



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: 29 January 2021

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 decision in relation to Site Inspection and associated variation of timetable for the Examination

The ExA refers to its letter of 18 January 2021 (Examination Library reference [PD-020]) and the subsequent responses submitted at Deadline 5A (D5A).

The ExA notes that the Applicant indicates comprehensive high-resolution drone (Unmanned Aerial Vehicle (UAV)) footage would not be possible due to the proximity to the existing public highway and that it will need six weeks in which to organise and provide 360° photography.

The ExA re-emphasises that its desire is to visit the specific locations themselves so that they have a full appreciation of the situation using all their senses, and that there are dates in the Examination Timetable to allow this to happen.

However, the ExA need to be mindful that the public health situation may not allow a visit at that time, and therefore has decided to make a Procedural Decision to request the Applicant to provide the 360° photography to ensure that this is available should this be necessary, along with a small amount of static video footage. This should be submitted by **Friday 12 March 2021**.

The Applicant is referred to the [ExA's Third set of Written Questions](#) which has added further clarification of those locations to be photographed and added an additional request for video photography at the entry and exit to the M6 Diesel site.

The ExA would remind the Applicant of all the matters set out in its letter of 18 January 2021 both in relation to the General Data Protection Regulations and how the data should be provided and does not intend to repeat this.

Since the photography (including video photography) will form part of the Examination documents the ExA has concluded that Interested parties should be able to make comments on it in any event.

Given the six week lead-in the ExA therefore will include that the photography should be available on Friday 12 March 2021, with opportunity to comment thereafter. Two weeks after that is Friday 26 March which is Deadline (D) 7 on the existing Examination Timetable and therefore the ExA will amend the Examination Timetable to allow comments by then. Final comments on the submissions can then be submitted at D8 (Wednesday 7 April 2021).

In summary this is:

Receipt of 360° Photography and video photography	Friday 12 March 2021
Comments on above submissions from Interested Parties (D7)	Friday 26 March 2021
Final comments on submissions (D8)	Wednesday 7 April 2021

This would ensure that there was adequate time, should it be necessary, for Interested Parties to make comments on the photography should it be necessary.

How comments are to be set out will depend on the format of the photography, so the ExA would ask the Applicant to ensure that sections or timings of the photography can be clearly identified to allow comments to be made.

ExA has revised the Site Inspection Locations in **Annex A** to incorporate the additional locations/provide clarity as set out in the ExA's Third Written Questions.

Changes to timetable

To accommodate this Procedural Decision, the ExA has also made a Procedural Decision to make two changes to the Examination Timetable from that published on 18 January 2021. These are:

- a new deadline has been entered (Deadline 6A) on Friday 12 March 2021 for receipt by the ExA of the 360° photography and video photography; and
- inclusion within the D7 submission list for comments on that photography.

There is no need for the ExA to amend the list of items at D8 since this is covered by the existing "Comments on any additional information/submissions received by D7".

Consequently, the ExA has published at **Annex B** a revised Examination Timetable taking into account all matters to date.

Yours faithfully

Robert Jackson

Robert Jackson, Lead Member of the Panel

Annex A – Site Inspection Locations

Annex B – Revised Examination Timetable

M54/M6 Link Project – Site Inspection Locations

	Location	To view	Access
1	M6 Junction 11	Visit Bridleway Saredon 13 and plot ¹ 6/25 to view potential CA land.	Access required to land – although can use Public Right of way (PRoW).
2	Brookfield farm	Including south of farm to see the fishing ponds and location of the over bridge in the vicinity of Brookfield farm.	Private land access required – although can use PRoWs to some extent
3	M6 Diesel	To view access arrangements and traffic flows This should be static video of 30 minutes during the working weeks showing both the access and exit to this site.	Public land
4	Mill Lane/ Hilton Lane/A460/ Dark Lane	To view plots 5/2 and 5/25 field for car boot sales etc	Private land access required
5	Hilton Hall site	To see Hilton Hall, Conservatory, Portobello Tower, the Lower Pool, The Shrubbery, woodland areas etc. within Hilton Park and plot 4/20c. This should include: <ul style="list-style-type: none"> Site 5 on HE514465-ACM-EGN-M54_SW_PR_Z-DR-EG-0048P01 WQ2.3.1: Areas of Disagreement/ Agreement between the Applicant and Allow Ltd as found in Response to 	Private land access required

¹ All references to plots are to those set out in the Land Plans [AS-127]

	Location	To view	Access
		<p>The Examining Authority's Further Written Questions and requests for information (ExQ2) issued on 4 December 2020 from Allow Ltd [REP4-045] is included, including clearly the two veteran trees;</p> <ul style="list-style-type: none"> the locations identified as existing and proposed bat crossing points in the Lower Pool area. 	
6	Shareshill 5 PRow	The western section of the Shareshill 5 PRow including its junction with Hilton Lane.	Public land
7	The Shrubbery, The Gardeners Cottage and The Bungalow	To see proximity of properties to scheme.	Private land access required
8	Old Moseley Hall	Site and land including Whitegraves Wood. No need to access Hall.	Private land access required
9	Remnant of Ancient Woodland to north of M54	Site and land including.	Private land access required
10	Mann & Hummel site	To see junction with A460 and proximity to proposed site.	Public land
11	Bushbury Hill	To view site from higher ground to south	Public car park and then PRow

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 are set out below in **red** for additions, and ~~blue~~ for deletions.

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) 	<p>Monday 12 October 2020</p>

	<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) ²	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

² 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.	No Entry	
14.	<p>Deadline 3 (D3)</p> <p>Deadline for receipt by the ExA of:</p>	<p>Tuesday 24 November 2020</p>

	<ul style="list-style-type: none"> • Comments on WRs • Comments on SoCGs • 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 	
15.	No entry	
15A.	<p>Deadline 3A (D3A) 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
16.	No Entry	
17.	<p>Issue by the ExA of: Further Written Questions (if necessary).</p>	Friday 4 December 2020
18.	<p>Hearings 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

19.	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
20.	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
21.	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
21A.	Deadline 5A (D5A) Deadline for receipt by the ExA of comments on the suitability of virtual site inspection methods and necessary lead-in	Wednesday 27 January 2021
22.	Publication of: <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"> • 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
24.	<p>Publication of:</p> <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.	<p>Procedural Deadline F</p> <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
25A.	<p>Deadline 6A (D6A) Submission by the Applicant of the 360° photography and video footage requested by the ExA on 29 January 2021.</p>	Friday 12 March 2021
26.	<p>Hearings Dates reserved for:</p> <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) • Site Inspection³ 	Tuesday 16, Wednesday 17, Thursday 18 and Tuesday 23 March 2021

³ 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.

27.	<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 • Comments on the 360° photography and video footage received by D6A • Responses to any further information requested by the ExA for this deadline 	Friday 26 March 2021
28.	<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
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
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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 Regulations⁴.

⁴ The Conservation of Habitats and Species Regulations 2017