

## M54 to M6 Link Road

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**From:** Thomas, Will <Will.Thomas@shoosmiths.co.uk>  
**Sent:** 17 November 2020 10:57  
**To:** M54 to M6 Link Road  
**Cc:** Cartledge, Anna  
**Subject:** Our client: Nurton Developments (Hilton) Limited ("Nurton"). Your ref: TR010054  
**Attachments:** TR010054-000681-TR010054 M54 to M6 Link Road - Notification of hearings to be held wc 8 December 2020 .pdf

**Categories:** Deadline, AO

Dear Sir / Madam

I refer to the attached letter from the Examining Authority and my telephone call with Louise Evans yesterday.

Nurton provided comments on the draft Statement of Common Ground (SoCG) to the Applicant on 28 October but has yet to hear back from the Applicant in response to those comments. Depending on the progress of discussions with the Applicant between now and the hearing dates on the issues identified in the draft SoCG, it might be that Nurton no longer wishes to attend or speak at any hearing. We shall keep you updated.

However, in the interim and in accordance with procedural deadline 2, Nurton wishes to reserve the right to attend and speak at the following hearings: ISH1 (Biodiversity), ISH2 (Transport), ISH3 (Development Consent Order) and Compulsory Acquisition (CAH1).

Details of who, on behalf of Nurton, will be speaking at any hearing will be provided closer to the relevant hearing date.

Please can you acknowledge safe receipt of this email.

Yours faithfully

Kind regards

**Will Thomas**  
Senior Associate

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Your Ref:

Our Ref: TR010054

Date: 10 November 2020

Dear Sir/Madam

## **Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 9 and 13**

### **Application by Highways England for an Order granting Development Consent for the M54 to M6 Link Road Project**

#### **Notification of Hearings**

We write to advise you that the following Issue Specific and Compulsory Acquisition Hearings will be held during the week commencing 8 December 2020.

The ExA is conscious of the continued threat of, and uncertainties around, COVID-19 and the latest Government guidance and restrictions. Equally, the Government has made it clear that the consenting processes for national infrastructure projects should progress. Therefore, we have decided to hold these Hearings by virtual means, through Microsoft Teams<sup>1</sup>.

<b>Date</b>	<b>Hearing</b>	<b>Time</b>	<b>Venue</b>
Tuesday 8 December 2020	Issue Specific Hearing on Biodiversity and Cultural Heritage (ISH1)	10:00 Arrangements conference starts 09:30	By virtual means
	Issue Specific Hearing on Traffic and Transport (ISH2)	14:00 Arrangements conference	

<sup>1</sup> Further information is available in Advice Note 8.6, available at:  
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>

		starts at 13:40	
Wednesday 9 December 2020	Issue Specific Hearing on the draft Development Consent Order (ISH3)	10.00 Arrangements conference starts 09:30	
Thursday 10 December 2020	Compulsory Acquisition Hearing (CAH1) <b>Session 1:</b> General considerations for or against Compulsory Acquisition and Temporary Possession <b>Session 2:</b> Individual Objections	10.00 Arrangements conference starts 09:30	

Agendas for the Hearings will be published no later than five days in advance of the hearing dates, along with a list of documents that may be referred to at the Hearings.

The actual agenda on the day of each Hearing may be subject to change at the discretion of the ExA.

### **Reserved Hearing dates**

We intend to cover all necessary matters as set out above. However, notification is also made of reserved dates. These would be used only if any of the above hearings are disrupted by technical issues and/or run over. Participants for these hearings should ensure that they are available for all dates listed above and below.

<b>Date</b>	<b>Hearing</b>	<b>Time</b>	<b>Venue</b>
Tuesday 15 December 2020	Issue Specific Hearings on Biodiversity, Cultural Heritage and/or Traffic and Transport (ISH1 and/or ISH2 (cont'd)) <b>if required</b>	10:00 Arrangements conference starts 09:30	By virtual means
Wednesday 16 December 2020	Issue Specific Hearing on the draft Development Consent Order (ISH3 (cont'd)) <b>if required</b>	10.00 Arrangements conference starts 09:30	
Thursday 17 December 2020	Compulsory Acquisition Hearing (CAH1 (cont'd)) <b>if required</b>	10.00 Arrangements conference starts 09:30	

Reserved Hearings that are not required may be cancelled in the banner on the Planning Inspectorate's National Infrastructure Planning website and no other notice is required.

