

M42 Junction 6 Improvement Scheme Number TR010027 Volume 5 5.1 Consultation Report

Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

January 2019

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

M42 Junction 6 Improvement

Development Consent Order 202 []

5.1 Consultation Report

Regulation Number	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010027
Application Document Reference	5.1
Author	M42 Junction 6 Improvement Project Team and Highways England

Version	Date	Status of Version
1	January 2019	DCO Application

5.1 CONSULTATION REPORT

Prepared for:

Highways England
2 Colmore Square
38 Colmore Circus
Birmingham
B4 6BN
United Kingdom

Signed.....

Prepared by:

AECOM
Royal Court
Basil Close
Chesterfield
Derbyshire
S41 7SL
United Kingdom

January 2019

CONTENTS

1	Introduction	1
1.1	Purpose of the Consultation Report	1
1.2	Consultation context	2
1.3	Summary of consultation activities	3
1.4	Covering letter and section 55	7
2	Non-Statutory Consultation	8
2.1	Overview of the non-statutory consultation	8
2.2	Options consultation	16
2.3	Non-statutory consultation responses	22
2.4	Working towards the preferred route announcement	25
2.5	Ongoing engagement	27
2.6	Environmental Impact Assessment Screening	35
3	Statutory Consultation	36
3.1	Overview of the statutory consultation	36
3.2	Preparation of the SoCC	36
3.3	Section 42 (Letters and Consultation Documents)	44
3.4	Section 46 (Notifying the Secretary of State (SoS))	49
3.5	Section 47 (Local community consultation)	49
3.6	Further consultation activity (beyond the SoCC)	58
3.7	Section 48 (Newspaper Notices)	62
3.8	Ongoing stakeholder engagement	64
3.9	Protective provisions for statutory undertakers	64
4	Demonstration of Regard had to Statutory Consultation Responses	65
4.1	Analysis of responses	65
4.2	Section 42 Consultation responses	84
4.3	Regard to responses (in accordance with s49 of PA 2008)	87
4.4	Summary of Scheme changes as a result of consultation	87
5	Further Consultation	97
5.1	The need for further statutory consultation	97
5.2	Further consultation response summary	100
5.3	Statutory consultation responses	100

5.4	Non-statutory further consultation responses	106
5.5	Further consultation conclusion	108
5.6	Regard to further consultation responses	109
6	Conclusion	112
6.1	Compliance with advice and guidance	112
6.2	Conclusion	125
	References	127
	Abbreviations and Glossary	128

FIGURES

Figure 1: View of M42 Junction 6 and A45	2
Figure 2: Consultation feedback process.....	9
Figure 3: Plan showing boundary for non-statutory consultation	11
Figure 4: Option 1 plan, as included in non-statutory consultation documents	18
Figure 5: Option 2 plan, as included in non-statutory consultation documents	19
Figure 6: Option 3 plan, as included in non-statutory consultation documents	20
Figure 7: Free-flow links plan, as included in consultation documents	21
Figure 8: Deposit points displaying consultation materials.....	43
Figure 9: Map of the Local Authorities consulted	46
Figure 10: The geographical extent of the consultation area	52
Figure 11: Type of respondents	66
Figure 12: The need for improvements at M42 Junction 6.....	67
Figure 13: Frequency of travel through M42 Junction 6.....	68
Figure 14: Mode of transport of respondents	69
Figure 15: The working status of respondents	70
Figure 16: How well congestion will be reduced at M42 Junction 6	71
Figure 17: How well the Scheme will maintain road safety	72
Figure 18: How well the Scheme will improve network resilience	73
Figure 19: How well the Scheme will address M42 journey time reliability	74
Figure 20: How well the Scheme will address journey time reliability to key assets	75
Figure 21: How well the Scheme will support future development.....	76
Figure 22: How people heard about the consultation.....	77

TABLES

Table 1: Summary of consultation activities	3
Table 2: Compliance with PA 2008 Statutory Requirements (Statutory Consultation)	6
Table 3: Summary of non-statutory consultation events	12
Table 4: Consultation event attendance.....	15
Table 5: Summary of engagement following preferred route announcement.....	27
Table 6: SoCC consultation with Local Authorities	39
Table 7: Deposit points where the SoCC was available in the vicinity of the Scheme	42
Table 8: SoCC notice publication dates	44
Table 9: Identification of Relevant Local Authorities	47
Table 10: Summary of consultation activities	56
Table 11: Public consultation event attendance.....	57
Table 12: Meetings during the statutory consultation period.....	58
Table 13: SoCC compliance table	59
Table 14: Section 48 Notices	63
Table 15: Changes to the Scheme following the statutory consultation	87
Table 16: No design changes to the Scheme after statutory consultation	91
Table 17: Further consultation press releases	97
Table 18: Summary of consultation letters.....	99
Table 19: Prescribed Consultees (Section 42(1)(a)) responding to consultation	101
Table 20: Changes to the Scheme following the further consultation	109
Table 21: No design changes to the Scheme after further consultation.....	110
Table 22: Further consultation responses, the subject of ongoing dialogue	110
Table 23: Compliance with DCLG guidance on the pre-application process	112
Table 24: Compliance with the Inspectorate's Advice Note Fourteen	124

Annexes

- ANNEX A: Options Consultation Brochure, Preferred Route Announcement and Consultation Report
- ANNEX B: The Infrastructure Planning (EIA Regulations) 2017: Regulation 8(1) letter to the Planning Inspectorate and acknowledgement
- ANNEX C: Copy of the draft SoCC provided to Local Authorities
- ANNEX D: Letter to Local Authorities for SoCC Consultation
- ANNEX E: Response from Local Authorities on the Draft SoCC
- ANNEX F: Published SoCC with Deposit locations and dates available
- ANNEX G: List of Prescribed Consultees Identified and Consulted
- ANNEX H: List of Land Interests (noting their interest)
- ANNEX I: S42 Letters and Enclosures with Date
- ANNEX J: S46 Letter sent to the Planning Inspectorate and Acknowledgement
- ANNEX K: S47 Consultation Materials
- ANNEX L: S48 Newspaper Notices with Locations and Dates
- ANNEX M: Table of Protective Provisions for Statutory Undertakers
- ANNEX N: List of Additional Consultees (noting their interest) including any other person notified to Highways England in accordance with Regulation 11(1)(c) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
- ANNEX O: Further Consultation Materials (S47 consultation materials also made available)
- ANNEX P: Regard to Consultation Responses
- ANNEX Q: Book of Reference Validation Check
- ANNEX R: Order Limits Plans

1 Chapter One - Introduction

1.1 Purpose of the Consultation Report

- 1.1.1 This Consultation Report relates to the M42 Junction 6 Improvement (the Scheme). In seeking the legal powers to construct, operate and maintain the Scheme, Highways England is making an application for a Development Consent Order (DCO) to the Secretary of State for Transport (SoS). Section 37(3)(c) of the Planning Act 2008 (PA 2008) requires Highways England to submit this Consultation Report as part of the application. The Report will explain how Highways England has complied with the consultation requirements set out in the PA 2008 and follows the guidance about the report and the pre-application process, including statutory consultation, found in the 'Department for Communities and Local Government's document Planning Act 2008: guidance on the pre-application process' (DCLG pre-application Guidance).
- 1.1.2 Its primary function is to provide evidence to the Planning Inspectorate (the Inspectorate) about Highways England's compliance with the requirements of the pre-application procedure.
- 1.1.3 In accordance with DCLG pre-application Guidance, the Consultation Report sets out:
- a. a general description of the consultation process undertaken and timeline;
 - b. what Highways England has done in compliance with the requirements of the PA 2008, relevant secondary legislation, and any relevant policies, guidance or advice published by Government or the Inspectorate;
 - c. how Highways England has taken account of any response to consultation with local authorities on what should be in Highways England's Statement of Community Consultation (SoCC);
 - d. a summary of relevant responses to consultation;
 - e. a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;
 - f. an explanation as to why responses advising on major changes to the Scheme were not followed, including advice from statutory consultees on impacts;
 - g. where Highways England has not followed the advice of the local authority or not complied with the guidance or any relevant Advice Note published by the Inspectorate, together with an explanation for the action taken or not taken; and
 - h. using terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed.

1.2 Consultation context

- 1.2.1 In 2014 the Department for Transport (DfT) published the Road Investment Strategy (RIS) for 2015-2020 (amended 2015) and identified improvements to M42 Junction 6 Interchange as one of the key investments in the Strategic Road Network (SRN) for the Midlands region. The RIS stated that the proposed improvements should deliver a:

“comprehensive upgrade of the M42 Junction 6 near Birmingham Airport, allowing better movement of traffic on and off the A45, supporting access to the airport and preparing capacity for the new HS2 station.”

- 1.2.2 M42 Junction 6 is on the SRN and sits within the section of M42 which forms the southern and eastern arms of the Birmingham Box area. It is an essential interchange in an economically growing region. It serves a number of key strategic economic assets for both the local and wider community. These assets include Birmingham Airport, the National Exhibition Centre (NEC), Resorts World, Jaguar Land Rover (JLR), Birmingham International Railway Station, the National Motorcycle Museum & Conference Centre (NMM) and Birmingham Business Park. The M42 forms an important connection between the East and West Midlands.

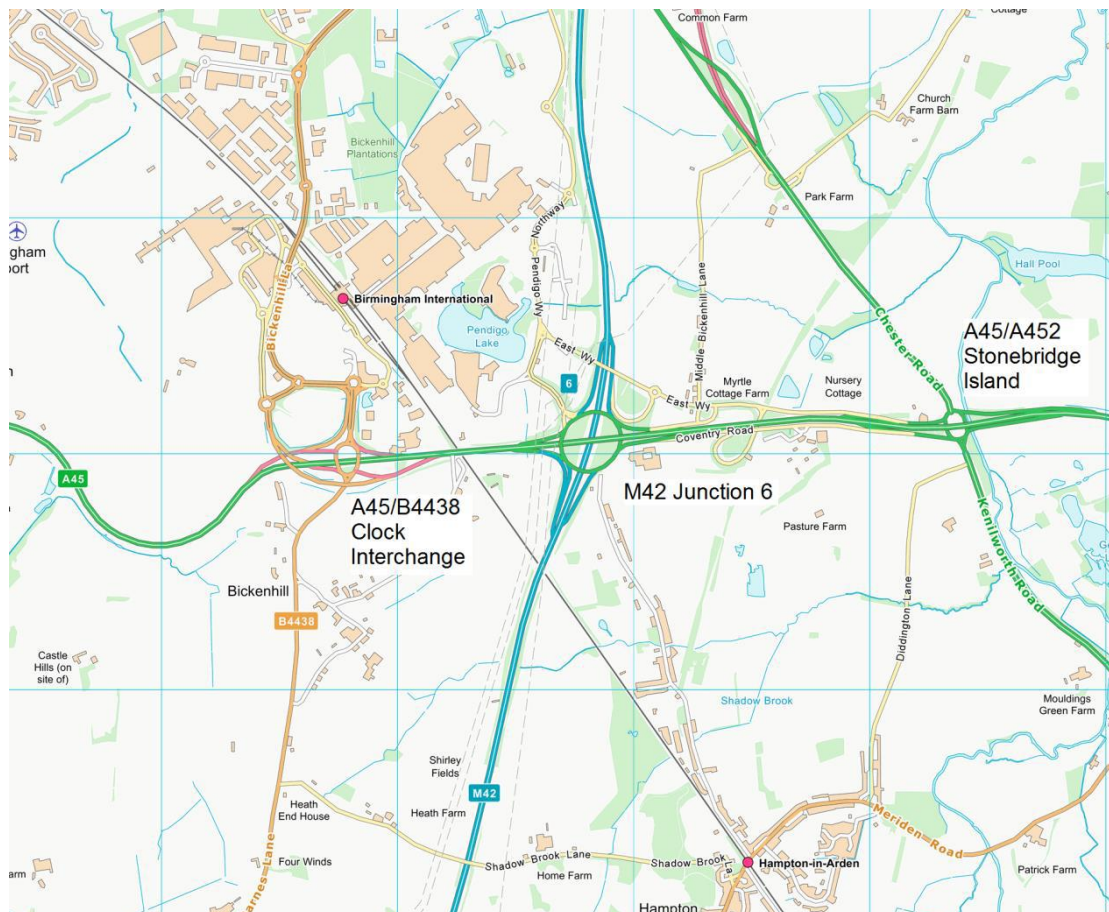


Figure 1: View of M42 Junction 6 and A45

(Based on Ordnance Survey material with the permission of Her Majesty's Stationary Office © Crown copyright. Highways England 100030649 2018).

- 1.2.3 The extents of the Scheme are located predominately within the administrative boundary of Solihull Metropolitan Borough Council (SMBC), with the exception of the northern extent of the Order Limits on the M42; where the administrative boundary of Warwickshire County Council (WCC) and North Warwickshire Borough Council (NWBC) encroaches into the eastern section of the M42 highway boundary. Plans showing the redline boundary (Order Limits) at statutory consultation, further consultation and at DCO submission respectively, and with the boundary changes at each stage annotated, are at **Annex R**.
- 1.2.4 Originally, SMBC was identified as the sole host authority but subsequently it was determined that the Scheme encroaches on both WCC and NWBC. As such they are also host authorities for the purposes of the PA 2008 (see **Chapter 3** of this report). The extent of the Scheme that encroaches into WCC and NWBC is in relation to the existing M42 and only covers an area of 170m². The works proposed here are not substantive and only relate to road markings on the existing motorway. The direct impact of the works on WCC and NWBC is therefore minimal.

1.3 Summary of consultation activities

- 1.3.1 A timeline of consultation activities undertaken during options development (non-statutory consultation) and design development of the preferred route (statutory consultation) is shown in **Table 1**.

Table 1: Summary of consultation activities

Early Engagement and Consultation (April 2016 – December 2016)	
Activities undertaken:	Date:
Stakeholder meetings held to inform and influence the development of Scheme options.	April – July 2016
Further stakeholder meetings held to provide a progress update on options development and to inform shortlist of options.	November - December 2016
Non-statutory Consultation (9 December 2016 to 27 January 2017)	
Consultation event: The Arden Hotel Coventry Road, Solihull, B92 OEH	Friday 9 December 2016: VIP event 10:00 – 11:00; Media event 11:00 – 12:00; and Public event 14:00 – 20:00.
Consultation event: Catherine-de-Barnes Village Hall Hampton Lane, Catherine-de-Barnes, B91 2TJ	Saturday 10 December 2016 Public event 10:00 – 16:00.
Consultation event: Ladies Kennel Association Show NEC North Avenue Birmingham, B40 1NT	Saturday 11 and Sunday 12 December 2016 – Accessible to people attending the Show.

Consultation event: Fentham Hall Marsh Lane, Hampton in Arden, B92 0AH	Monday 12 December 2016 Public event 10:00 – 18:00.
Consultation event: The Core Touchwood, Solihull, B91 3RG	Wednesday 4 January 2017 Public event 10:00 – 17:00.
Unstaffed exhibition: The Core Touchwood, Solihull, B91 3RG	Thursday 5 January – Friday 27 January 2017 Tuesday, Friday 9:00 - 18:00; Monday, Thursday 9:00 - 20:00; Wednesday 10:00 - 18:00; Saturday 9:00 - 17:00.
Consultation event: St Peters Church Hall St Peters Lane, Bickenhill, B92 0DT	Wednesday 11 January 2017 Public event 16:00 – 20:00.
Consultation event: The NEC North Avenue, Birmingham, B40 1NT	Saturday 14 January 2017 Autosport and Performance Car Exhibition. Public event 10:00 – 18:00.
Online webchat:	Wednesday 18 January 2017 Online 11:00 – 14:00.
Statutory Consultation (9 January to 19 February 2018 and extended to 9 March 2018)	
Activity Undertaken	Date
Consultation event: The Arden Hotel Coventry Road, Solihull, B92 0EH	Tuesday 9 January 2018, including: VIP event 10:00 – 11:00; Media event 11:00 – 12:00; and Public event 13:00 – 20:00.
Consultation event: St Peters Church Hall Church Lane, Bickenhill, B92 0DT	Thursday 11 January 2018 Public event 12:00 - 20:00.
Consultation event: Catherine-de-Barnes Village Hall 40 Hampton Lane, Catherine-de-Barnes, B91 2TJ	Saturday 13 January 2018 Public event 10:00 - 16:00.
Consultation event: Fentham Hall Marsh Lane, Hampton in Arden, B92 0AH	Friday 19 January 2018 Public event 12:00 - 20:00.
Consultation event: Marston Green Parish Hall 38 Elmdon Road, Marston Green, B37 7BT	Wednesday 17 January 2018 Public event 12:00 - 20:00.
Consultation event: Warwickshire Gaelic Athletics Association (WGAA) Clubhouse Catherine-de-Barnes Lane, Catherine-de-Barnes, B92 0DB	Saturday 27 January 2018 Public event 10:00 - 16:00.

