



National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer
Services: 0303 444 5000
e-mail: M54toM6LinkRoad@planninginsp
ectorate.gov.uk

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

Your Ref:

Our Ref: TR010054

Date: 22 December 2020

Dear Sir/Madam

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 8(3) and 9

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

Notification of decisions to cancel hearings 19 and 20 January 2021 and associated variations of timetable for the Examination

We are writing to inform you of the Procedural Decisions made by the Examining Authority (ExA) relating to the reserved dates for hearings (Tuesday 19 and Wednesday 20 January 2020) relating to the changes accepted by the Examining Authority on 29 October 2020.

There were only a limited number of responses received at Deadline 3A, the date for receipt of comments to the changes accepted on 29 October 2020. Those that made responses included Allow Limited and I&A Simkins who attended the December hearings and made representation which included comments about the amended scheme. The other party to make comments confirmed that they did not need to attend the December Hearings to raise any matters and were in dialogue with the Applicant.

Deadline EA, 18 December 2020, set a deadline by which parties had to confirm their wish to participate or observe the hearings scheduled for January. Only one response was received, which was from the Applicant to confirm that they did not believe that there were further matters relating to the changes which needed to be considered in a separate hearing at this time.

Given that the Examination is primarily a written process and no new issues have been raised the Examining Authority has made the Procedural Decision that the hearings scheduled for January 19 and 20 2021 are not necessary, and the reserve dates can be removed from the Examination Timetable.

Changes to timetable

The revised Examination Timetable with these dates now removed is set out in **Annex A** below. The Examination Timetable on the M54 to M6 Link Road National Infrastructure website has also been updated to reflect this change.

Yours faithfully

Robert Jackson

Robert Jackson, Lead Member of the Panel

Annex A – Revised Examination Timetable

Revised 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.

The changes from the previously issued Examination Timetable (29 October 2020) are set out below in **red** for additions, and **blue-strikethrough** for deletions.

Item	Matters	Due Dates
1.	Procedural Deadline A Deadline for receipt by the ExA of: <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 	Thursday 10 September 2020
2.	Preliminary Meeting (Part 1)	Thursday 1 October 2020
3.	Reserve date for Preliminary Meeting (Part 1) (if necessary due to overrun or technical issues)	Friday 2 October 2020
4.	Procedural Deadline B Deadline for receipt by the ExA of: <ul style="list-style-type: none"> Submission of written responses to matters discussed at the Preliminary Meeting (Part 1) 	Monday 12 October 2020

	<ul style="list-style-type: none"> • 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) 	
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.	<p>Deadline (D1)</p> <p>Deadline for receipt by the ExA of:</p> <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 RRs 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) 	Tuesday 3 November 2020

¹ This was not necessary.

	<ul style="list-style-type: none"> • Statements of Common Ground (SoCG) requested by the ExA (Annex B) • Responses to any further information requested by the ExA for this deadline 	
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 including the question relating to publicity 	<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>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 	<p>Tuesday 24 November 2020</p>

	<ul style="list-style-type: none"> • Comments on LIRs • 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 	
14.	<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
15A.	<p>Deadline 3A (D3A)</p> <p>Deadline for the receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on the Changes accepted on 29 October 2020 	Tuesday 1 December 2020
15.	<p>Issue by the ExA of:</p> <p>Further Written Questions (if necessary).</p>	Friday 4 December 2020
16.	<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 <ul style="list-style-type: none"> • Compulsory Acquisition Hearing (CAH1) (if required) 	Tuesday 8 to Thursday 10 December 2020

17.	Hearings Dates reserved for hearings (if necessary due to overrun or technical issues)	Tuesday 15 to Thursday 17 December 2020
19A	Procedural Deadline EA <ul style="list-style-type: none"> Confirmation as to wish to participate or observe at Hearings scheduled for January 2021 (should they take place) 	Friday 18 December 2020
18.	Deadline 4 (D4) Deadline for receipt by the ExA of: <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 and D3A Responses to any further information requested by the ExA for this deadline 	Friday 8 January 2021
20aA	Publication of ExA's Site Inspection Timetable for Site Inspections identified for 9 and 10 February 2021.	Monday 18 January 2021
20A.	Hearings Dates reserved for hearings (if necessary, in respect of the Changes accepted on 29 October 2020)	Tuesday 19 and Wednesday 20 January 2021
19.	Deadline 5 (D5) Deadline for receipt by the ExA of: <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

20.	Publication of: <ul style="list-style-type: none"> The ExA's Third set of Written Questions (if required) 	Friday 29 January 2021
22A	Procedural Deadline EB 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 9/10 February	Monday 1 February 2021
22B.	Dates reserved for Site Inspection²	Tuesday 9 & Wednesday 10 February 2021
21.	Deadline 6 (D6) Deadline for receipt by the ExA of: <ul style="list-style-type: none"> Post January 2021 Hearing submissions including written submissions of oral case (if required) 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
22.	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
23.	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
24.	Hearings Dates reserved for:	Tuesday 16, Wednesday 17, Thursday 18 and

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"> • 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 23 March 2021
25.	<p>Deadline 7 (D7) Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post 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
26.	<p>Deadline 8 (D8) Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to comments on the RIES (if issued) • 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 	Wednesday 7 April 2021
27.	Deadline 9 (D9)	Friday 16 April 2021

	Deadline for receipt by the ExA of: <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 	
28.	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