



Homes
England

The Housing and Regeneration Agency

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

Your Ref: TRO10063/M510-SP20
Our Ref: HIF/FF/30053
Date: 30 September 2024
Direct Dial: [REDACTED]
E-mail: [REDACTED]@homesengland.gov.uk

Dear Sirs,

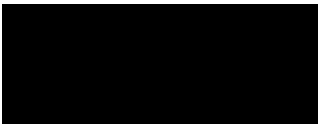
Planning Act 2008 (as amended) - Application by Gloucestershire County Council for an Order Granting Development Consent for the M5 Junction 10 Improvements Scheme: Project Ref TRO10063

Interested Party Reference number: M510-SP20

I write in response to the Examining Authority's ExAQ2, specifically questions Q.5.0.10 parts (iii), (iv) and (v) and Q.5.0.11 part (i).

Please see below for Homes England's submission response in accordance with Deadline 5.

Yours faithfully



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Q5.o.10	Funding and Construction Programme	Homes England Response
	<p><i>(iii) In the event there were to be a slippage in the programme, what arrangements are in place to secure either alternative funding or what assurance can either the Applicant or Homes England provide that there is flexibility in the end date?</i></p>	<p>The HIF funding Availability Period expires on 30 September 2027. Under the GDA, any unspent HIF funding is then no longer available to the Applicant and the Applicant is responsible for cost overruns and securing alternative funding.</p> <p>Scenario 1 – HIF Funding Availability Period end date: The Applicant could make a request to Homes England to extend the HIF funding Availability Period to a later date, triggering a material amendment under the GDA. A request to extend the Availability Period within the financial year in which it currently expires is likely to be less challenging to accommodate than a request for an extension into a subsequent financial year. In either case, funding Availability Period extensions are not within Homes England’s delegation and would need to be considered and decided by MHCLG and HMT accordingly. If the extension is not granted or only partially covers what the Applicant requires, then the Applicant would need to source alternative funding. The Applicant remains responsible for cost overruns.</p> <p>Scenario 2 - Project Completion end date: If programme slippage means that completion of the scheme runs beyond 31 December 2027 and provided there is no requirement for an extension to the HIF funding Availability Period (i.e. no change to the contracted funding Availability Period end date of 30 September 2027), a decision to extend the Project Completion end date would be within Homes England’s delegation. The Applicant remains responsible for cost overruns.</p> <p>Scenario 3 - combination of scenarios 1 and 2 above: The decision would be outside of Homes England’s delegation and would need to be considered and decided by MHCLG and HMT. The same principles noted above apply.</p>



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Q5.o.10	Funding and Construction Programme	Homes England Response
	<i>(iv) Do Homes England have a final threshold (date) that would mean the funding would be withdrawn in the event that the proposed development had not been completed by December 2027?</i>	The GDA requires the Scheme to be complete by 31 December 2027 with the contracted Availability Period for funding expiring on 30 September 2027 with any undrawn HIF funding no longer being available to the Applicant beyond that point. The Applicant is responsible for cost overruns and securing alternative funding beyond the HIF funding Availability Period. In the event that completion by 31 December 2027 is not considered achievable, Homes England would expect the Applicant to seek an extension to the project completion end date accordingly, through the material amendment process within the GDA, for consideration by Homes England. As indicated in scenario's 1 and 2 above, if a request for an extension to the Availability Period falls within the same financial year, this is likely to be less challenging to accommodate; a request beyond March 2028 would be considered as an exception on a case-by-case basis.
	<i>(v) The ExA understands from the D4 submission there is a process that would need to be gone through to assess whether the terms of the GDA were being met. Would an extension of the time period beyond December 2027 be within Homes England's delegated authority or would this require approval of MHCLG/HMT?</i>	If programme slippage means that the project runs beyond 31 December 2027 to complete and provided there is no requirement for an extension to the HIF funding Availability Period (i.e. no change to the contracted funding Availability Period date of 30 September 2027), a decision to extend the Project Completion date would be within Homes England's delegation. The Applicant remains responsible for cost overruns. Please also refer to scenario 2 above.
Q5.o.11	Funding	Homes England Response
	<i>(i) Is there a process under way with Homes England that prepares for the eventuality of a delay?</i>	The GDA contains a mechanism for dealing with material amendments to the project which would include circumstances that give rise to programme delays. It is expected that the Applicant will request an extension only to the Milestone relating to practical completion at this point, to account for the 3-month delay to date, which will be considered promptly by Homes England once received with appropriate supporting information.