Consultation event: The Core Touchwood, Homer Road, Solihull, B91 3RG	Wednesday 31 January 2018 Public event 10:00 - 15:45.
Unstaffed exhibition: The Core Touchwood, Homer Road, Solihull, B91 3RG	Thursday 1 February 2018 - Monday 19 February 2018 Public exhibition: Tuesday; Friday 9:00 - 18:00; Monday, Thursday 9:00 - 20:00; Wednesday 10:00 - 18:00 and Saturday 9:00 - 17:00.
Unstaffed exhibition: Jaguar Land Rover Lode Lane, Solihull, B92 8NW	Tuesday 9 January to Friday 9 March 2018 Staff and visitor exhibition: Available during the consultation period.
Marketplace event: Birmingham City Council Council House, Victoria Square Birmingham, B1 1BB	Tuesday 6 February 2018 Councillor event 13:00 - 14:00.
Birmingham Business Park event Birmingham Business Park Solihull Parkway, Birmingham, B37 7YN	Tuesday 13 February 2018 Birmingham Business Park event 10:00 - 14:00.
Further Consultation (4 September to 2 October 2018)	
A programme of land owner and key stakeholder meetings held to inform of minor design changes and land impacts (see Chapter 5).	4 September to 2 October 2018

- 1.3.2 Stakeholder meetings were held at an early stage of option development between April and July 2016. This included meetings with the parish councils of Hampton in Arden and Bickenhill and Marston Green; local businesses including JLR, NEC, Birmingham Airport, the NMM and local authorities.
- 1.3.3 Following consideration of the options further stakeholder engagement of six shortlisted options was undertaken. This took the form of a series of meetings held with stakeholders including: local parish councils; local authorities; local enterprise partnerships; local businesses, including JLR, the NEC, the NMM and developer interests. These meetings took the form of a presentation detailing the Scheme background, describing the need for the Scheme and some of the challenges encountered, proposed timeline, Scheme constraints and plans of each of the six shortlisted options. Feedback/opinion was invited from the stakeholders either at the meeting or through subsequent correspondence.
- 1.3.4 This further analysis of options, including the early stakeholder engagement, led to the selection of the three options presented at the Non-Statutory Public Consultation held from 9 December 2016 to 27 January 2017. More detailed information on the development and assessment of the three options presented, feedback from public consultation and the subsequent development of options post consultation is presented in the Technical Appraisal Report [REF 1-1].

- 1.3.5 Further details of this non-statutory consultation are set out in **Chapter 2** of this report.
- 1.3.6 Following the Preferred Route Announcement on 7 August 2017, Statutory Consultation (in accordance with Sections 42, 47 and 48 of PA 2008) was undertaken. It initially ran for 42 days from 9 January to 19 February 2018 (extended by an additional 18 days to 9 March 2018) to provide consultees and the general public with further opportunity to provide feedback on the design of the preferred Scheme. Details of this consultation are set out in **Chapter 3** of this report.
- 1.3.7 As a result of minor changes to the extent of land required for the Scheme, further consultation was undertaken. No specific consultation events were held but documentation was placed in deposit points for the duration of the consultation period from 4 September 2018 to 2 October 2018 and meetings held with key land interests and stakeholders. This is fully documented in **Chapter 5** of this report.

Table 2: Compliance with PA 2008 Statutory Requirements (Statutory Consultation)

Statutory Requirement	Activity undertaken	Date undertaken
Duty to consult prescribed consultees, under s42(1)(a)	Letter issued to relevant prescribed consultees (See Annex I)	The cover letters were dated 4 January 2018 and were sent in batches between 4 and 9 January 2018 (with consultation commencing on 9 January 2018)
Duty to consult each local authority that is within s43, under s42(1)(b)	Letter issued to Local Authorities (see Annex I)	As above
Duty to consult each person within one or more of the categories set out in s44 under s42(1)(d)	Letter issued to all land interest parties, land interest plans additionally sent to categories 1 and 2. 9 January to 19 February 2018 closing date (42 days). Extended by 18 days to 9 March 2018. (see Section 3.3.19 of this report and Annex I)	As above
Notification of the deadline for the receipt of responses under section 45(1). This deadline must not be earlier than 28 days under s45(2)	Information stated in above letter and consultation brochure – 9 January to 19 February 2018 closing date (42 days). Extended by 18 days to 9 March 2018 (see Annex I and Annex K)	As above
Section 46 Duty to notify	Letter sent to the	A hard copy of all

Statutory Requirement	Activity undertaken	Date undertaken
SoS of the proposed application on or before commencing consultation under s42	Inspectorate (acting on behalf of the SoS) (see Annex J)	documents was sent on 6 January 2018 and arrived with the Inspectorate on 8 January 2018
Duty to consult each local authority on a Statement of Community Consultation (SoCC) under s47(2)	Local Authorities consulted during the creation of the SoCC (see Annexes C, D and E).	Draft SoCC sent on 12 October 2017 with deadline for comments on 10 November 2017 (28 days)
Duty to prepare a SoCC under s47(1) and to publish it under s47(6)	Published in the Solihull News, Birmingham Mail. Placed at deposit points from the 9 January 2018 for the duration of the consultation period. (see Annex F)	5 January 2018 (Solihull News), 4 January 2018 (Birmingham Mail)
Duty to publicise under s48	Published in the Solihull News, Birmingham Mail (twice for local newspapers). Published once in the Guardian and the London Gazette (see Annex L)	3 January 2018 (The Guardian), 4 January 2018 (Birmingham Mail & London Gazette) 5 January 2018 (Solihull News), 11 January 2018 (the Birmingham Mail) and 12 January 2018 (Solihull News)
Duty to take account of responses to consultation and publicity under s49	Individual responses issued where appropriate. Responses accounted for in questionnaire analysis (see Chapter 4)	Ongoing activity starting as consultation responses arrived with Highways England (9 January 2018)
To issue s48 notice to prescribed consultees to discharge the requirements of Regulation 13 of the EIA Regulations 2017.	Issued with corrected letters to prescribed consultees (Annexes I and L)	Letters issued Tuesday 6 and Wednesday 7 February 2018.

1.4 Covering letter and section 55

- 1.4.1 A Covering Letter and completed Schedule of Compliance with s55 is submitted within the application documents [TR010027/APP/1.1 and 1.2].
- 1.4.2 The completed s55 Schedule provides evidence of compliance with the pre-application consultation requirements within the PA 2008.

2 Chapter Two - Non-Statutory Consultation

2.1 Overview of the non-statutory consultation

- 2.1.1 The purpose of the non-statutory consultation was to present the three options, which Highways England believed would meet the investment, road user and community needs at M42 Junction 6, and to provide the local community and stakeholders with the opportunity to share their views on these options.
- 2.1.2 The non-statutory consultation was undertaken in accordance with the Highways England Consultation Strategy over a seven-week (49 day) period from Friday 9 December 2016 to Friday 27 January 2017. The non-statutory consultation was conducted in the same spirit as any statutory consultation, pursuant to the PA 2008.
- 2.1.3 The aims of the consultation were defined as being to:
 - a. successfully engage with stakeholders affected by or interested in the Scheme;
 - b. encourage involvement from stakeholders and build strong open relationships;
 - c. raise awareness of the Scheme and understanding for the need to improve M42 Junction 6;
 - d. inform about the option assessment process;
 - e. inform about unsuccessful options and the reasons for rejection;
 - f. understand stakeholder concerns, issues and suggestions;
 - g. get feedback on the three developed options (as described in section 2.2) allowing the Scheme design to be developed further prior to the DCO application; and
 - h. prepare for the statutory consultation phase.
- 2.1.4 This aims of the consultation and the consultation feedback process is presented diagrammatically in **Figure 2**.

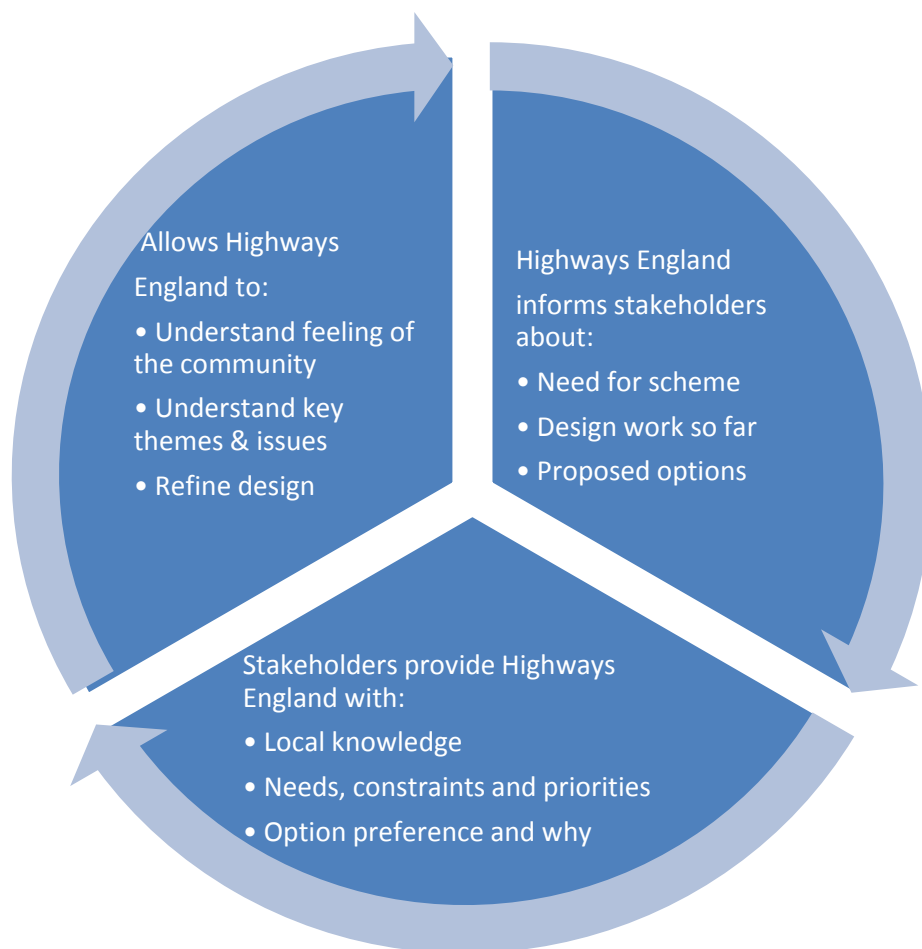


Figure 2: Consultation feedback process

- 2.1.5 The consultation process was planned in the early stages of the project by:
- identifying stakeholders that may be affected by or interested in the Scheme;
 - communicating the consultation through a variety of channels to reach as many stakeholders as possible;
 - providing clear, accessible and honest communications about the Scheme;
 - presenting evidence-based information about the Scheme, background and the need for the junction improvement;
 - providing a balanced overview of the options and how they compare in relation to the Scheme's objectives and social, environmental and economic impacts;
 - being open about the next steps of Scheme; and
 - considering honestly and fairly the suggestions received from stakeholders.
- 2.1.6 The non-statutory consultation strategy was developed following discussions with SMBC. At that time, it was believed that SMBC was the

sole host authority. SMBC provided advice and raised awareness of local communication channels, such as their residents' magazine and their stakeholder distribution list for email communications. The consultation strategy was structured in a similar format to a SoCC.

- 2.1.7 Extensive stakeholder mapping took place using desk-based research, organisational knowledge and advice notes published by the Inspectorate to identify parties who may have an interest in or be affected by the Scheme.
- 2.1.8 The project team also worked with the local authorities to identify hard to reach groups to ensure the consultation was inclusive. One traveller site was identified as being impacted by the Scheme and through discussions with the Equality Team at SMBC a strategy of direct contact was agreed. Long-distance motorway users were also identified as a group which required different channels of communication to raise awareness about the consultation.
- 2.1.9 The following groups of consultees were identified as being essential to engage with:
 - a. **Host and Neighbouring local authorities:** As primary consultees to provide detailed knowledge of existing infrastructure, environment, potential issues within local community groups and economic growth strategies to inform design.
 - b. **Statutory Environment Bodies (SEB)** to inform the Environmental Impact Assessment (EIA) Scoping, the Environmental Statement (ES) and overall design.
 - c. **Persons with an Interest in Land (PIL):** Either directly or indirectly affected landowners were contacted to establish a relationship and provide an overview of the Scheme and process.
 - d. **Local Community:** Interested parties and groups to provide 'on the ground' first-hand knowledge of local issues, concerns, as well as community aspirations.
- 2.1.10 The local community has been identified as including all address points in the vicinity of the Scheme including the three local villages of Catherine-de-Barnes, Hampton in Arden and Bickenhill and all businesses with access onto the A45, Coventry Road, at Clock Interchange and M42 Junction 6. This includes all businesses associated with Birmingham Airport, the NEC/Resorts World and Birmingham Business Park.

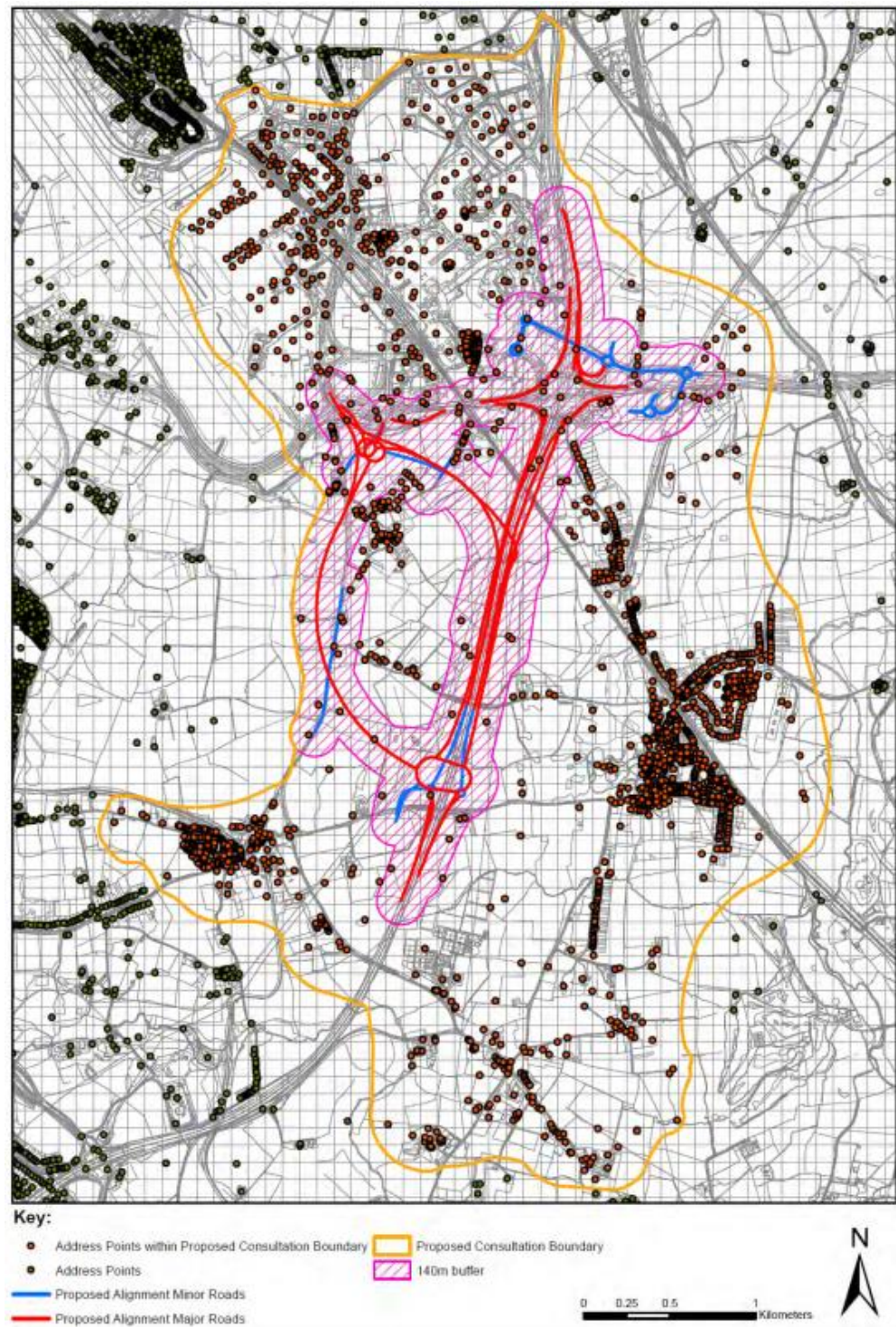


Figure 3: Plan showing boundary for non-statutory consultation

- 2.1.11 Seven consultation events were initially planned during the non-statutory consultation period, plus an online webchat and unmanned exhibition stand at The Core, Solihull. Following feedback from the local community, an eighth consultation event was added to the programme. It was held in Bickenhill on Wednesday 11 January 2017 and targeted residents living closest to the route of the Scheme in Bickenhill. As part of the first consultation event, VIPs including Local Authority Councillors and local

Members of Parliament (MPs) and the media were invited to a consultation launch event. This allowed VIPs and the media to be fully briefed at the beginning of the consultation period. In addition, meetings with stakeholders and the project team were offered to discuss specific issues.

2.1.12 Non-statutory consultation events are shown in Table 3.

Table 3: Summary of non-statutory consultation events

Activities undertaken	Date undertaken
Consultation event: The Arden Hotel Coventry Road Solihull, B92 0EH	Friday 9 December 2016: VIP event 10:00 – 11:00; Media event 11:00 – 12:00; and Public event 14:00 – 20:00.
Consultation event: Catherine-de-Barnes Village Hall Hampton Lane Catherine-de-Barnes, B91 2TJ	Saturday 10 December 2016 Public event 10:00 – 16:00.
Consultation event: Ladies Kennel Association Show NEC North Avenue Birmingham, B40 1NT	Saturday 11 December 2016 and Sunday 12 December 2016 – Accessible to people attending the show.
Consultation event: Fentham Hall (Hampton in Arden Village Hall) Marsh Lane Hampton in Arden, B92 0AH	Monday 12 December 2016 Public event 10:00 – 18:00.
Consultation event: The Core Touchwood Solihull, B91 3RG	Wednesday 4 January 2017 Public event 10:00 – 17:00.
Unstaffed exhibition: The Core Touchwood Solihull, B91 3RG	Thursday 5 January – Friday 27 January 2017 Tuesday, Friday 9:00 - 18:00; Monday, Thursday 9:00 - 20:00; Wednesday 10:00 - 18:00 and Saturday 9:00 - 17:00.
Consultation event: St Peters Church Hall St Peters Lane	Wednesday 11 January 2017 Public event 16:00 – 20:00.