### ***Arrangements Conference***

Invitees can join the Arrangements Conference using a joining link or telephone number that you will receive in a separate email shortly before the Hearings. This is solely for your use. Please join the Arrangements Conference at the appointed time shown above and wait until the Case Manager registers you, and then admits you to the Hearing. The Arrangements Conference allows procedures to be explained and enables the Hearing to start promptly.

### ***Participation at Hearings***

Due to the nature of these events, we can only accommodate participation on the day by those who register in advance with the Case Team, and numbers may need to be limited. As set out in the Examination Timetable annexed to our letters of 22 and 29 October 2020, those Interested Parties who wish to speak at the hearing should notify the Case Team at the postal or email address above by **Deadline 2** (Tuesday 17 November 2020). We should be grateful if you would inform us if you plan to attend the hearing even if you do not wish to speak. It would also assist us if you could notify us of any special needs you may have (e.g. disabled access, hearing loop etc). Please ensure that you include your Interested Party reference number in your correspondence.

Notification in respect of the above should be sent separately from any other written submission, and appropriately titled to allow the Planning Inspectorate to identify quickly which event the notification relates to.

Notwithstanding this the ExA invites and particularly would like to hear from the following interested parties during the respective hearings:

#### Issue Specific Hearings on Biodiversity and Cultural Heritage (ISH1)

- The Applicant
- Staffordshire County Council
- South Staffordshire Council
- Natural England
- Historic Buildings and Monuments Commission for England (commonly known as Historic England)
- Staffordshire Wildlife Trust
- National Trust
- Allow Limited
- Nurton Developments (Hilton) Limited

#### Issue Specific Hearings on Traffic and Transport (ISH2)

- The Applicant
- Staffordshire County Council
- South Staffordshire Council
- Hilton Parish Council
- M6 Diesel
- Councillor Robert Cope

### Issue Specific Hearing on the draft Development Consent Order (ISH3)

- The Applicant
- Staffordshire County Council
- South Staffordshire Council
- Cadent Gas Limited
- National Grid Plc
- South Staffordshire Water plc

### Compulsory Acquisition Hearing (CAH1)

- The Applicant
- Allow Limited
- Nurton Developments (Hilton) Limited
- Messrs I & A Simkin
- Staffordshire County Council
- South Staffordshire Council

That a person or organisation has not been included on the above lists does not preclude representation at the respective hearings. In any event, those bodies and any other person who wishes to speak at any hearing should notify the Case Team by **Deadline 2** (Tuesday 17 November 2020) as set out above of their participation.

### ***Procedure at Hearings***

The procedure to be followed at Hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010<sup>2</sup>. 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 parties<sup>3</sup>.

Our Examination will be principally undertaken through the exchange of written submissions, and the Examining Authority must 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.

A full digital recording will be made available on the same web page as soon as possible after the close of the Hearing.

### ***Publicity for events***

In accordance with the Infrastructure Planning (Examination Procedure) Rules 2010, the Applicant should send copies of any newspaper notices advertising each event to the Case Team by **Deadline 2**.

### **Accompanied Site Inspection (ASI)**

You will be aware of the on-going Covid-19 restrictions and the ExA is still considering how this may impact on the ability to carry out an ASI. However, the Applicant should

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<sup>2</sup> Rule 14

<sup>3</sup> Rule 14(5)

continue to explore gaining access to the site and neighbouring, non-public areas to prepare for the eventuality that an ASI does take place. We also request that the Applicant considers other, digital means of demonstrating these areas virtually online as a back-up should a physical site inspection not be possible.

If you have any further queries, please do not hesitate the case team using the details at the top of this letter.

Yours faithfully

*Robert Jackson*

**Lead Member of the Panel of Examining Inspectors**