Codsall Library: https://www.staffordshire.gov.uk/Libraries/branchlibraries/CodsallLibrary/CodsallLibrary.aspx#ad-image-0</p> <p>Stafford Library: https://www.staffordshire.gov.uk/Libraries/branchlibraries/StaffordLibrary/StaffordLibrary.aspx#ad-image-0</p>			