Activities undertaken	Date undertaken
Bickenhill B92 0DT	
Consultation event: The NEC North Avenue Birmingham B40 1NT	Saturday 14 January 2017 Aligned with Autosport and Performance Car Exhibition. Public event 10:00 – 18:00.
Online webchat:	Wednesday 18 January 2017 Online 11:00 – 14:00.

- 2.1.13 Invitations were hand delivered to all Bickenhill addresses on Thursday 22 December 2016. These included a copy of the public consultation brochure.
- 2.1.14 Letters were sent to:
- prescribed consultees;
 - 210 PILs; and
 - 1,809 local residents and 47 key businesses and community groups within the consultation boundary.
- 2.1.15 Letters inviting consultees to the consultation events were sent on Friday 22 December 2016, two weeks prior to the start of the consultation period in January 2017. The majority of these letters were hand delivered to residents within the consultation boundary, shown in **Figure 3**.
- 2.1.16 Letters were sent via Royal Mail Recorded Delivery to people with land interests including landowners, tenants and occupiers of land, inviting them to the events and offering the opportunity to arrange a meeting, should this be required. These consultees were identified through land referencing.
- 2.1.17 People living in the vicinity of the Scheme were also provided with a copy of the options consultation brochure (**Annex A**) that included questionnaires as well as contact information to complete online questionnaires and find out more about the Scheme on the Highways England website.
- 2.1.18 A number of communication channels were used to maximise impact, including the letter drops, Highways England's website, and brochures at local libraries. A press release was issued by Highways England on Monday 5 December 2016 to local, regional and trade media about the Scheme and consultation events. This resulted in radio and TV coverage. Posters and banners were also displayed in a range of public spaces in the vicinity of the Scheme, for the duration of the consultation period.
- 2.1.19 Letters were also sent to the media and stakeholders including VIPs, inviting them to the Media Event on Friday 9 December 2016.

- 2.1.20 Posters were produced to advertise the public events. The posters included a QR code which linked to the Scheme webpage on the Highways England website. Posters were displayed in local libraries, supermarkets, post offices, hotels and on village notice boards and for the period of the consultation. Large scale versions of the poster were displayed at the NMM, Birmingham Airport, NEC, Resorts World and Birmingham International Railway Station; all considered as key traffic generators in the vicinity of M42 Junction 6.
- 2.1.21 To help reach residents that may not be exposed to other communication channels, Highways England used established communications channels, such as Solihull Council's residents' magazine, 'Your Solihull' (Winter 2016/7) on their website and internal staff newsletter and Stay Connected email newsletter. Evidence of this in the *Report on Public Consultation* [REF 2-1 and Annex A].
- 2.1.22 To engage with long-distance travellers, Highways England displayed banners for the duration of the consultation period at Motorway Service Areas (MSAs) near to M42 Junction 6. Locations included Hopwood Park (M42), Tamworth (M42), Corley Northbound and Southbound (M6), Warwick Northbound (M40) and Frankley Northbound (M5) services. In addition, electronic (PDF) copies of the poster were emailed to key businesses and traffic generators in the area, with a request for onward dissemination to staff and others via company distribution lists.
- 2.1.23 The consultation brochure was made available at all consultation events. In addition, consultation brochures were deposited at the beginning of the consultation period at all public libraries within Solihull borough. These were distributed to the libraries using the Solihull Library Service. An additional 26 consultation brochures were provided to Marston Green library during the consultation period, at their request. An abridged version of the consultation exhibition consisting of seven boards was put on display at The Core, Solihull, from Wednesday 4 January 2017 to Friday 27 January 2017.
- 2.1.24 Highways England's project webpage was updated ahead of the consultation period. This contained a link to the Highways England Consultation Hub hosted by Citizenspace at <https://highwaysengland.citizenspace.com/he/m42-junction-6-improvement/>. This webpage included an overview of the Scheme, along with a digital copy of the Consultation brochure, exhibition boards and the *Technical Appraisal Report* [REF 1-1]. The Highways England project webpage was visited 5,458 times between Thursday 1 December 2016 and Monday 30 January 2017 with peaks just before and at the beginning of the consultation period which is in line with the publicity going live. The consultation webpage was visited 2,852 times within the same time period with peaks when it went live and also during the week commencing Thursday 12 January 2017 which was immediately following the Bickenhill event. Evidence of consultation activities can be found within the *Report on Public Consultation* [REF 2-1 and Annex A].

- 2.1.25 Highways England provided a contact telephone number, postal and email address on all consultation materials. The project email account was monitored by members of the project team and provided a channel for people to send questions or written responses about the consultation.
- 2.1.26 Highways England issued tweets from the regional Twitter feed to publicise consultation events and raise awareness of the consultation. This generated activity across a number of partner channels.
- 2.1.27 The same consultation exhibition boards were used at all the public consultation events. Attendees were able to view all of the consultation material and take away a consultation brochure with information about the Scheme and the consultation questionnaire.
- 2.1.28 A selection of the exhibition stands was left in place at The Core, within Touchwood Shopping Centre, Solihull, as an unstaffed exhibition from 5 January 2017 until the end of the consultation period.
- 2.1.29 Additional engagement with key stakeholders took place prior to and during the consultation through face-to-face meetings, where possible. These meetings were used to brief stakeholders on the Scheme progress and provided the opportunity for issues and concerns to be raised and addressed as part of the Scheme development process. Each stakeholder was also advised to submit their own formal consultation responses.
- 2.1.30 Attendance at the consultation events was measured using an attendance register, see **Table 4**.

Table 4: Consultation event attendance

Venue	Date	Time	Numbers
The Arden Hotel, Bickenhill	Friday 9 December 2016	10:00 – 11:00	9
		11:00 – 12:00	0
		14:00 – 20:00	43
Catherine-de-Barnes Village Hall, Catherine- de-Barnes	Saturday 10 December 2016	10:00 – 16:00	57
Ladies Kennel Association Show, NEC	Saturday 11 and Sunday 12 December 2016		*
Fentham Hall (Hampton in Arden Village Hall), Hampton in Arden	Monday 12 December 2016	10:00 – 18:00	79
The Core, Touchwood, Solihull	Wednesday 4 January 2017	10:00 – 17:00	57
St Peters Church Hall, Bickenhill	Wednesday 11 January 2017	16:00 – 20:00	52
The NEC	Saturday 14 January 2017	10:00 – 18:00	*

**No attendance registers were used at the exhibitions within the Ladies Kennel Association Dog Show, the NEC atrium or the unstaffed exhibition at The Core,*

Solihull which took place after the staffed exhibition day and ran to the end of the consultation period.

- 2.1.31 An exercise was carried out to identify households that had not attended a consultation event located along the route of the three options. Eighteen households were identified, and visits took place to raise awareness of the Scheme on Tuesday 24 January 2017. If no-one answered, a 'calling card' was posted through the letterbox with details of the consultation.

2.2 Options consultation

- 2.2.1 To identify which options were viable and met the RIS, road user and community needs, Highways England went through a three-stage process, as outlined in the Options Consultation Brochure at **Annex A**.
- 2.2.2 In the initial stage of this Scheme, prior to the non-statutory consultation, some 40 potential options were identified and considered which would relieve congestion from the existing Junction 6. The options were collated into five general themes:
- a. Theme 1: North and South Junction (six options);
 - b. Theme 2: Southern Junction (13 options);
 - c. Theme 3: Interchange (five options);
 - d. Theme 4: Northern Junction (three options); and
 - e. Theme 5: Do Something / Do Minimum (13 options).
- 2.2.3 The options were presented at a workshop held by Highways England's project team in January 2016. The workshop included representatives of SMBC, as local highway authority, Birmingham City Council (BCC) and the NEC as key stakeholders.
- 2.2.4 The purpose of the workshop was to obtain a broader view of the options and their groupings, the outcomes of which resulted in the discounting of several options and the identification of a number of additional options and variants. The Department for Transport's (DfT) Early Assessment and Sifting Tool (EAST) was then used to create a shortlist of six options, one from each theme with a final option being free-flow links. These six options went through a more detailed appraisal and stakeholder consultation which resulted in the identification of three options to be taken forward for non-statutory consultation.
- 2.2.5 The three options taken forward to options development were variants on Theme 2 for a southern junction which provides additional capacity and direct relief to the existing Junction 6. These options and the additional free-flow left turns were presented at the non-statutory consultation and are described later in this Section and **Figure 4** to **Figure 6** in this Report.
- 2.2.6 The consultation brochure presenting these three options for the new mainline link road can be viewed in **Annex A**.
- 2.2.7 This work concluded that the best way to improve the capacity of M42 Junction 6 would be to provide a new link from Clock Interchange on the A45 to the M42 south of Junction 6.

- 2.2.8 More detailed information about options development can be found within the *M42 Junction 6 Improvement: Technical Assessment Report* [REF 1-1] and the *Report on the Public Consultation* [REF 2-1 and Annex A].

Option 1 – Link to the west of Bickenhill

- 2.2.9 Option 1 would provide a new 1.5 mile (2.4km) dual carriageway link between the Clock Interchange and a new all movements junction allowing north and south access to the M42 north of B4102 Solihull Road. The Clock Interchange would be improved to accommodate the additional flows of traffic, and free-flow links would be provided to give improved access to Birmingham Airport and A45 West (**Figure 4**).
- 2.2.10 The new dual carriageway would be to the west of Bickenhill and would generally be below ground level crossing underneath the B4438 Catherine-de-Barnes Lane, near Bickenhill and towards the M42. The alignment would tie closely into the existing local road corridor to minimise impact on the Green Belt.
- 2.2.11 Connection onto the local roads could be designed to minimise long distance traffic use of local roads whilst enabling access to the Clock Interchange.

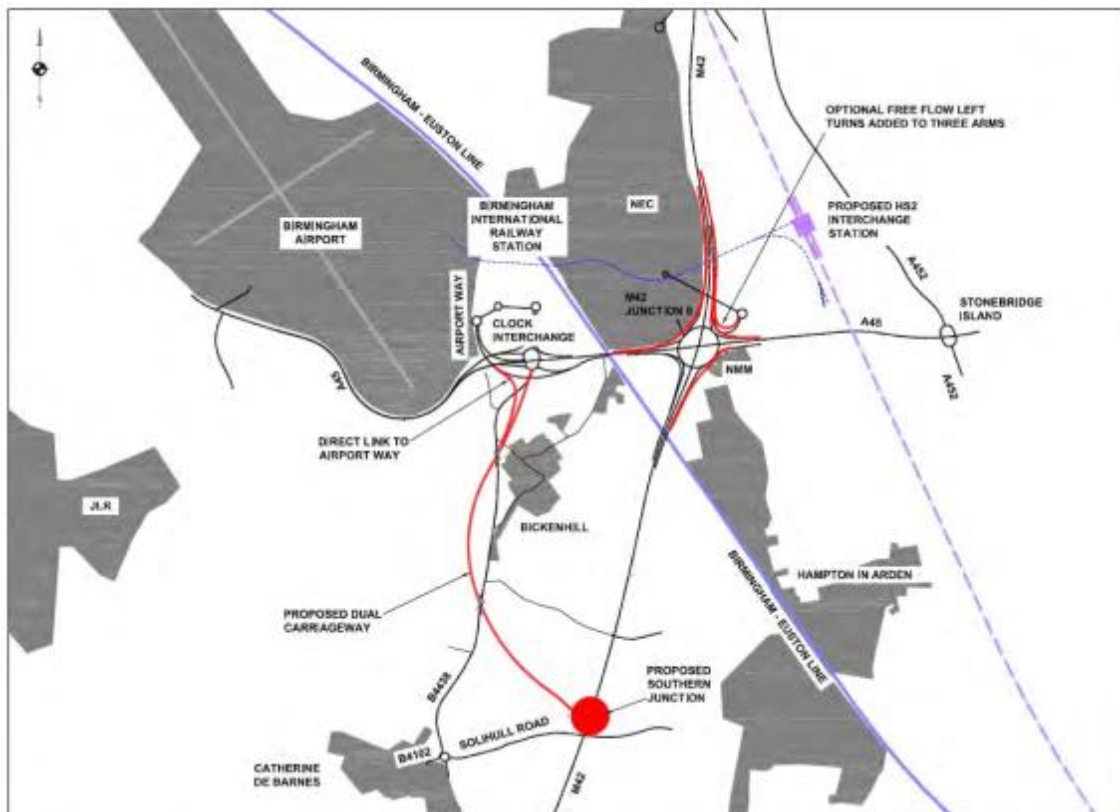


Figure 4: Option 1 plan, as included in non-statutory consultation documents

Option 2 – Link to the east of Bickenhill

- 2.2.12 This option would provide a new 1.4 mile (2.3km) dual carriageway link between the Clock Interchange and an all movements junction allowing north and south access to the M42 north of Solihull Road. Clock Interchange would be improved to accommodate the additional flows of traffic, and a free-flow link would be provided to give improved access to Birmingham Airport and A45 West (see **Figure 5** below).
- 2.2.13 The new dual carriageway would be to the east of Bickenhill and pass beneath Church Lane before returning to existing levels north of Shadowbrook Lane. The alignment would minimise the impact of the Scheme on the Green Belt, as it is located closer to the existing M42 corridor. Connection onto the local road network would be via a new roundabout north of Bickenhill. This roundabout would be created at the existing ground level with link roads to the Clock Interchange, Catherine-de-Barnes Lane and Airport Way.

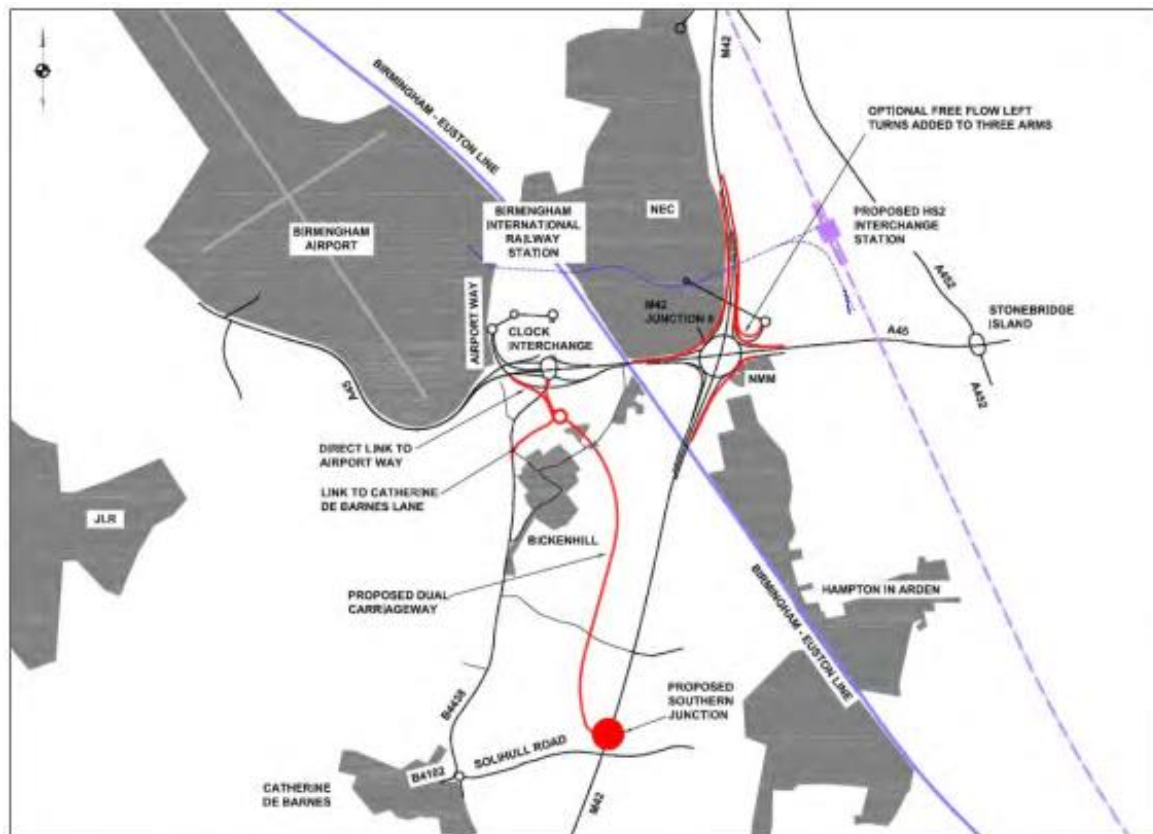


Figure 5: Option 2 plan, as included in non-statutory consultation documents

Option 3 – Link to the east of Bickenhill

- 2.2.14 This option would provide a new 1 mile (1.6km) dual carriageway link between the Clock Interchange and a restricted-movements junction with the M42 north of Shadowbrook Lane. This junction would only enable traffic to join the M42 southbound or exit the M42 northbound using free-flow links. The Clock Interchange would be improved to accommodate the additional flows of traffic and a free-flow link would be provided to improve access to Birmingham Airport and A45 west (**Figure 6**).
- 2.2.15 The new dual carriageway would be to the east of Bickenhill and pass beneath Church Lane before rising on an embankment to cross the M42 on a large bridge. The alignment would minimise the effect on the Green Belt as it is closer to the existing M42 corridor. Connection onto the local roads would be via a new roundabout north of Bickenhill. This roundabout would be at the existing ground level with link roads to the Clock Interchange, Catherine-de-Barnes Lane and Airport Way.

