

PROPOSED LINK ROAD BETWEEN M54 JUNCTION 1 AND M6 JUNCTION 11 (THE “SCHEME”)

SUMMARY OF RELEVANT REPRESENTATIONS OF NURTON DEVELOPMENTS (HILTON) LIMITED (“NURTON”) SENT ON 18 MAY 2020

Nurton has an interest in a site to the south of M6 junction 11 (the “Site”) by way of a promotion and option agreement with the landowners. The Site is being promoted through the emerging local plan for employment development and will be bisected by the Scheme. Nurton has a number of objections:

1. **Inadequate environmental assessment:** Highways England (“HE”) must consider reasonable detailed alternatives in terms of the manner of delivery of the Scheme so as to avoid any adverse effects on the delivery of the redevelopment of the Site. This has not been carried out and so the ES provided as part of the application is flawed.
2. **Overprovision of great crested newt (GCN) mitigation:** The approach to GNC appears highly precautionary and is based on a methodology which significantly overestimates both the number and size of GCN breeding populations within 500m of the road. The methodology adopted is not a reasonable or rational one to take in terms of providing a meaningful baseline and it follows that the assessment is flawed. This will likely lead to significant over-mitigation in the provision of the ecology ponds, the location of which will introduce an additional constraint on the future development of the Site.¹
3. **Lack of engagement and information:** Nurton has repeatedly tried to engage with HE but it has not always been reciprocated. Nurton also notes that the supporting documentation submitted with the DCO application does not give sufficient information against which a Scheme of this scale can be assessed. Nurton has asked HE for the following information, of which items a., b. c. and e., remain outstanding²:
 - a. A draft assurance regarding the principle of a future bridge.
 - b. Analysis and costing information in support of the proposed two bridge design solution.
 - c. A note on the balancing pond drainage function and the justification for its size and location.
 - d. A design drawing showing the sections of the proposed accommodation bridge.
 - e. Complete traffic modelling to be supplied to DTA (Nurton's Transport Consultants).
4. **Refusal to provide assurance regarding principle of future accommodation bridge:** Nurton has made repeated requests for HE to confirm that it will provide an assurance or confirm in writing that there is no objection to the principle of a future bridge over the link road. Nurton is content for any such assurance to be caveated on the basis that any proposals will have to meet appropriate design standards, be considered through the planning system and HE's discretion as consultee will not be fettered. However, HE has refused Nurton's reasonable request on this matter.

¹ We note that HE has recently conducted further ecology surveys and submitted an updated Environmental Masterplan as part of the amendments to the Scheme submitted on 9 October 2020. We are in the process of review those changes and shall provide any further comments by 1 December 2020 in line with the Examination Timetable published on 29 October 2020.

² Since the submission of Nurton's Relevant Representations, HE has provided a cross section drawing of the proposed accommodation bridge and some (but not all) traffic modelling information to DTA.