

## DEADLINE 7 SUBMISSION

M54-M6 LINK ROAD  
M6 DIESEL SITE AT SAREDON

<b>Project</b>	M6 Diesel site at Saredon & M54-M6 link road		
<b>Document Number</b>	SAR-BWB-GEN-XX-RP-TR-0008	<b>BWB Ref</b>	NTH2442
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## 1 INTRODUCTION

- 1.1 This document contains M6 Diesel's submission for Deadline 7 and comprises our comments on:
- The submission by Staffordshire County Council (SCC) at Deadline 6 [REP6-040]; and
  - the Applicant's responses to Q3.5.2(a) and Q3.5.9 contained in their document 8.25 [REP6-039].

## 2 COMMENTS ON THE SUBMISSION BY STAFFORDSHIRE COUNTY COUNCIL

- 2.1 The SCC submission [REP6-040] contains further commentary on their proposals for a weight limit on the existing A460. This is found in SCC's response to Q3.5.2.
- 2.2 We have set out our position on the proposed weight limit in previous submissions: our written representation [REP1-080], Deadline 3 submission [REP3-040] and deadline 5 submission [REP5-010]. Our view is that, taken together, these submissions clearly set out our position and that it will not add anything to provide a further lengthy response.
- 2.3 We do, however, welcome SCC's support for signage to M6 Diesel from M6 Junction 11.

## 3 COMMENTS ON THE APPLICANT'S RESPONSES TO THE ExA's THIRD WRITTEN QUESTIONS

- 3.1 The Applicant's responses to the third written questions are contained in their document 8.25 [REP6-039].

### Q3.5.2(a): Article 16

- 3.2 Our comments on the Applicant's response to Q3.5.2(a) are below.

Applicant's Response to Q3.5.2(a)	M6 Diesel's comments
The power conferred by Article 16 is already time limited (see 16(3)) and expires 12 months after the authorised development is open to traffic. This ensures that the power is only exercisable in relation to the construction or initial maintenance and operation of the scheme.	<p>Our concerns remain that this power could be used to implement a weight restriction on the existing A460, during the first year of operation of the new road, as paragraph 3 in the Article 16 allows for prohibitions to remain in place following the 12 month period. As set out in our Written Representation [REP1-080] any proposals for a weight limit should be clearly identified in the Applicant's draft DCO and associated documentation based on clear need and justification for such a restriction.</p> <p>The Applicant's clear view (which we support) is that a</p>

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Applicant's Response to Q3.5.2(a)	M6 Diesel's comments
	weight restriction is not required to be implemented as a result of this scheme. Hence our view is that the use of this power should be limited so a weight limit could not be brought about within the 12-month period post-opening.

### Q3.5.9: Signage and protective provisions in the draft DCO

- 3.3 The proposed protective provisions in favour of M6 Diesel are contained in our Deadline 4 submission [REP4-055].
- 3.4 We have set out below our comments on the Applicants responses to Q3.5.9.

Applicant's Response to Q3.5.9	M6 Diesel's comments
<p>The Applicant remains of the view that protective provisions in favour of M6 Diesel are not necessary or appropriate. If the ExA were minded to require such signage to be provided as part of the Scheme then the Applicant does not consider the protective provisions proposed by M6 Diesel to be appropriate. Instead, the Applicant considers that the signage would more appropriately be secured through the inclusion of a new works description within Schedule 1 of the draft DCO (with appropriate changes to the Works Plans to show the proposed location of the signage) or the inclusion of a new requirement within Schedule 2 of the draft DCO.</p>	<p>We remain of the view that Protective Provisions are the most appropriate mechanism within the DCO as their purpose is to provide protection to a specific party, i.e. in this case M6 Diesel.</p> <p>We do not understand the Applicant's response regarding the need to describe highway signage for M6 Diesel within Schedule 1. The signage (as proposed in our representation [REP1-080]) is standard highway signage. The Works Plans [AS-066] do not indicate locations of any standard highway signage except for signs mounted on gantries. For a scheme of this size there will be hundreds of standard highway signs of which the M6 Diesel signs will be a small proportion.</p> <p>The latest draft DCO [REP6-006] states on page 40 (our emphasis):</p> <p><b><i>"In connection with the construction of any of those works, further development within the Order limits consisting of—</i></b></p> <p>...</p> <p><b><i>(k) works to place, alter, remove or maintain road furniture;. </i></b></p> <p>...</p> <p><b><i>(o) provision of other works including pavement works, kerbing and paved areas works, <b>signing</b>, signals, gantries, road markings works, traffic management measures including temporary roads and such other works as are associated with the construction of the authorised development;"</i></b></p> <p>Hence our view is that provision of standard highway signage, including that proposed for M6 Diesel, is already sufficiently covered by the wording in Schedule 1 of the draft DCO.</p>

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Applicant's Response to Q3.5.9	M6 Diesel's comments
<p>In either case, the Applicant considers that the scope, extent and design of the signage should be in accordance with the terms of the draft DCO or as approved by the Secretary of State following consultation with the local highway authority. It should not be subject to approval by M6 Diesel as a private company.</p>	<p>The purpose of the signage will be to provide directional information to users of M6 Diesel and our view is that M6 Diesel should therefore have a say in what the signs say and where they are located. We have used the words "reasonable satisfaction" which does not make the Applicant beholden to approval by M6 Diesel, but does allow M6 Diesel to provide reasonable comments on the proposals. However, if the ExA is minded to agree that signage is to be provided, then the suggested wording could be adjusted by the ExA as they consider appropriate.</p> <p>We agree that the local highway authority should be consulted, but we assume that this would be the case for all signage that affects the local highway network and the M6 Diesel signage would be a small part of this.</p>
<p>Similarly, the Applicant does not agree that the signage should be maintained for such time as the filling station continues to operate. The need for signage is subject to ongoing review and should only be retained where is necessary.</p>	<p>Our view is that so long as the M6 Diesel site is in operation there will be a need for signage at M6 Junction 11.</p>

- 3.5 In summary, our view is that the proposed protective provisions as set out in our Deadline 4 response are appropriate and that there is no need to amend the description of the Works in Schedule 1 of the draft DCO.