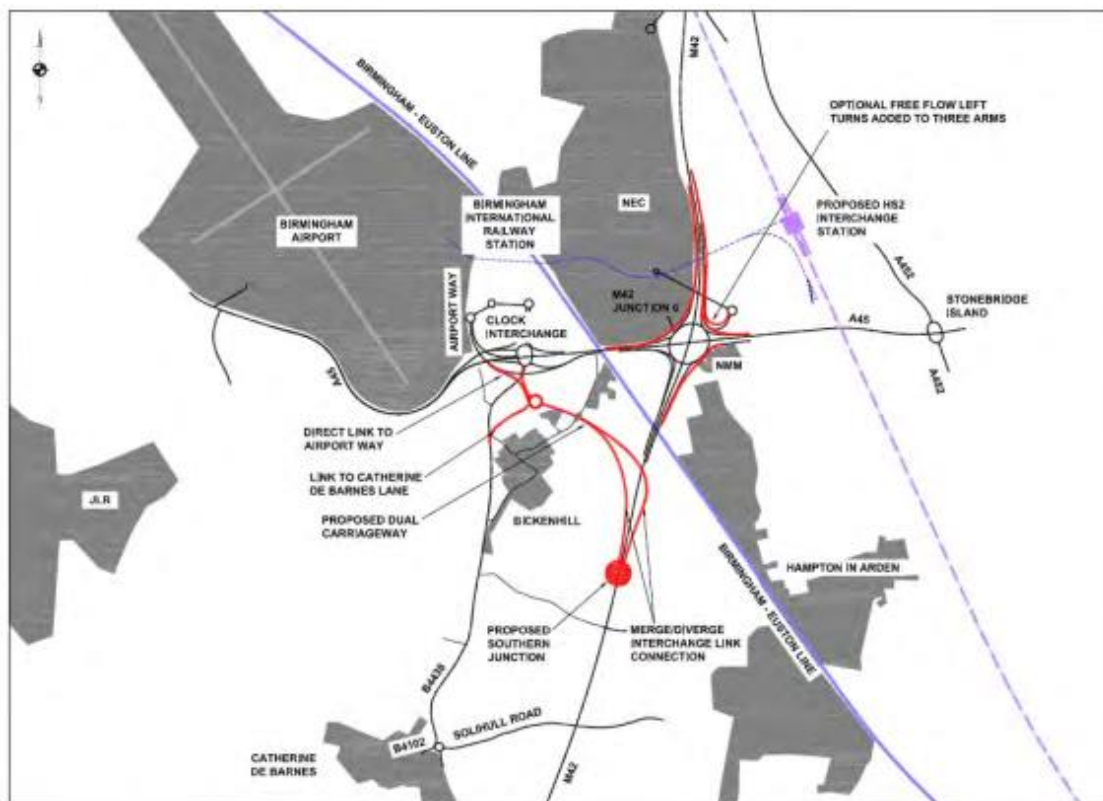


Figure 6: Option 3 plan, as included in non-statutory consultation documents

Optional free-flow left turns

- 2.2.16 In addition to the three options above, one or more free-flow left turns at M42 Junction 6 were included in the design for the consultation. These links would effectively remove traffic from the M42 Junction 6 roundabout by providing dedicated left-turn links at the NEC, NMM and north-east quadrant of the roundabout. This would enhance the Scheme by reducing future congestion (**Figure 7**). Further design, discussion and detailed traffic modelling was required to determine the benefits of each free-flow link.

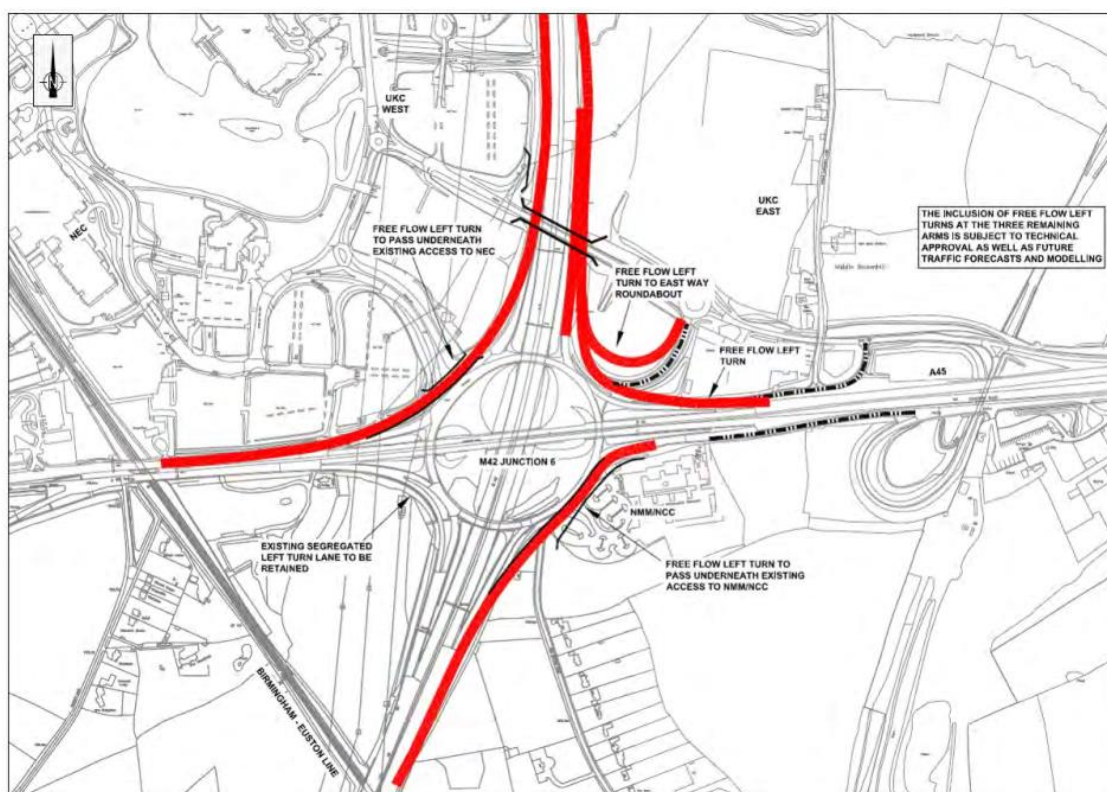


Figure 7: Free-flow links plan, as included in consultation documents

2.3 Non-statutory consultation responses

- 2.3.1 A total of 217 individual responses were received as part of the consultation. 182 of these respondents had completed a questionnaire and 35 had submitted their response as a letter or email. The majority of comments were received by questionnaire with 113 of the questionnaires completed online and 69 completed using paper questionnaires (52 of these were returned at exhibitions and 17 returned by post).
- 2.3.2 Consultation responses were coded by option and theme. A summary of responses for each option is provided below, along with design changes suggested by the consultees.
- 2.3.3 Eleven percent of the total responses gave no preference for option selection.

Option 1 – Link to the west of Bickenhill

- 2.3.4 The consultation showed that 64% of the total responses preferred Option 1. There were a variety of reasons given for this. Option 1 had the least impact on Bickenhill village. The mainline link road would be located away from Hampton in Arden, it provides a more direct link to the A45 and would better support future growth planned in the area. Those that did not select Option 1 as their preferred option noted that it would not maintain access to local roads and is not the cheapest option. It also has a greater impact on the Green Belt and is not considered to be the option that maximises existing and future economic and infrastructure needs of the area. One respondent noted that this option would have a significant impact on their family home and land ownership but acknowledged that other options 2 and 3 would have a greater impact on Bickenhill Village residents. An objection was raised by the Warwickshire Gaelic Athletic Association (WGAA) to Option 1 as it impacted a number of sports fields under their ownership. The facility, Pairc na hEireann, is situated adjacent to the B4438 Catherine-de-Barnes Lane, west of Bickenhill village and comprises three sports fields.
- 2.3.5 Those people supporting option 1 responded by saying:
- “This option provides more flexibility in terms of a north/south junction which would be better for future growth planned in the area. The dual carriageway element also runs on the west side of Bickenhill having a lesser impact on property in that area.”*
- “Option 1 has the least impact on Bickenhill village in terms of residential properties, land and disruption.”*
- “Additional road will be further from the village of Hampton in Arden.”*
- 2.3.6 Further design suggestions identified during the consultation were thoroughly reviewed as part of the preferred option selection process. The suggestions included:
- moving the road location north-west at Clock interchange away from Bickenhill and nearer the end of the runway;
 - reducing the impact zone;

- c. improving road signage;
- d. adding a spur to service Birmingham A45/JLR/proposed new industrial area;
- e. managing the impact on local roads by replacing Catherine-de-Barnes Lane with the dual carriageway and closing the old road to lessen the impact of road infrastructure on the area; and
- f. potentially adding north-facing arms at the new junction on the M42.

Option 2 – Link to the east of Bickenhill

- 2.3.7 The consultation showed that 10% of the total responses preferred Option 2. There were a number of reasons why Option 2 was preferred by some consultees. This option was perceived to be cheaper and to minimise disruption. It has less of an impact on the Green Belt, while maximising economic growth. People responded by saying:

"Minimises disruption and land loss whilst delivering the full benefit of a proper junction."

"Appears to be the cheaper option and roundabout access to the local roads is better than access off the dual carriageway."

"Option 2 gives a full access new junction for the M42, which option 3 doesn't. Also, Option 2 maintains access to the local roads which option 1 doesn't. Option 2 therefore gives the most flexibility of road access."

- 2.3.8 Further design suggestions identified during the consultation were thoroughly reviewed as part of the preferred option selection process. The suggestions included:
- a. refining the design to reduce impact on houses;
 - b. altering the road alignment to follow the M42 and pylon corridor;
 - c. changing the additional roundabout to a flyover; and
 - d. removing the link road to Catherine-de-Barnes Lane to omit the proposed new roundabout.

Option 3 – Link to the east of Bickenhill

- 2.3.9 The consultation showed that 15% of the total responses preferred Option 3. There were a number of themes as to why Option 3 was preferred by some consultees. This option was perceived to have less of an impact on people and the environment by keeping the new mainline link road in close proximity to the existing M42 corridor. It would also keep the Scheme away from Hampton in Arden and reduce cost with a simple highway design. People responded by saying:

"Keeps new roads close to motorway so that sound pollution is contained into a narrower corridor."

"Higher capacity junction with M42 and lower land take relative to traffic benefit."

"Taking the shortest route this option appears to create the least damage to the environment, homes and Green Belt"

- 2.3.10 Further design suggestions identified during the consultation were thoroughly reviewed as part of the preferred option selection process. The suggestions included improving the proximity of the existing M42 Junction 6 and the new junction.

Optional free-flow left turns

- 2.3.11 Overall, 31 comments were received on the free-flow links, of which 12 were positive, 13 neutral and five negative. The majority of positive comments stated that the free-flow left turns should not be an optional extra but should be an integral part of the Scheme. An issue about access to the NMM was raised in regard to the south-east free-flow link.

General feedback

- 2.3.12 Further design suggestions identified during the consultation were thoroughly reviewed as part of the preferred option selection process. The suggestions are as follows:
- a. free-flow lanes should be an integral part of the preferred option and delivered Scheme;
 - b. more consideration needs to be given to the impact of the south east link on the NMM;
 - c. more consideration needs to be given to a free running lane from the M42 to the A45 West;
 - d. improve the existing northbound off slip with two lanes for vehicles turning right;
 - e. create access into the Arden Cross (HS2 Interchange) site; and
 - f. create a south-west free-flow link.
- 2.3.13 Consultees provided a number of general comments about changes to the Scheme, as follows:
- a. ensure there are facilities for non-motorised users;
 - b. design changes to mitigate against the impact on identified National Grid assets;
 - c. combine the new junction with the MSA application;
 - d. design changes to reduce rat-runs on local roads;
 - e. include improvements at the Clock Interchange;
 - f. consider potential development schemes in the design;
 - g. consider phasing construction so that the new junction is open before any works commence on the existing M42 Junction 6;
 - h. remove traffic lights on the roundabout; and
 - i. ensure that noise mitigation is included in the Scheme.

- 2.3.14 A number of alternative design suggestions were provided by consultees. Many of these had previously been assessed and discounted (information about this was presented in the *Public Consultation brochure (Highways England, December 2016)* and contained in **Annex A** and **REF 2-5**. For example, the northern junction would clash with proposed HS2 structures and an interchange was deemed to be too expensive, requiring the M42 motorway to be widened to five lanes.
- 2.3.15 Comments received during the consultation were broken down into five themes (general, land, construction, environment and design) and then analysed further into sub-themes to ascertain any trends. Of the 370 comments received, most were on the design theme (170), followed by the general theme (124) and the environment (49). Fewest comments were made about the land (13) and construction (14) themes.
- 2.3.16 Most of the positive comments (of 76) were received about the need for the Scheme (23), the impact of future developments (14), free-flow links (13) or the design of Option 1 (10). Nine respondents were appreciative of engagement about the Scheme.
- 2.3.17 Most of the negative comments (of 218) were about aspects of design, in particular about the impact of the Scheme on local roads (27) and how Option 3 would impact on Bickenhill (22). Negative comments about the environment were predominately about the visible impact of the Scheme on the Green Belt (21). There were also concerns that the northern junction option had been discounted too early (15). Several general negative comments focused on consultation material, saying that:
- “maps lack some clarity”;*
- “abbreviations not explained”; and*
- “not enough key detail on the environmental impact”.*
- 2.3.18 These consultation responses have informed the Scheme design process and led to modifications to the design of the preferred route.
- 2.3.19 Further information about the consultation results can be found in the *Report on Public Consultation* included at **Annex A** and **REF 2-1** and the *EIA Scoping Report* [**REF 2-2**].
- 2.3.20 In light of consultation responses and the environmental work undertaken pre-consultation, Highways England identified Option 1 as the lead candidate for preferred route. This process is described in detail in the *Scheme Assessment Report (SAR)*; [**REF 2-3**].

2.4 Working towards the preferred route announcement

- 2.4.1 Following the Options Consultation undertaken from 9 December 2016 to 27 January 2017, additional stakeholder engagement was undertaken to follow up on concerns expressed raised by a number of parties, including the Council for the Protection of Rural England (CPRE), WGAA, and SMBC. These discussions looked at potential variants to the Scheme alignment to reduce impacts including those on the WGAA and Green

Belt. These discussions further influenced the final route selection and modifications were made to Option 1 to optimise the route.

- 2.4.2 Three alternative options were developed and assessed – Option 1A, 1B, and 1C respectively. Option 1A realigned the route to the west of the WGAA sports fields entirely avoiding the facility but affected the Bickenhill Meadows SSSI (First Castle Meadow Unit). Options 1B and 1C realigned the route to the east of the WGAA sports fields. Option 1B moved the mainline link road alignment approximately 50m closer to Bickenhill as it passes the south-west corner of the village. It impacts one of the sports fields and require the demolition of one property in Bickenhill but does avoid a local business and a Site of Special Scientific Interest (SSSI). Option 1C avoided all three sports fields but would have a significant impact on the western side of Bickenhill.
- 2.4.3 Through the further meetings that were held and assessment on the land impacted by all the Option 1 variants, the Option 1B alignment for the mainline link road was selected as the preferred route and an approach involving moving the existing WGAA facility to a new location in close proximity to their existing site considered.
- 2.4.4 When identifying the preferred route, Highways England considered a number of criteria, including the scheme objectives, benefits, safety, costs and environmental effects, construction impacts and consultation feedback. The preferred route was announced on Monday 7 August 2017, and its main proposals included:
- a. a new 1.5 mile (2.4km) dual carriageway mainline link road between the Clock Interchange on the A45 and a new junction on the M42, north of the Solihull Road, allowing traffic travelling northbound to exit the M42 and traffic travelling southbound to join the M42;
 - b. the new dual carriageway would be to the west of Bickenhill and would generally be below ground level and pass beneath the realigned B4438 (Catherine-de-Barnes Lane), to the north west and south west of Bickenhill;
 - c. improvements will be made to the Clock Interchange and the A45 between the Clock Interchange and the M42, including potential improvements to non-motorised user (NMU) routes;
 - d. free-flow links will be provided around the north-west and the north-east of M42 Junction 6; and
 - e. improvements will also be included on the south-east side of M42 Junction 6, the A45 westbound (east of M42 Junction 6) and M42 Junction 6 southbound slip roads to improve the performance around this quadrant of the junction.
- 2.4.5 The *M42 junction 6 Improvement Scheme Preferred route announcement* document [REF 2-4] sets out the preferred route and provides a summary of the results of the non-statutory consultation.

2.5 Ongoing engagement

- 2.5.1 Engagement has continued with key stakeholders and affected land owners throughout the Scheme development process and outside the periods of non-statutory and statutory consultation. This has included a series of meeting with key interests prior to the Preferred Route Announcement on 7 August 2017 as noted above and following that date and the commencement of the Statutory Consultation. These involved the Local Authorities, Parish Councils, local businesses and key stakeholders and land interests.
- 2.5.2 Highways England has held a series of technical workshops and specialist technical working groups have met for certain issues such as for NMUs, the signing strategy, and traffic. These meetings have included SMBC, HS2, Birmingham Airport, and Midland Metro Alliance as appropriate. These meetings have informed the development of the Scheme.
- 2.5.3 Details of ongoing engagement, when the engagement took place, a summary of discussions, and actions taken in light of the engagement is set out below.

Table 5: Summary of engagement following preferred route announcement

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
Extra (Promoters of a MSA between junction 5 and 6 of the M42)	Monthly as required.	Highways and Extra scheduled monthly meetings. Meetings then held as required.	Ongoing engagement.
Extra	08/08/17	Discussion regarding the current position of the MSA Application.	Ongoing engagement.
WGAA	10/08/17	Scheme update, impact from the scheme and potential mitigation measures.	Potential mitigation option included in plans for consultation.
Natural England	16/08/17	General Scheme overview and discussion on Environmental Impact Assessment approach and survey work undertaken today.	Continued engagement and further adoption of agreed approaches in assessment.
Highways England Area Liaison Meeting	07/09/17; 07/12/17; 01/03/18; 14/06/18;	Quarterly forum bringing together key stakeholders from local businesses including Highways England Network Operations, NEC, Resorts World, Birmingham Airport, Birmingham Business Park, NMM, West Coast Trains, SMBC. General Scheme overview and intelligence gathering on local issues and	Regular updates of Scheme status and progress to be provided to future forums.

