

**M54 to M6 Link Road**

**TR010054**

**8.8 O(B) Draft Statement of Common  
Ground with Four Ashes Limited**

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

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Planning Act 2008

**The Infrastructure Planning  
(Applications: Prescribed Forms and  
Procedure) Regulations 2009**

**M54 to M6 Link Road  
Development Consent Order 202[ ]**

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<b>Regulation Number</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010054
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<b>Author</b>	M54 to M6 Link Road Project Team and Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
P02(2)	29/10/20	Issue to the ExA for Deadline 1

**STATEMENT OF COMMON GROUND**

**This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Four Ashes Limited**

Signed.....  
**Andrew Kelly**  
**Project Manager**  
**on behalf of Highways England**  
**Date: [DATE]**

Signed.....  
**Peter Frost**  
**Managing Director**  
**on behalf of Four Ashes Limited**  
**Date: [DATE]**

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# 1 Introduction

## 1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared in respect of an application for a Development Consent Order ('the Application') under section 37 of the Planning Act 2008 ('PA 2008') for the proposed M54 to M6 Link Road ('the Scheme') made by Highways England Company Limited ('Highways England') to the Secretary of State for Transport ('Secretary of State').
- 1.1.2 This SoCG does not seek to replicate information that is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate website.
- 1.1.3 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties and where agreement has not (yet) been reached. SoCG are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the Examination.
- 1.1.4 **This SoCG has been drafted by Highways England based on correspondence with Four Ashes Limited during the development of the Scheme and records the matters agreed and not agreed.**
- 1.1.5 **The draft was provided to Four Ashes Limited on 23 October 2020, with comments received on 28 October 2020 and incorporated. This SoCG therefore presents an agreed draft, presenting the position at Deadline 1. Highways England will continue to work to finalise the contents of this SoCG at the earliest opportunity as the Application proceeds through the Examination process.**

## 1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by Highways England as the applicant and Four Ashes Limited.
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 Four Ashes Limited are the promoters of the West Midlands Interchange (WMI) Strategic Rail Freight Interchange ('SRFI') which was consented pursuant to The West Midlands Rail Freight Interchange Order 2020 on 4 May 2020. The site is west of M6 J12 and is bound by the A449 to the west and the A5 to the north.

## 1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, 'Not Agreed' indicates a final position. 'Under discussion' indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. 'Agreed' indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Four Ashes Limited, and therefore have

not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Four Ashes Limited.

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## 2 Record of Engagement

2.1.1 A summary of the key meetings and correspondence that has taken place between Highways England and Four Ashes Limited in relation to the Application is outlined in Table 2-1.

**Table 2-1: Record of Engagement**

Date	Form of correspondence	Key topics discussed and key outcomes
24.08.2020	Email and letter from HE to Four Ashes Ltd	Notification of consultation on changes to the Application.
28.08.2020	Email from AK to PF	Email with regard to progressing Statement of Common Ground and proposing an introductory meeting.
04.09.2020	Email from PF to AK	Response to email confirming meeting availability.
11.09.2020	Meeting	Meeting between Highways England and Four Ashes Limited. Discussion included proposed changes to the Application and progressing a SoCG.
11.09.2020	Email from IF to RR	Following meeting, IF provided detail of extent of VISSIM traffic modelling undertaken by FAL in respect of the WMI DCO, together with confirmation of the agreed trip generation utilised for the traffic assessment of the implications of the SRFI with an interim level of floor area, without the Rail Terminal and without the A449 / A5 link road.
06.10.2020	Email from IF to RR	Email requesting update on progress of draft SoCG.
07.10.2020	Email from JH to IF	Email confirming that SoCG is being reviewed and will be shared week beginning 12 October. Draft notes of 11/09/20 meeting provided for review.
13.10.2020	Email from IF to JH	Providing comments on meeting minutes and noting that SoCG is being produced.
16.10.2020	Email from JH to IF	Providing final version of meeting minutes, incorporating comments from Four Ashes Ltd. Noting draft SoCG to be issued following week.
23.10.2020	Email from JH to IF	Providing draft SoCG for review.
28.10.2020	Email from IF to JH	Providing comments on draft SoCG.
02.11.2020	Email from JH to IF	Confirming comments have been incorporated into SoCG.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Four Ashes Limited in relation to the issues addressed in this SoCG.

### 3 Issues

#### 3.1 Introduction and General Matters

3.1.1 This chapter sets out the 'issues' which are agreed, not agreed, or are under discussion between Four Ashes Limited and Highways England.

#### 3.2 Issues

3.2.1 The table below shows those matters which have been agreed or yet to be agreed by the parties, including the date and method by which it was agreed (if relevant).

**Table 3-1: Issues**

Issue	Comment	Highways England Response	Status	Agreement likely <sup>1</sup> (position agreed)
Impact of construction on West Midlands Interchange (both during construction and operation of WMI)	Four Ashes Limited and occupiers of the West Midlands Interchange development require advance notice of any planned road closures required for the construction of the Scheme.	A dedicated Stakeholder Liaison Officer will be appointed by the contractor undertaking the works and will meet regularly with Four Ashes Limited and any tenants of West Midlands Interchange to provide updates on the Scheme and advance notice of closures and diversions.  Highways England will endeavour to agree with Four Ashes Limited a protocol for	Under discussion	High

<sup>1</sup> Indication on likelihood that the matter will be agreed by the close of the Examination period as rated by the applicant (app) and the Interested Party (IP). Dark green = agreed, Light green = high likelihood of agreement, orange = medium likelihood of agreement, red = low likelihood of agreement.



		communication between the two parties during construction of the Scheme.		
Proposed M54 J1 closure and diversion route	<p>Four Ashes Limited require further discussion with Highways England in regard to minimising the impact of the proposed M54 J1 closure on the WMI development, both during construction and operation. FAL awaits details of the Construction Traffic Management Plan.</p> <p>Four Ashes Limited (FAL) have raised concerns in regard to ensuring the traffic modelling for the diversion includes the interim level of floor area occupied at WMI, without the A449 / A5 link road in place. FAL awaits details of this assessment.</p> <p>FAL reserves its rights to comment further on suitable requirements that may be required to be included within the DCO.</p> <p>FAL supports the principle of the M54 / M6 link road Project, but wishes to ensure the WMI DCO can be delivered as planned during the</p>	<p>Highways England will continue to engage with Four Ashes Limited with regard to plans for the M54 J1 works and proposed A449/A5 diversion route, including consulting Four Ashes Limited on the detail of the Construction Traffic Management Plan.</p> <p>Highways England will share the details of traffic modelling undertaken.</p> <p>Highways England will so far as possible coordinate road space booking and traffic management plans where required, with Four Ashes Limited.</p>	Under discussion	Medium

	construction of the Applicant's Proposed Development.			
Articles and Requirements	FAL would seek to reserve their position in respect of any comments that they may have on the Applicants DCO.	The Applicant has not received any comments on the Articles or Requirements on the draft DCO from Four Ashes Limited.	Under discussion	Medium

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## Appendix A - Personnel

Initials	Name	Role or Discipline	Organisation
AK	Andrew Kelly	Project Manager	Highways England
HE	Highways England	Referred to when responding through M54 email mailbox/address	Highways England
PH	Peter Frost	Managing Director	Four Ashes Ltd
RR	Rob Ramshaw	Project Manager	AECOM
IF	Ian Fielding	Technical Director	WSP
JH	Jon Harvey	Consultant	AECOM