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
		forward programme of events and works.	
SMBC	14/09/17	General Scheme Update following Preferred Route Announcement.	The meetings allowed SMBC to be fully engaged in and to influence the Scheme design development.
Extra	18/09/17	Extra Planning Application and Scheme update.	
Highways England Area 9 Liaison Meeting. Kier	22/09/17 15/12/17	General Scheme update and setting out process for on-going liaison on the Scheme.	Area 9 representative to join monthly progress meetings.
Extra	02/10/17	Discussion regarding the current position of the MSA Application.	Ongoing Engagement
JLR	06/10/17	General Scheme update.	
Land Interest (PIL 40)	09/10/17	Discussion about Scheme impacts on land and business interests.	Ongoing Engagement
UK Central (SMBC)	09/10/17	General Scheme update.	
Birmingham Airport	11/10/17	General Scheme update and discussion about Airport Safeguarding Issues.	Ongoing Engagement
Extra	19/10/17	Extra Planning Application and Scheme design update with regards to programme, land take, design and environmental impacts.	Ongoing Engagement
NWBC	19/10/17	Email exchange regarding the SoCC	
Bickenhill and Marston Green Parish Council	25/10/17	General Scheme update.	
WCC	31/10/17	General Scheme update and discussion about the SoCC.	Ongoing Engagement
Extra	01/11/17	Discussion regarding the current position of the MSA Application.	Ongoing Engagement

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
SMBC	03/11/17	General Scheme update.	
SMBC	06/11/17	General Scheme update.	
Arden Cross	03/11/17	General Scheme update and understanding of the development aspirations and plans.	Ongoing Engagement
Birmingham City Council (BCC)	07/11/17	General Scheme Update and understanding of land interests and the developments in the vicinity. Also discussion about the SoCC and any specific requirements for the statutory consultation. Suggestions for liaising with BCC to utilise the Birmingham Connected updates and additional deposit points. Birmingham updates offer was taken up and some additional deposit points added.	BCC comments informed SoCC. Birmingham Connected updates used to publicise consultation.
Hampton in Arden Parish Council	07/11/17	General Scheme update.	
Extra	08/11/17	Discussion regarding the current position of the MSA Application.	Ongoing Engagement
SMBC/ Warwickshire CC/Highways England SES	08/11/17	Technical meeting to discuss proposed design of Clock Interchange and implications on existing structures.	Agreed assessment methodology and assessment and approval approach.
SMBC	09/11/17; 16/11/17; 30/11/17; 07/12/17; 08/01/18;	Design review workshops for NMU and signing; general design issues; and traffic respectively. Meetings followed early design fix ahead of statutory consultation.	Design review meeting actions recorded and maintained in an actions tracker.
SMBC	13/11/17	Scheme update and discussion about related planning and environmental matters.	
HS2	16/11/17	General Scheme update.	
WCC	16/11/17	General Scheme Update and discussion about the SoCC and any specific requirements for the statutory consultation. Suggestions to contact Stratford-on-Avon District Council and to add Warwick Library as a further deposit point. Both suggestions were	SoCC updated to include additional deposit point. Additional meeting with LEP and with Stratford Council agreed.

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
		acted upon.	
HS2	21/11/17	General Scheme update.	Ongoing Engagement
SMBC / UK Central	27/11/17	Cabinet Member briefing to discuss the Scheme ahead of statutory consultation.	Ongoing Engagement
Western Power Distribution	01/12/17	Technical meeting regarding diversion works required to overhead line equipment.	Ongoing Engagement
Land Interest Meeting (PIL41)	06/12/17	Discussions with land owner and agent about the Scheme impact on land and property and arrangements agreed to commence formal discussions.	Ongoing Engagement
Hampton in Arden Parish Council	07/12/17	Pre statutory consultation update and outline of consultation approach.	
NEC	08/12/17	Pre statutory consultation update and outline of consultation approach.	Ongoing Engagement
Arden Cross	13/12/17	Design Workshop.	Scheme design and traffic information provided to developers.
Planning Inspectorate	14/12/17	Scheme update, Scoping Opinion and Consultation methodology.	
WGAA	04/01/18	Pre-statutory consultation update and outline of consultation approach.	Ongoing Engagement
Stratford-on-Avon District Council	08/01/18	Pre-statutory consultation update and outline of consultation approach.	
Statutory Consultation – 09/01/18 to 09/03/18			
Coventry Warwickshire Local Enterprise Partnership	19/01/18	General Scheme update.	
SMBC	23/01/18 15/03/18	Technical meeting to review Scheme traffic modelling works.	Technical outputs from traffic model shared with SMBC.
Transport for the West Midlands	29/01/18	NMU provision discussion and understanding of the wider cycle network in the vicinity of the	Ongoing Engagement

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
		Scheme.	
NEC	30/01/18	Discussion about Land interest and Scheme impacts.	
Land interest (PIL39)	31/01/18	General Scheme update, and discussion regarding land impacts and planning and environmental matters.	Ongoing Engagement
Marston Green and Bickenhill PC	07/02/18	Statutory consultation update and outline of consultation approach.	
Land interest (PIL42)	09/02/18	Discussion about Scheme impacts on land interests.	Ongoing Engagement
Local Bickenhill residents (PIL66)	14/02/18	General Scheme update and discussion about the Scheme impacts on the village and residents both during construction and the permanent arrangements proposed.	
NMM	28/02/18	Scheme update and discussion about the access arrangements in relation to the Scheme and pre-existing HS2 commitments.	Ongoing Engagement
Statutory Consultation End – 09/03/18			
Extra	20/03/18	Post consultation Scheme update and discussion regarding the current position of the MSA Application.	Ongoing Engagement
NMU site walkover	21/03/18	Walkover included: local walkers and cyclists, representatives from TfWM, Birmingham Business Park, SMBC and the Open Spaces Society. Assessment of existing and potential new pedestrian and cycle facilities in the vicinity of the proposed Scheme.	Design changes were made in light of this walkover, including the NMU bridge over the A45 to the east of Clock Interchange, pedestrian underpass to the west of the Clock Interchange, and a new east west bridge link across the new mainline link road.
HS2	22/03/18	Combined M42 Junction 6 and HS2 utility workshop looking and opportunities to combine utility diversion works required for both projects.	Ongoing Engagement
Natural England	16/04/18	General discussion about the	Ongoing

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
		Environmental Impact Assessment methodology and scope and specific discussions about the two SSSIs in the area and the Scheduled Ancient Woodland.	Engagement
WGAA	04/06/18	Meeting to update the club on the Scheme design and proposed mitigation approach.	Ongoing Engagement
Sport England	12/06/18	General Scheme update and discussion about mitigation measures for the WGAA.	Ongoing Engagement
SMBC, HE Area 9 ASC – Kier, HE Regional Control Centre	15/06/18	Traffic Signs Strategy and general Scheme update.	Ongoing Engagement
Extra	30/06/18	Discussion regarding the interface between and M42 Junction 6 and MSA proposals.	Ongoing Engagement
Extra	31/07/18	Scheme and planning update.	Ongoing Engagement
SMBC Highways England OD	02/08/18	Technical meeting to discuss future signing strategy for local and strategic road network.	Draft signing strategy document issued.
HS2	21/8/18	Technical Meeting to review interface between Scheme proposals and HS2 people mover proposals.	Scheme design information provided to HS2.
JLR	31/08/18	General Scheme update and impact on land and operational interests.	Ongoing Engagement
Further Consultation– 04/09/18 to 02/10/18			
NEC	04/09/18	Discussion regarding land and operational impacts. Agreed to hold a further meeting to discuss these issues in detail.	Ongoing Engagement
UGC Infrastructure Coordination Board	06/09/18	Scheme update and summary of key changes to Scheme.	Ongoing Engagement
BCC	17/09/18	Scheme update and summary of key changes to Scheme design.	Ongoing Engagement
NEC	18/09/18	Further meeting to discuss land and traffic impacts.	Ongoing Engagement
Arden Hotel	19/09/18	Meeting to discuss impacts during construction and the proposals for a new NMU bridge over the A45 to the east of the	Ongoing Engagement

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
		hotel's car park.	
Arden Cross Consortium	20/9/18	General Scheme update.	Ongoing Engagement
Land Interest (PIL72)	19/09/18	Meeting to provide a Scheme update and explain the potential impacts on the residents during construction. Discussed potential opportunity for a secondary access to mitigate impacts during construction. Promised to discuss these ideas with SMBC as Planning and Highway Authority.	Discussion about mitigation measures held with SMBC.
Extra	19/09/18	Scheme update and planning matters.	
Bickenhill and Marston Green Parish Council	19/09/18	Scheme update.	
NMM	20/09/18	Scheme update.	
Arden Cross	20/09/18	Scheme update.	
Hampton in Arden Parish Council	21/09/18	Scheme update.	
Resident (PIL45)	21/09/18	Meeting held to discuss impacts arising from the Scheme on their home during construction and proposed to access arrangements.	Review of the Scheme impacts and potential mitigation to be considered.
HS2 Ltd	24/09/18	General Scheme Update and detailed discussion about the design and need for programmes to be coordinated. Design for East Way Bridge and potential impacts on the People Mover required further detailed discussions to be arranged.	Ongoing Engagement
Warwickshire Wildlife Trust	25/09/18	General update on Scheme changes and the Environmental Impact Assessment findings. Discussion about the potential impact on the Bickenhill SSSI and potential mitigation measures.	Ongoing Engagement
WGAA	25/09/18	Scheme design update and consideration of mitigations options.	Ongoing Engagement
Land Interests (PIL47 & PIL44)	27/09/18	Meeting to discuss land impacts arising from the Scheme and impacts on business / future use	Ongoing Engagement

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
		of land.	
Land Interest (PIL77)	27/09/18	Meeting to discuss land impacts arising from the Scheme and impacts on business interests during construction.	Ongoing Engagement
SMBC	27/09/18	Meeting to discuss geometric design issues including departures from design standards of local roads affected by the Scheme.	Ongoing Engagement
Birmingham Airport	28/09/18	Scheme update and discussion about signage and traffic impacts during construction.	Ongoing Engagement
Land Interest (PIL42)	28/09/18	Meeting to discuss land impacts arising from the Scheme and impacts on business interests.	Ongoing Engagement
Birmingham Airport	28/09/18	Meeting to discuss design and traffic impacts arising from the Scheme and during consultation.	Ongoing Engagement
Sport England	01/10/18	Update on Scheme proposals and the WGAA discussions.	Ongoing Engagement
Land Interests (PIL70 and PIL78)	01/10/18	Meeting to discuss impacts arising from the Scheme and during construction.	Ongoing Engagement
NEC	04/09/18	Impacts arising from the Scheme and potential mitigation measures. Agreed to hold a further meeting to discuss these issues in detail.	Ongoing Engagement
Further Consultation end 02/10/18			
SMBC	15/10/18	Briefing on the next stages of the development consent order process. Also update on discussions with PILS.	Ongoing Engagement
Urban Growth Company	16/10/18	General Scheme update.	
SMBC, Area 9 ASC – Kier and HE RCC	24/10/18	Discussion on Traffic Signs Strategy and general Scheme update.	Ongoing Engagement
Land interests (PIL 47 and PIL44)	24/10/18	Ongoing discussion regarding mitigation measures and minimising impacts on land interests.	Ongoing Engagement
Land interest (PIL39)	25/10/18	Ongoing discussion regarding mitigation measures and minimising impacts on land	Ongoing Engagement

Consultee/ Stakeholder	Date/s:	Summary of Engagement	Actions Taken as Appropriate
		interests.	
Midlands Metro Alliance / Tony Gee	25/10/18	Interface between proposed metro and the Scheme.	Ongoing Engagement
Extra	30/10/18	Ongoing discussion.	Ongoing Engagement
WGAA	06/11/18	Further consideration of mitigation measures.	Ongoing Engagement
Land Interest (PIL79)	08/11/18	Meeting held to discuss land impacts arising from the Scheme and impacts on their home during construction.	Ongoing Engagement

2.5.4 This early and ongoing engagement has enabled Highways England to consider technical and local expertise in design development and help avoid unnecessary delays and the costs of having to make late changes to the Scheme.

2.5.5 Where appropriate, Highways England will produce Statements of Common Ground through ongoing engagement with selected stakeholders. These will contain evidence of agreements and matters not agreed during pre-application consultation.

2.6 Environmental Impact Assessment Screening

2.6.1 An EIA is required under the Infrastructure Planning (Environmental Impact Assessment Regulations) 2017 (EIA Regulations) for a scheme of this scale and nature.

2.6.2 Highways England conducted an EIA screening exercise, before moving to the scoping phase. As such, Highways England prepared a scoping report seeking a view on its approach to the environmental surveys and assessments proposed as part of the EIA.

2.6.3 Highways England wrote to the Inspectorate under Regulation 8(1)(b) of the Infrastructure Planning (EIA) on 10 August 2017, notifying that Highways England proposes to provide an ES in respect of the development. Email acknowledgement was received on the same day.

2.6.4 A copy of the letter and the acknowledgement are provided within **Annex B**.

3 Chapter Three - Statutory Consultation

3.1 Overview of the statutory consultation

- 3.1.1 Highways England held a statutory consultation on the Scheme for a period of six weeks (42 days), from Tuesday 9 January 2018 to Monday 19 February 2018. Due to an error in the consultation letters, the consultation period was extended by 18 days to 9 March 2018 to allow people additional time (giving consultees at least 28 days to respond from the date of the reissued letters). Further details about this are provided in section 3.3.19 of this Report.
- 3.1.2 The purpose of the consultation was to provide the opportunity for people to comment on the design of the proposed Scheme, the purpose and layout of the junctions, provision for all road users and environmental mitigation. The consultation provided people with an opportunity to engage with the project team to enable them to provide a response.
- 3.1.3 Highways England undertook consultation under s42 of the PA 2008 in parallel with consultation under s47 and s48 of the PA 2008. This meant that all consultation materials made available under s47 of the PA 2008 were also available to s42 consultees.
- 3.1.4 Prior to any statutory consultation activity, the purpose of consultation was defined. The aims of consultation were to:
 - a. inform the local community and stakeholders about the design of the proposed Scheme;
 - b. engage with stakeholders and the local community affected by or having an interest in the Scheme;
 - c. provide opportunities for individuals and organisations to provide feedback, ask questions and raise concerns;
 - d. provide regular communications and engagement with stakeholders and the media (including social media), to build strong, open relationships;
 - e. understand stakeholder concerns, issues and suggestions;
 - f. collect and understand feedback on the design of the proposed Scheme, allowing the Scheme design to be developed further; and
 - g. Prepare for the DCO application.

3.2 Preparation of the SoCC

Introduction

- 3.2.1 The SoCC was prepared to explain how we intended to consult people living in the vicinity of the Scheme. The statement was prepared in consultation with local authorities in accordance with s47(2) of the PA 2008. The Scheme predominantly sits within the boundary of SMBC. Highways England at that time therefore defined Solihull as the host local authority for the purpose of the preparation of the SoCC.

- 3.2.2 As explained in section 1.2.3, both WCC and NWBC are also host authorities for the purposes of the PA 2008. As such, there is an obligation on an applicant to consult with them on the terms of the draft SoCC.
- 3.2.3 Highways England met this obligation and consulted with WCC and NWBC, as well as BCC and Coventry City Council (CCC), as part of the SoCC preparation stage. Highways England met with WCC to discuss the Scheme and consultation, as set out in **Table 5**. NWBC confirmed by email that they had no comments to make on the draft SoCC. Therefore, Highways England complied with the statutory requirements of s47(2) of the PA 2008 in consulting with host authorities.
- 3.2.4 The statutory consultation strategy set 'who' we would consult, 'what' would happen and 'when' leading up to and during the consultation period and provided an overarching structure for the consultation. This strategy:
- defined who to consult;
 - classified consultees using a stakeholder mapping exercise;
 - defined a consultation boundary to delimit which people 'in the vicinity of the Scheme' would be consulted;
 - proposed the Scheme programme of activity and timeline;
 - proposed the methods of consultation. The methods from the earlier non-statutory consultation which had been devised in collaboration with SMBC became the starting point. This includes the methods of advertising the consultation events, the location of deposit points, consultation events and advertisements and the design of consultation materials such as the consultation brochure, posters and consultation event pull-up banners; and
 - builds on the successes of stakeholder engagement from the previous non-statutory consultation and from ongoing activities.

Preparing the Section 47 SoCC

- 3.2.5 The consultation strategy principles, together with best practice and guidance from the Inspectorate informed the draft SoCC, which was prepared in August 2017 and reviewed by the Highways England communications team.

SoCC format

- 3.2.6 The SoCC followed a template format as follows:
- Introduction:** This section sets out why the SoCC is being published (for feedback on the Scheme), what the SoCC sets out, and the regulations it is prepared in accordance with.
 - The Application:** This section sets out who has been consulted, recognises that the Scheme is a Nationally Significant Infrastructure Project and that Highways England will make an application to go through the DCO process. It also notes that the Scheme falls within the scope of the Infrastructure Planning Environmental Assessment Regulations 2017, that an ES (**TR010027/APP/6.1**), a Preliminary Environmental Information

(PEI) Report [Ref 5-3] and a PEI Report Non-Technical Summary (NTS) will be produced [Ref 3-1].

- c. **Environmental Information:** This information is contained within the application section above.
- d. **The Scheme:** An outline of the problem which the Scheme is intended to solve, Scheme location detail, potential adverse impacts of the Scheme and aims of the Scheme.
- e. **Consulting the community:** A short summary of the purpose and means of consultation, an outline of what we will consult on, the preferred route and how we will consult (details about consultation events, unstaffed exhibitions, Scheme website, brochure, council and community groups, media, social media, consultation feedback and deposit point locations with opening times).
- f. **Documents available for inspection:** A list of documents, locations and times of the consultation events.
- g. **How to respond:** Postal, email, phone and website details for the Highways England Project Team.

3.2.7 A copy of the draft SoCC is provided in **Annex C**.

Local authority SoCC consultation

3.2.8 A letter was posted and emailed to SMBC, as host authority in accordance with s47 of the PA 2008 seeking their input on the SoCC. In addition, Highways England went beyond the requirements of s47 and contacted local authorities including WCC, NWBC (both acknowledged as host authorities), and CCC on Thursday 12 October 2017 requesting comments on the draft SoCC by Friday 10 November 2017. The letter to BCC was sent by email and post on 13 October 2017. The local authorities were therefore provided with at least 28 days to respond with comments on the SoCC, as prescribed by section 47 (3) of PA 2008. A copy of the letter is provided in **Annex D**.

3.2.9 A response from SMBC was received on Wednesday 15 November 2017 and a written response from BCC was received on Tuesday 7 November 2017. An email from WCC noting they had no comments on the SoCC was received 1 November 2017. Copies of these are provided in **Annex E**.

3.2.10 A phone conversation took place with WCC on Wednesday 15 November 2017 and a subsequent meeting was organised for Thursday 16 November 2017 to discuss the SoCC. Neither CCC nor NWBC responded or made any suggestions to amend the SoCC. Meetings to specifically discuss the SoCC were held with local authorities on the following dates:

- a. BCC on Tuesday 7 November 2017;
- b. SMBC on Monday 13 November 2017;
- c. WCC on Thursday 16 November 2017; and
- d. Stratford-on-Avon District Council on Monday 8 January 2018.

- 3.2.11 Meeting notes are included as evidence in **Annex E** and a summary of comments, Highways England's regard to these and the amendments to the SoCC are presented in **Table 6** of this report.

Local Authority SoCC consultation responses and amendments

Table 6: SoCC consultation with Local Authorities

Page	Suggestion/comment made by local authority	Regard had to the suggestion	Amendment to SoCC (if applicable)
Local Authority: SMBC			
p.12	Specify the area within which you will write directly to all residents and businesses.	This was in the early draft, but, in the interests of making the document leaner, it was removed.	The consultation boundary was reinstated in the document.
15, p.5	Include locations for consultation physically close to where the development will take place.	Review of consultation event locations and deposit point locations.	The deposit point locations were altered to take into consideration suggestions from local authorities.
24, p.7	Alteration of addresses for deposit points and a typo for the name of a local council.	The Solihull deposit point to be at The Core and not the Council House and typos corrected.	All changes applied in the SoCC.
p.10-11	Council contacts provided to aid the consultation.	List of community groups to consult with was developed and listed at the end of the SoCC.	No comments made.
p.10-11	Include a list of interested bodies, the statutory consultees do not need to be included, but include the residents' associations etc.	This was in the early draft of the SoCC, but, in the interests of making the document leaner and more user friendly, was removed.	The stakeholder list was reinstated in the document.
Local Authority: BCC			
16, p.5	Unstaffed exhibition locations suggested at Birmingham International Railway Station, Birmingham Business Park and	Good suggestions. Large posters put up at NEC, Resorts World, on the walkway between Birmingham International Train	Birmingham Business Park exhibition boards installed and posters displayed but not specified in the SoCC as the venue was

Page	Suggestion/comment made by local authority	Regard had to the suggestion	Amendment to SoCC (if applicable)
	CCC offices.	Station and the NEC and pull-up board at Birmingham Business Park.	confirmed after the publication date.
20, p.6	Birmingham City Councillors to be contacted directly for views about the Scheme and suggested being at Cabinet Team Market Place event.	It was felt that a market place forum at the council offices was the best approach. Council officers provided pre-event publicity for the event.	A market place event was held on Tuesday 6 February 2018 to provide Councillors with an update about the Scheme.
20, p.6	Happy to use Birmingham Connected channels to engage with stakeholders.	Offer accepted by Highways England as a helpful channel to engage with stakeholders.	Actioned, but not specified in the SoCC as it was confirmed after publication.
20, p.6	Council community briefings suggest Meriden Parish Council, Berkswell Parish Council, Ramblers, Cycling UK, Sustrans, CycleSolihull, Solihull Cycling Club, Solihull Bicycling Campaign, other transport user groups representing motorcyclists freight taxi coach and bus and environmental interest groups (such as Wildlife Trusts RSPB and Friends of the Earth).	Organisations added to consultation list - some like Sustrans and Ramblers have already been identified. Others added to the NMU engagement and recognised on the stakeholder list.	SoCC updated to reflect actions.
24, p.7	Additional suggestions for deposit points include Birmingham Business Park, CCC offices, Central Library (Coventry), Meriden Library (Solihull), Sheldon Library (Birmingham) and South Yardley Library (Birmingham).	The deposit points were reviewed in terms of the overall number of locations, venue accessibility and proximity to the Scheme. Additional deposit locations at Meriden and South Yardley were added. Birmingham Business Park was not considered	Highways England utilised almost all of the locations suggested as deposit points for the consultation documents and locations for information posters. All libraries shown on Figure 8 were provided with copies of the Consultation Brochure. The Deposit Points

Page	Suggestion/comment made by local authority	Regard had to the suggestion	Amendment to SoCC (if applicable)
		appropriate as deposit point, but an exhibition board, brochures and a pop-up event arranged. Dickens Heath, Olton and Coventry were discounted as deposit points due to their more remote location in relation to the Scheme.	carried all consultation materials.
Local Authority: WCC			
20, p.6	Feedback given during meeting. Suggestion to discuss SoCC with NWBC and Stratford-on-Avon Council	NWBC already formally consulted. A meeting was set up with Stratford-on-Avon on Monday 8 January 2018.	Stratford-on-Avon were engaged to raise their awareness of the Scheme but not used as a deposit point location due to their distance from the Scheme.
24, p.8	Happy to be a deposit point for the documents.	WCC added to the deposit point list.	Warwick Library used as SoCC deposit point.

3.2.12 A copy of the published SoCC is provided at **Annex F**.

Availability of the SoCC in the vicinity of the proposal.

3.2.13 As prescribed by s47(6) of the PA 2008, Highways England made the SoCC available at locations in the vicinity of the proposal for the duration of the statutory consultation (9 January 2018 – 9 March 2018). Details of these are shown in **Table 7** and **Figure 8** shows their locations on a map.

Table 7: Deposit points where the SoCC was available in the vicinity of the Scheme

Times available	Location (address & website)
Monday to Thursday: 09:00 – 17:00, Friday: 09:00 to 16:00.	BCC Offices 1 Lancaster Circus, Queensway, Birmingham, B4 7DG https://www.birmingham.gov.uk/
Monday and Thursday: 10:00 - 18:00; Tuesday: 10:00 - 17:00 Friday: 14:00 – 17:00; Saturday 10:00 – 16:00.	Balsall Common Library 283 Kenilworth Road, Balsall Common, Coventry, CV7 7EL http://www.solihull.gov.uk/Resident/Libraries/Find-a-library/balsallcommonlibrary
Tuesday: 10:00 – 12:00 and 13:00 – 18:00, Friday: 13:00 – 17:00.	Hampton in Arden Library 39 Fentham Road, Hampton in Arden, Solihull, B92 0AY http://www.solihull.gov.uk/Resident/Libraries/Find-a-library/hamptoninardenlibrary
Monday and Tuesday: 10:00 - 17:00; Thursday: 10:00 - 18:00 Friday 10:00 - 17:00; Saturday 10:00 – 13:00.	Hobs Moat Library Ulleries Road, Hobs Moat, Solihull, B92 8EB http://www.solihull.gov.uk/Resident/Libraries/Find-a-library/hobsmoatlibrary
Monday and Thursday: 10:00 – 13:00 and 14:00 - 18:00; Wednesday: 11:00 – 13:00; Saturday: 10:00 - 13:00.	Marston Green Library Land Lane, Marston Green, Birmingham, B37 7DQ http://www.solihull.gov.uk/Resident/Libraries/Find-a-library/marstongreenlibrary
Monday and Thursday: 10:00 - 18:00; Saturday: 10:00 – 13:00.	Meriden Library The Green, Coventry, CV7 7LN http://www.solihull.gov.uk/Resident/Libraries/Find-a-library/meridenlibrary
Monday and Thursday: 09:00 - 20:00; Tuesday, Wednesday and Friday: 09:00 - 18:00; Saturday 09:00 – 17:00.	Solihull Central Library The Core, Homer Road, Solihull, B91 3RG http://www.solihull.gov.uk/Resident/Libraries/Find-a-library/thecorelibrary
Monday, Tuesday, Friday and Saturday: 11:00 – 13:00 and 14:00 – 17:00; Thursday 11:00 – 13:00 and 14:00 – 19:00.	South Yardley Library Yardley Road, Birmingham, B25 8LT https://www.birmingham.gov.uk/southyardleylibrary
Monday to Thursday: 08:00 – 17:30; Friday 08:00 – 17:00; Saturday: 09:00 – 16:00.	Warwick Library Shire Hall, Market Square, Warwick CV34 4UB https://www.warwickshire.gov.uk/warwicklibrary

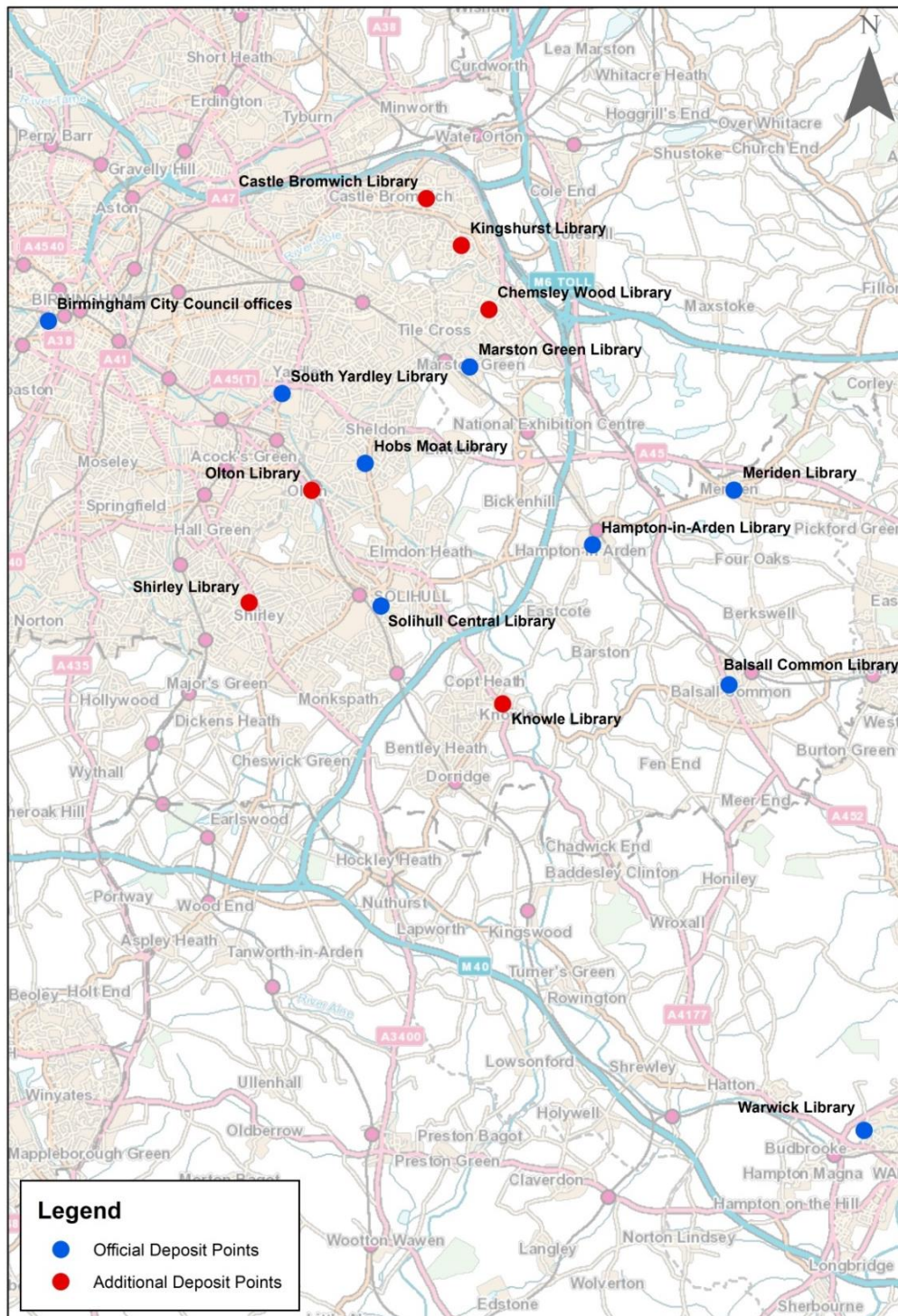


Figure 8: Deposit points displaying consultation materials*

*Official deposit points having a complete set of deposit documents and additional deposit points where posters were displayed and brochures available to the public.

Dates of, and place of, SoCC notice publication

- 3.2.14 The SoCC Notice was published in two local papers circulating within the vicinity of the Scheme (**Table 8**). SMBC suggested that the most suitable

newspapers for this would be the Solihull News and the Birmingham Mail. Copies of the final SoCC notices as published are provided in **Annex K**.

Table 8: SoCC notice publication dates

Date published	Newspapers
Thursday 4 January 2018	The Birmingham Mail published the s47 'Publication of SoCC' notice on page 56.
Friday 5 January 2018	The Solihull News published the s47 'Publication of SoCC' notice on page 37.

3.3 Section 42 (Letters and Consultation Documents)

- 3.3.1 S42 of the PA 2008 requires Highways England to consult with the prescribed consultees (s42(1)(a)), landowners, those with an interest in the land and those who would or might be entitled to make a relevant claim under s42(1)(d) and relevant local authorities (s42(1)(b)).

Prescribed consultees

- 3.3.2 The list of prescribed statutory bodies (under s42(1)(a) of the PA 2008 and associated legislation, (as amended by the *Localism Act 2011*) was generated using Schedule 1 of *The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended)* ("the *APFP Regulations*"). Prescribed consultees are identified by name or identified by a category such as statutory undertakers. To better understand the amendments and assist in the identification of statutory bodies, advice was sought from the Inspectorate's *Advice note three: EIA Notification and Consultation* (August 2017, Version 7), in particular the three tables in the annex to the advice note.
- 3.3.3 Statutory consultation took place with prescribed consultees, people with land interests, local authorities, members of the public and other consultees under s42, s47 and s48 of the PA 2008. These separate strands of consultees will be clearly identified have been discussed separately in this report.
- 3.3.4 Statutory undertakers consulted by the Inspectorate following the scoping request found not to have any apparatus affected by the Scheme were not consulted as part of the statutory consultation. In cases where Highways England was unsure of the presence of utility apparatus, a cautionary approach was adopted and the statutory undertaker in question was consulted. In deciding which consultees should be notified a 'relevance test' or 'circumstances test' as set out in the APFP Regulations was applied. These regulations state in the 'Notes to Table' that: "*relevant* in relation to a body, shall mean the body which has responsibility for the location where the proposals may or will be sited".
- 3.3.5 The list of prescribed consultees is provided at **Annex G**, which includes contact details and a justification for the inclusion for each consultee against the 'circumstances' test identified in the APFP Regulations. Any apparent discrepancies between the list of prescribed consultees and

those consulted in the statutory consultation are identified and a justification for the difference is provided.

- 3.3.6 Some prescribed consultation bodies were not consulted due to geography. The Scheme is located in England rather than Scotland, Northern Ireland or Wales, therefore consultees such as The Scottish Human Rights Commission Agency were not relevant to this consultation.

Local authority consultees

- 3.3.7 Local authorities consulted on the Scheme are shown on the map at **Figure 9** and described in **Table 9**. They were identified with guidance from The Inspectorate's *Advice note two: The role of local authorities in the development consent process* (Version 1; February 2015).
- a. **A** is a neighbouring local authority that shares a boundary with a unitary council or lower tier district B council within whose area the development is situated;
 - b. **B** is either a unitary council or a lower tier district council in which the development is situated – a host local authority;
 - c. **C** is an upper tier county council in which the development is situated – a host local authority; or
 - d. **D** is either a unitary council or an upper tier county council which shares a boundary with a host 'C' authority – a neighbouring local authority.

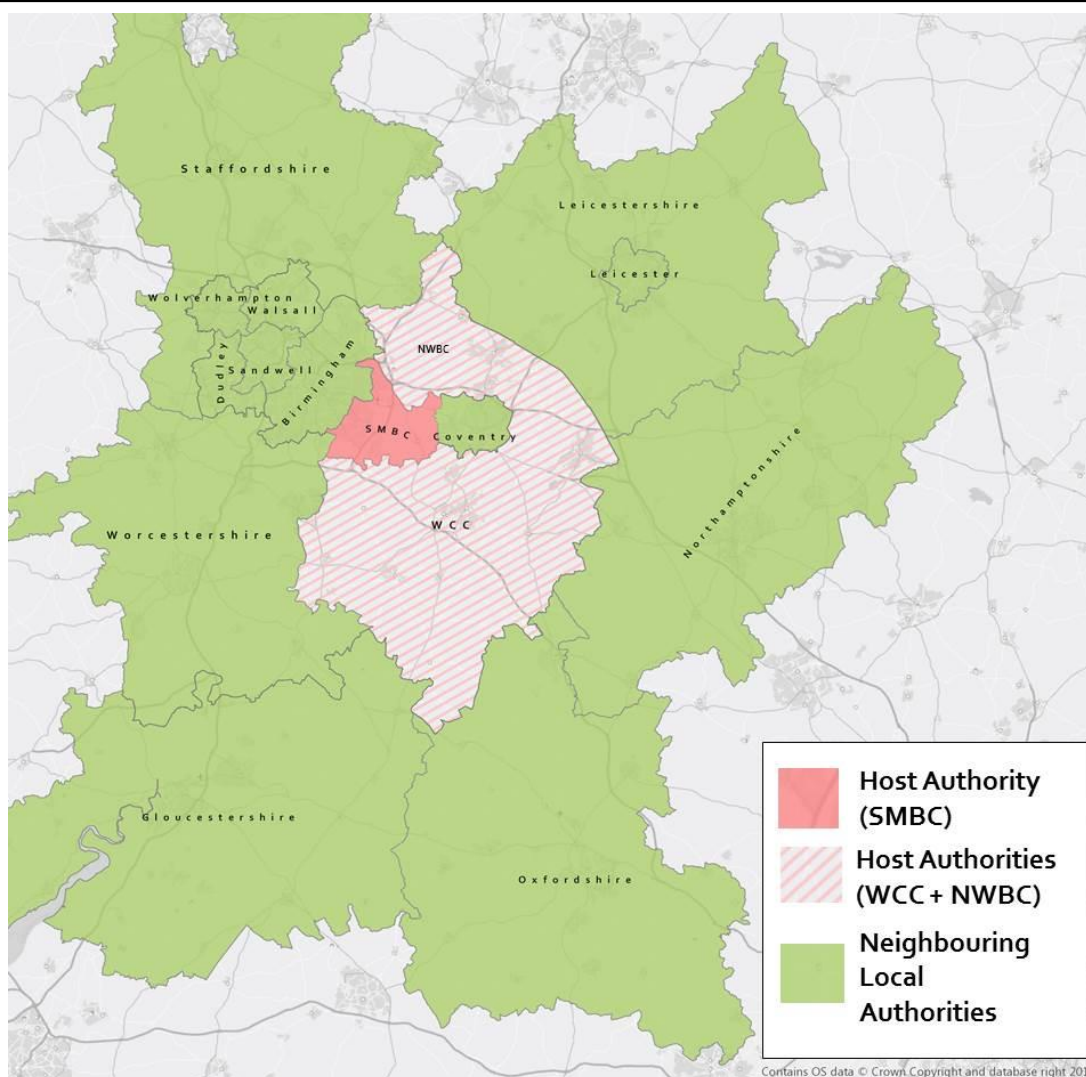


Figure 9: Map of the Local Authorities consulted

- 3.3.8 As previously discussed, the Scheme is predominantly located within SMBC, which is a unitary metropolitan district council and defined as category B, the host authority as identified within s43 of the PA 2008. A small part of the Scheme sits within WCC and NWBC, and they are also therefore defined as a category C and B host authorities respectively.
- 3.3.9 Neighbouring local authorities that share a boundary with all host authorities fall within category A. The West Midlands Combined Authority was treated as category D, a relevant upper tier local authority that shares a boundary with the Host Authority, SMBC, for the purpose of this consultation. Other Local Authorities identified by the Inspectorate (in their Regulation 11 List) were consulted on the Scheme and are listed below and at **Annex G**.
- 3.3.10 All neighbouring authorities were therefore consulted by Highways England as part of the s42 consultation.

Table 9: Identification of Relevant Local Authorities

Name	A, B, C, D Authority	Criteria for identification
Solihull Metropolitan Borough Council	B	Host Authorities
North Warwickshire Borough Council	B	
Warwickshire County Council	C	
Bromsgrove District Council	A	Neighbouring local authority that shares a boundary with a unitary council or lower-tier district council within whose area development is situated.
Stratford-on-Avon District Council	A	
Lichfield District Council	A	
Tamworth Borough Council	A	
Hinckley and Bosworth Borough Council	A	
Warwick District Council	A	
Nuneaton and Bedworth Borough Council	A	
North West Leicestershire District Council	A	
Northamptonshire County Council	A	
West Midlands Combined Authority (including Transport for West Midlands)	D	The Combined Authority was treated as an upper-tier neighbouring local authority
Birmingham City Council	D	Unitary or upper-tier neighbouring local authority and shares a boundary with the Host Authority.
Coventry City Council	D	
Oxfordshire County Council	D	
Worcestershire County Council	D	
Staffordshire County Council	D	
Leicestershire County Council	D	

Persons with Interests in Land (PILs)

- 3.3.11 S42(1)(d) of the PA 2008 requires Highways England to consult with landowners, those with an interest in the land and those who would or might be entitled to make a relevant claim under the same section.

- 3.3.12 The methodology for identifying category 1, 2 and 3 PILs as defined in s42(1)(d) and s44 of the PA 2008 is described in the *Statement of Reasons* (TR010027/APP/4.1).
- 3.3.13 All PILs identified in the Book of Reference [TR010027/APP/4.3] as at August 2018 were consulted. A list of PILs consulted (noting their interest in the land) during the statutory consultation is provided in **Annex H**. This list was reviewed during the further consultation and the additional PILs names and addresses provided in **Annex N**. The PILs lists have been checked against the final Book of Reference to ensure consistency between the two documents.
- 3.3.14 This validation check between the final Book of Reference and the PILs in **Annex H** detailing those consulted in accordance with s42 of the PA 2008 in January 2018 and September 2018 has revealed a number of PILs who have not been consulted. A list of these PILs and an explanation of why they have not been consulted is contained in the Book of Reference Validation Check at **Annex Q**.

Section 42 consultation letters

- 3.3.15 Highways England wrote formally to all consultees identified under s42 of the PA 2008 to notify them of the consultation. Letters, and the information included with them, were tailored to ensure their reference to consultees under the different sections of the PA 2008. All the letters included a link to the consultation website, which made available the full suite of Scheme documents including consultation exhibition material, consultation booklet, consultation questionnaire, the PEIR report and PEI non-technical summary; redline boundary (Order Limits) and coloured Scheme plan. A summary of the notices is set out below:
- Section 42(d) Category 1 and 2 Notices** were sent to 177 individuals (PILs) identified as having a legal interest in or rights over land which may be directly affected by the Scheme. These people were identified through land registry searches, desk research or visiting households. The letter outlined the Scheme, the DCO process, the consultation process and documents available to view and contact details. The envelope contained the letter, a plan of the Scheme and a leaflet with the date and time of the seven consultation events. It also contained a Land Registry plan of their land interests.
 - Section 42(d) Category 3 Notices** were sent to 231 individuals identified as potentially being indirectly affected by the Scheme such as changes in air and noise quality. The letter and consultation materials sent were almost identical to those described above, except for sentences about why they have been contacted and about potential entitlement to a future claim under Part 1 of the Land Compensation Act 1973, or a claim under section 10 of the Compulsory Purchase Act 1965. A land registry plan was not appropriate here and was not included.
- 3.3.16 Notice and letters for the s42(1)(d) Category 1, 2 and 3 individuals were sent out on Thursday 4 January 2018 by Royal Mail Recorded Delivery.

- a. **Section 42(1)(a) and 42(1)(b) prescribed consultees** received a similar letter to that sent to s42(1)(d) consultees. The letter was different in that it did not mention land take or environmental impacts, unless the prescribed consultee was also a s42(1)(d) PIL (this was the case for SMBC and BCC). Material issued to prescribed consultees and land interests only differed to address the appropriate audience. It did not seek different feedback from them.

- 3.3.17 The majority of prescribed consultee letters were sent First Class by Royal Mail on Thursday 4 January and Friday 5 January and a further four statutory undertaker letters were sent on Friday 12 January 2018.

Need to reissue letters and extend the statutory public consultation

- 3.3.18 It came to Highways England's attention on Friday 19 January 2018 that the s48 Notice was not enclosed in some of the letters issued to statutory consultees in accordance with Regulation 13 of the EIA Regulations. The original letters also included an incorrect email address and reference to the EIA Regulations 2009 rather than the EIA Regulations 2017.
- 3.3.19 Letters correcting the errors were issued on Tuesday 6 February 2018 and Wednesday 7 February 2018. These were delivered to s42 consultees and additionally the prescribed consultees were sent the s48 Notice. The consultation period was extended to 23:59 on Friday 9 March 2018.
- 3.3.20 Copies of examples of the original and revised letters provided to each strand of s42 consultee are provided within **Annex I**.

3.4 Section 46 (Notifying the Secretary of State (SoS))

- 3.4.1 In a letter dated 5 January 2018, Highways England notified the SoS in accordance with s46 of the PA 2008 of its intention to begin the pre-application consultation under s42 of the PA 2008. This notification stated when and where the s47 and s48 Notices would be published and that the project website would be updated at the start of the consultation period (Tuesday 9 January 2018 to Monday 19 February 2018) with relevant consultation materials. The letter concluded with a list of the consultation documents which were available to consultees identified under s42.
- 3.4.2 Along with the letter, the SoS was issued with a hard copy and a memory stick of all the consultation materials, as well as a copy of the letters which were sent to the different groups of consultees (e.g. s42 letters to PILs, local authorities and prescribed consultees and s47 local community consultees). A copy of all the s47 consultation material is within **Annex K**.
- 3.4.3 The letter was received by the SoS at 07:09 on Monday 8 January 2018 thus discharging the requirement to supply information to notify the SoS of the proposed application on or before commencing consultation under s42 of PA 2008. A copy of the letter and postal acknowledgement is provided within **Annex J**.

3.5 Section 47 (Local community consultation)

- 3.5.1 Highways England consulted with the local community in accordance with the SoCC, provided at **Annex F**, as prescribed by s47(7) of the PA 2008.

- 3.5.2 This included inviting the local community to consultation events, held in the vicinity of the Scheme. Consultation materials were deposited at locations in the vicinity of the Scheme and online, inviting responses online and in writing.

Statutory consultation advertisement (Annex K):

- a. Thursday 21 December 2017, the *Birmingham Mail* published the consultation advertisement on page 63;
 - b. Friday 22 December 2017, the *Solihull News* published the consultation advertisement on page 38; and
 - c. Friday 12 January 2018, the *Solihull News* published the consultation advertisement on page 49.
- 3.5.3 S47 Notice: The 'Publication of SoCC' (**Annex F**) notices were published in compliance with the PA 2008 statutory requirements, as follows:
- a. Thursday 4 January 2018, the Birmingham Mail published the s47 'Publication of SoCC' notice on page 56; and
 - b. Friday 5 January 2018, the Solihull News published the s47 'Publication of SoCC' notice on page 37.
- 3.5.4 S48 Notice: These notices (**Annex L**) were published in compliance with the PA 2008 statutory requirements, as follows:
- a. Thursday 4 January 2018, the London Gazette published the s48 Notice on page 170;
 - b. Wednesday 3 January 2018, The Guardian published the s48 Notice on page 15;
 - c. Thursday 4 January 2018, the Birmingham Mail published the s48 Notice on page 57;
 - d. Friday 5 January 2018, Solihull News published the s48 Notice on page 38;
 - e. Thursday 11 January 2018, the Birmingham Mail published the s48 Notice on page 56; and
 - f. Friday 12 January 2018, Solihull News published the s48 Notice on page 49.
- 3.5.5 Highways England consulted with the local community in accordance with the SoCC and as prescribed by s47(7) of the PA 2008.

Physical extent of the statutory consultation

- 3.5.6 As the term “in the vicinity” in s47(1) is not defined, Highways England identified the spatial extent of the consultation area by refining the area which had been defined in the Scheme’s previous options consultation. This was shared with local authorities prior to the commencement of consultation as part of the consultation on the SoCC under s47(2) of the PA 2008 and no concerns were raised.
- 3.5.7 Due to the large area covered by the Scheme, which includes a 1.5 mile (2.4km) mainline link road and improvements at Clock Interchange and

M42 Junction 6 itself, the consultation boundary was defined as being at least 0.6 mile (1km) from the centre line of the Scheme. This method was preferred over following arbitrary boundaries such as ward boundaries, to ensure key communities that would be affected by the Scheme were included within the consultation boundary. The 0.6-mile (1km) consultation boundary was then adjusted to:

- a. maximise coverage of areas where there is potential for the Scheme to impact on people, property and the environment, to include a number of remote residents in this rural setting, who may be affected by alterations to the local roadwork network;
- b. seek coverage of complete villages and ensuring wherever possible that there are no residents arbitrarily excluded, for example, not consulting with people living on one side and not the other side of a street. In the case of Hampton in Arden this increased the consultation boundary significantly to include all properties with a Hampton in Arden postal address;
- c. seek coverage of all local businesses on retail or business parks that are partially located within the consultation boundary. For example, the consultation boundary cut through key assets such as Birmingham Business Park, industrial units located close to the NEC/Resorts World/Birmingham Airport and those located along the A45. The preference was to include, rather than exclude businesses from the consultation area. This is important to capture comments from businesses and their employees, including those affected by peak hour and event traffic congestion at Clock Interchange and M42 Junction 6;
- d. publicise the consultation widely to allow everyone with an interest in the Scheme to have the opportunity to have their say; and
- e. seek to ensure that, as a publicly funded project, the consultation area is proportionate and reasonable in reaching people living, working and travelling through/to/from the area.

3.5.8 This approach was based on environmental assessments carried out to date in accordance with the EIA Regulations 2017. Environmental assessment evidence was published in the *PEI Report - Non-technical Summary* (NTS); [REF 3-1 and Annex K] and is included as consultation materials and are available on the Highways England Citizenspace website.

3.5.9 The physical extent of the consultation area is shown on **Figure 10**. S47 of the PA 2008 sets out the statutory requirement to consult people living in the vicinity of the Scheme.

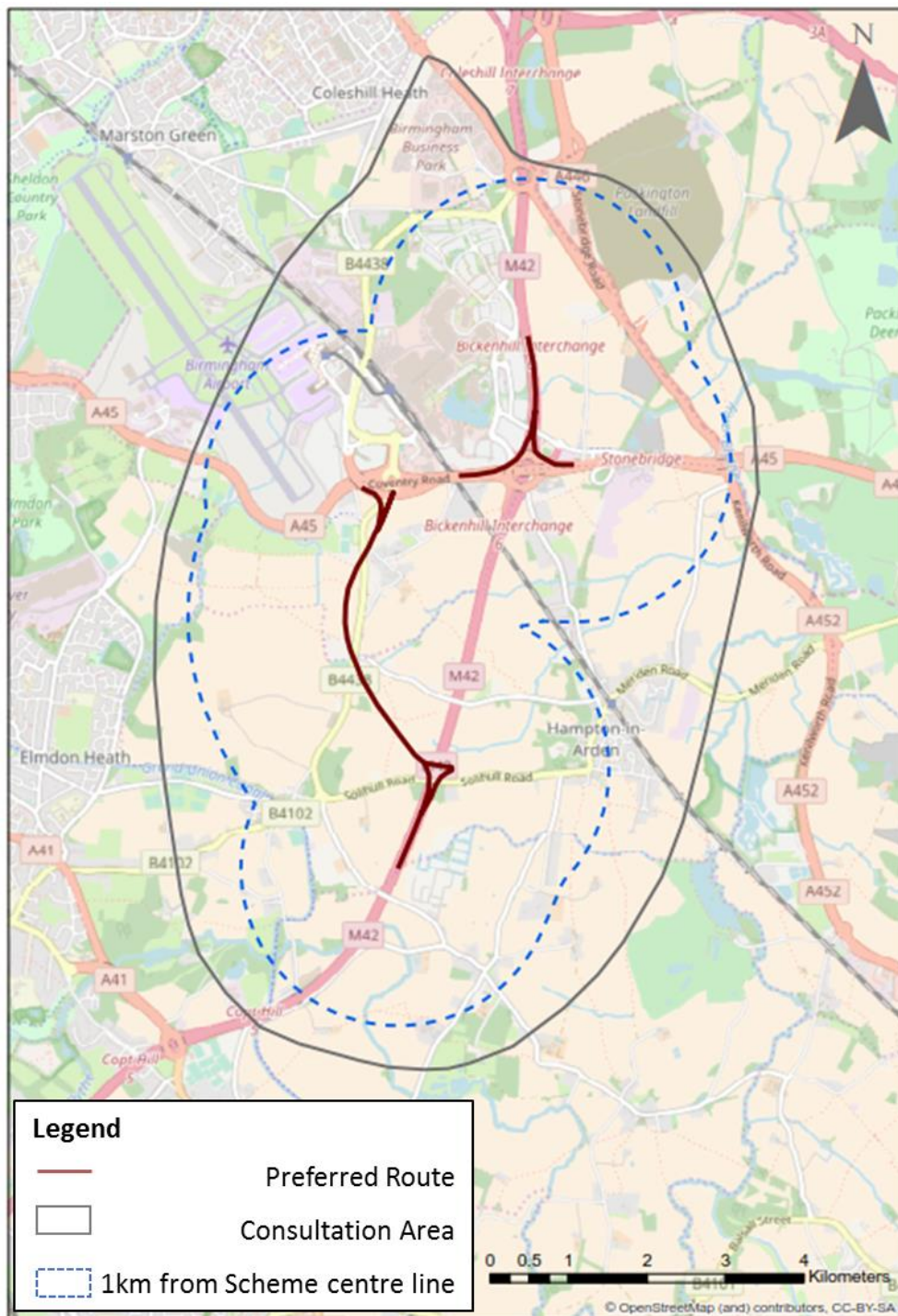


Figure 10: The geographical extent of the consultation area

- 3.5.10 The local community were invited to consultation events in the vicinity of the Scheme. Highways England made available consultation materials at deposit locations in the vicinity of the Scheme, and materials were also published online.
- 3.5.11 Consultation letters notifying the local community about the Scheme stated that the Scheme is a Nationally Significant Infrastructure Project (NSIP). The letters also referred to the consultation leaflet, which included

- details about the consultation events details and contact details for Highways England.
- 3.5.12 These letters, together with 'flyers' detailing the consultation events, were sent to:
- businesses, volunteer groups and people who had previously corresponded with Highways England about the Scheme, by Royal Mail First Class, on Thursday 4 January and Friday 5 January; and
 - properties within the consultation boundary (**Figure 10**). These were hand delivered. In total, 996 letters were hand delivered to addresses in Hampton in Arden on Wednesday 3 January 2018 and 254 letters were hand delivered to addresses in Catherine-de-Barnes on Thursday 4 January 2018.
- 3.5.13 The deadline provided for all responses to consultation was given as the end of consultation at 23:59 on Monday 19 February 2018 (subsequently extended to 9 March 2018).
- 3.5.14 These letters also provided details of how to respond. Responses could be sent by post, email, phone, or via the Highways England website. Alternatively, people could complete a paper copy of the questionnaire at the consultation events.
- 3.5.15 A copy of the s47 consultation letter and flyer are provided in **Annex K** (Part 1).
- 3.5.16 Due to the timing of the consultation, just after the Christmas holiday period, posters were sent out in mid-December 2017 to local parish councils, to provide time for these to be displayed and raise awareness of the consultation events with the local community. In accordance with the SoCC, there were also advertisements for the consultation in the local paper on the following dates:
- Thursday 21 December 2017 in the *Birmingham Mail* on page 63;
 - Friday 22 December 2017 in the *Solihull News* on page 38; and
 - Friday 12 January 2018 in the *Solihull News* on page 49.
- 3.5.17 Ongoing engagement with community and council groups was an important part of stakeholder engagement activities. Meetings with SMBC, BCC, Bickenhill and Marston Green Parish Council, Hampton in Arden Parish Council and Catherine-de-Barnes Residents' Association have continued throughout the pre-application stage. Ongoing meetings continue to take place with PILs, operators of key assets, traffic generators and stakeholders who will be impacted by the Scheme including the NEC, NMM, Birmingham Airport, HS2 and WGAA due to their location on the route alignment.
- 3.5.18 Scheme posters were sent out for display as additional publicity to local authorities and local parish councils that the project team had previously liaised with as well as local shops and businesses within the consultation boundary. These included SMBC, BCC, WCC, Bickenhill and Marston Green Parish Council, Meriden Parish Council, Hampton in Arden Parish

- Council, Barston Parish Council, Great and Little Packington Parish Council, Balsall Parish Council and Berkswell Parish Council.
- 3.5.19 Posters were also displayed at the NEC, Resorts World Birmingham and on the link bridge between the NEC and Birmingham International Railway Station. Posters were sent to the nine formal deposit points named in the SoCC, as well as an additional six libraries which had been used during the previous non-statutory consultation.
- 3.5.20 A variety of other communication channels beyond the statutory notices were used to publicise and increase awareness of the consultation events. A press release was issued by Highways England on Wednesday 13 December 2017. Consequently, the *Solihull Observer* ran a story 'Have your say on plan to improve J6 of M42' and *Highways Magazine* ran an article entitled 'Highways England seeks design tips for M42 Junction' on Thursday 14 December 2017.
- 3.5.21 The Highways England website was updated with the latest Scheme and consultation material, radio/television coverage including a news story on BBC Midlands Today aired on Tuesday 9 January 2018 following the press call and VIP launch.
- 3.5.22 In addition, a two-sided A1-sized sandwich board displaying the Scheme poster was placed outside consultation venues to advertise the consultation event to people who were passing the venue. This strategy was particularly successful at Catherine-de-Barnes Village Hall, located on the B4102, which routes through the village and links Solihull with Hampton in Arden which attracted 'passers-by' to attend the event.
- 3.5.23 Twitter updates and location targeted Facebook adverts were used to broaden the reach of the consultation and encourage feedback. The Facebook advertisement was aimed at people who lived, worked and passed through the geographic area of the Scheme identified by postcode data (B91, B92, B37, B40 and B26) to receive targeted Facebook adverts. It went live on Monday 15 January 2018.
- 3.5.24 To increase the reach of the Facebook campaign (potentially 86,000 people), the geographical area was increased to a 7-mile radius of M42 Junction 6 and the campaign extended to 18 February 2018 (five weeks in total). Updates were tailored to focus on specific events and milestones and to maintain interest and engagement. Birmingham Updates, a commercially available social media site, was also used to showcase the Scheme to people interested in Birmingham and West Midlands issues.
- 3.5.25 The Highways England Twitter feed (@HighwaysEngland) had 77,800 followers and the project Facebook page was liked by 13,663 people and followed by 14,237 people (figures collected on 19 February 2018). There were 13,569 clicks on the Facebook page during the five-week targeted campaign. Over four months, between December 2017 and March 2018, Highways England's project website was visited 8,932 times. During the statutory consultation period, the consultation Scheme page was visited 7,764 times, with 64.5% of views generated by sponsored Facebook activity (5,763 out of total of page views generated by sponsored

Facebook activity (5,763 out of total of 8,932). People stayed on the consultation Scheme page for an average of 118 seconds.

- 3.5.26 Highways England is satisfied that it adhered with commitments made in the SoCC. An error in the consultation letters was rectified resulting in an extension of the consultation period until 23:59 on Friday 9 March 2018.

Statutory consultation events

- 3.5.27 Seven public consultation events with the local community took place during the six-week consultation period, which ran from Tuesday 9 January 2018 to Monday 19 February 2018. Consultation events took place in six of the venues used previously during the non-statutory consultation. A seventh venue for consultation, the WGAA Clubhouse at Pairc na hEireann, was added for an event on Saturday 27 January 2018. This venue is well located in relation to the Scheme.
- 3.5.28 Consultation events aligned with the plan for consultation as set out in the SoCC (**Annex F**) and are listed in **Table 1**.
- 3.5.29 In addition to the statutory consultation events, Highways England took part in two events for specific audiences. The Scheme was part of the BCC Market Place event held on Tuesday 6 February at the Council House in Victoria Square and provided an opportunity for councillors to find out more about the Scheme. The second was a 'pop-up' event held at Birmingham Business Park and this provided the opportunity for people working at the Park to find out more about the Scheme, at a local, accessible venue.
- 3.5.30 Presentations about the Scheme were also given to Marston Green and Bickenhill Parish Council on 25 October 2017 and 7 February 2018; Hampton in Arden Parish Council and Catherine-de-Barnes Residents' Association on 7 December 2017; BCC Officers on 7 November 2017; Stratford-on-Avon Council Officers on 8 January 2018; and to the Coventry and Warwickshire LEP on 19 January 2018.
- 3.5.31 Consultation events and unstaffed exhibitions which occurred during the consultation period in the local community are listed in **Table 10**.

Table 10: Summary of consultation activities

Event	Date (with opening hours)	Location
Consultation event: The Arden Hotel	Tuesday 9 January 2018, to include: 10:00 - 11:00 VIP event 11:00 - 12:00 media event 13:00 to 20:00 public event	Coventry Road, Bickenhill, B92 OEH
Consultation event: St Peters Church Hall	Thursday 11 January 2018 12:00 - 20:00	Church Lane, Bickenhill, B92 0DN
Consultation event: Catherine-de-Barnes Village Hall	Saturday 13 January 2018 10:00 - 16:00	40 Hampton Lane, Catherine-de-Barnes, B91 2TJ
Consultation event: Marston Green Parish Hall	Wednesday 17 January 2018 12:00 - 20:00	38 Elmdon Road, Marston Green, B37 7BT
Consultation event: Fentham Hall	Friday 19 January 2018; 12:00 - 20:00	Marsh Lane, Hampton in Arden, B92 0AH
Consultation event: WGAA Clubhouse	Saturday 27 January 2018 10:00 - 16:00	Catherine-de-Barnes Lane, Catherine-de- Barnes, B92 0DB
Consultation event: The Core	Wednesday 31 January 2018 10:00 - 15:45	Touchwood, Homer Road, Solihull, B91 3RG
Unstaffed exhibition: The Core	Thursday 1 February to Monday 19 February 2018 Tuesday, Friday 9:00 - 18:00; Monday, Thursday 9:00 - 20:00; Wednesday 10:00 - 18:00 and Saturday 9:00 - 17:00	Touchwood, Homer Road, Solihull, B91 3RG
Targeted non-public consultation events		
Unstaffed exhibition for JLR	Staff and visitor exhibition: Available during the consultation period.	Lode Lane, Solihull, B92 8NW
Marketplace event for BCC Councillors, The Council House	Tuesday 6 February 2018 13:00 - 14:00	Victoria Square Birmingham, B1 1BB
Consultation event for Birmingham Business Park employees	Tuesday 13 February 2018 10:00 - 14:00	Solihull Parkway, Birmingham B37 7YN

Consultation attendees and media interest

- 3.5.32 In total, 346 attendees signed in at the seven statutory public consultation events. This total was similar to the number of attendees recorded for the non-statutory consultation events in winter 2016/2017. **Table 11** shows attendance at events. The two busiest events were held at Marston Green Village Hall and Catherine-de-Barnes Village Hall. Both venues are located close to the Preferred Route.

- 3.5.33 One member of the press attended Arden Hotel for the media event. In addition, the Highways England Senior Project Manager had telephone interviews with BBC West Midlands and BBC Coventry and Warwickshire. As a result of the press engagement, BBC Midlands Today ran a story about the Scheme on the 22:30 news programme on Tuesday 9 January 2018.

Table 11: Public consultation event attendance

Venue	Date	Time	Numbers
Consultation event: The Arden Hotel	Tuesday 9 January 2018	10:00 - 12:00	20
		13:00 - 20:00	43
Consultation event: St Peters Church Hall	Thursday 11 January 2018	10:00 - 16:00	38
Consultation event: Catherine-de-Barnes Village Hall	Saturday 13 January 2018	10:00 - 16:00	85
Consultation event: Marston Green Parish Hall	Wednesday 17 January 2018	12:00 - 20:00	79
Consultation event: Fentham Hall	Friday 19 January 2018	12:00 - 18:00	38
Consultation event: WGAA Clubhouse	Saturday 27 January 2018	10:00 - 16:00	18
Consultation event: The Core	Wednesday 31 January 2018	10:00 - 17:45	25

- 3.5.34 Meetings with members of the community potentially affected by the Scheme also took place (**Table 12**). These meetings have allowed Highways England to provide a Scheme update, explain how the Scheme will affect them and to consider next steps. Persons with land interests directly affected by the Scheme have been engaged with as part of the environmental survey work and ground investigations. PILs are included in the List of Land Interests within **Annex H**.

Table 12: Meetings during the statutory consultation period

Land Interest Parties	Consultees
WGAA	Bickenhill and Marston Green PC
NEC	Hampton in Arden PC
BCC	HS2
SMBC	Sport England
Birmingham Airport	Arden Hotel
NMM	Extra
Warwickshire Wildlife Trust	Arden Cross Consortium
Land interest (PIL39)	Urban Growth Company
Land interest (PIL72)	
Land interest (PIL78)	
Land interest (PIL70)	
Land interest (PIL44)	
Land interest (PIL47)	
Land interest (PIL45)	
Land interest (PIL42)	
Land interest (PIL77)	

3.6 Further consultation activity (beyond the SoCC)

- 3.6.1 In addition to commitments made in the SoCC, a number of initiatives were taken by the project team to improve the effectiveness of engagement with customers and stakeholder during the public consultation events. A laptop with Google Earth and the Scheme overlaid was provided at each of the consultation events. This was displayed on a screen in each of the venues. This was extremely useful and allowed attendees to see the Scheme in relation to landmarks and locations familiar to them, leading to better informed customers.
- 3.6.2 A fly-through visualisation of the Scheme was prepared. A Virtual Reality (VR) headset was provided during some of the events and available to those who wanted to have more interactive engagement and therefore better informing attendees. This allowed attendees to view the Scheme in 3D format. This was particularly useful when members of the public wanted to get an idea of how the Scheme would look from their property. The fly-through was used to support media engagement. Highways England provided the fly-through to news outlets and included the fly-through video on Citizenspace (<https://highwaysengland.citizenspace.com/>).
- 3.6.3 At all events, free Highways England branded items were available for people to take home, including high visibility snap bands, window ice scrapers and tyre tread depth checkers. As the consultation events took place in winter, these items were relevant to increase safety on roads. There was also a corner for children to play, which included toys and colouring books. This encouraged participation by parents as their children were otherwise engaged.

- 3.6.4 Recognising the time of year during which consultation events took place, temporary lighting was provided after dark at events where there was limited street lighting to increase the personal security and safety of customers. This encouraged participation by providing a welcoming environment.

Statement of Community Consultation Compliance

- 3.6.5 The project team complied with the commitments made in the SoCC, in accordance with s47(7) of the PA 2008. The evidence for this is presented below (**Table 13**).

Table 13: SoCC compliance table

Section and commitment within the SoCC	Accordance with commitment
11. Send every property within the consultation boundary a letter and consultation flyer.	These were hand delivered to each property on the week prior to the beginning of the consultation period and again following the decision to extend the deadline for responses to 9 March 2018. S47 material can be found within Annex K .
12. Highways England want to make sure that the local community, the residents, diverse groups, business, visitors and road users all have the opportunity to fully understand the proposed Scheme and comment on the proposals. To do this we are holding a six-week public consultation from 9 January 2018 to 19 February 2018 during which we will provide information on the design of the proposed Scheme, including design development since the preferred route announcement on 7 August 2017.	The consultation methodology was developed to provide the maximum opportunity for all parties (including diverse groups, such as the local Gypsy and Traveller communities) to fully understand and comment via a mix of media. We used numerous mechanisms, including a brochure, social media and website presence as well as one-to-one meetings, static exhibitions and consultation events. Events were held as described in Chapter 3 of this report. In light of an error on the original letters the consultation period was extended to 9 March 2018.
15. Consultation events will be held at a number of locations in the local and surrounding area of the Scheme to give people an opportunity to view Scheme proposals, talk to the project team and provide comments.	Seven consultation events agreed with the host local authorities (SMBC and WCC) were held in the vicinity of the Scheme, over a range of different days and times as described in Chapter 3 of this report. Locations for events were advertised in the Scheme posters and flyers, see Annex K .
16. Unstaffed exhibition boards of the Scheme will be displayed at locations within the vicinity of the Scheme including: The Core, Homer Road, Solihull, from 31 January 2018 until 9 March 2018.	A selection of the exhibition boards were left at The Core and an exhibition board advertising the scheme, details of the consultation events and providing website, email and telephone contact details was displayed at JLR, Lode

Section and commitment within the SoCC	Accordance with commitment
	Lane, Solihull; Birmingham Airport office, Diamond House, and at the following motorway service stations: Hopwood (M42), Tamworth (M42), Corley (M6), Warwick northbound and southbound (M40) and Frankley northbound and southbound (M5).
17. Large posters detailing the dates, times and locations of the consultation events, together with details of where to find more information will be displayed at key traffic generators and MSAs in the vicinity of M42 junction 6. Key traffic generators include Birmingham Airport, Birmingham International Train Station, the NMM and the NEC. MSAs include Hopwood (M42), Tamworth (M42), Corley (M6), Warwick northbound and southbound (M40) and Frankley northbound and southbound (M5).	S47 material can be found within Annex K .
17. PDF versions of the poster will be emailed to key businesses in the area, including Birmingham Airport, NEC, Birmingham Business Park and JLR, requesting onward dissemination to staff.	An exhibition board was displayed at JLR to raise awareness of the Scheme with employees. A PDF copy of the poster was also sent to these key stakeholders.
18. A full summary of the Scheme, copies of the consultation material and Preliminary Environmental Information (PEI) report and Non-Technical Summary (NTS), as well as the questionnaire were available online on the Scheme website: www.highways.gov.uk/m42-j6 (website updated address www.highwaysengland.co.uk/m42-j6)	The project website was updated prior to the consultation period with images of all the consultation materials including the PEI Report and NTS. Also included was the brochure and questionnaire. A flythrough of the Scheme, hosted on You Tube (https://youtu.be/3Mz4PFITDm4 and electronic versions of the plans were added on 18 January 2018.
19. A consultation brochure with information about the Scheme will be made available to view on the Scheme website, at consultation events and deposit points and on request from Highways England.	The consultation brochure with information about the Scheme was available on the Highways England Citizenspace website: https://highwaysengland.citizenspace.com/he/m42-junction-6-improvement-statutory-consultation/ Brochures and Scheme information was also available at consultation events and deposit points.
20. Local council and community groups within the proposed Scheme area will be offered briefings to discuss the Scheme proposals.	Regular meetings have taken place with Hampton in Arden Parish Council (including Catherine-de-Barnes Residents' Association) and Bickenhill and Marston Green Parish Council to

Section and commitment within the SoCC	Accordance with commitment
	discuss the statutory consultation. Meetings were also held with BCC, SMBC, WCC and Stratford-on-Avon District Council (see Annex E).
21. The public consultation will be advertised at the beginning of the consultation period in the Solihull News and the Birmingham Mail, two locally circulating newspapers. In addition, adverts will be placed in local newspapers at the launch of the consultation and reminders will be placed ahead of the exhibitions. Press releases detailing the public consultation period and how the community and road users can participate will be issued.	Advertisements for the statutory public consultation were published on Thursday 21 December 2017 in the Birmingham Mail (page 63) and Friday 22 December 2017 in the Solihull News (page 38). At the beginning of the consultation period the s47 'Publication of SoCC' notice was published in the Birmingham Mail (page 56) on Thursday 4 January 2018 and Solihull News (page 37) on Friday 5 January 2018. The s48 notice was published in the London Gazette on Thursday 4 January, in The Guardian on Wednesday 3 January, in the Birmingham Mail on Thursday 4 and Thursday 11 January, and Solihull News on Friday 5 January and Friday 12 January. An additional consultation advertisement was published in the Solihull News (page 49) on Friday 12 January 2018.
22. We will use social media, including targeted Facebook advertisements and twitter, to broaden the reach of the consultation and encourage feedback.	Targeted Facebook advertisements allowed people who passed through the geographic area of the Scheme, identified by postcode data, to receive targeted consultation advertisements. Paid for advertisements were also aired on 'Birmingham Updates', an independent Twitter, Instagram and Facebook site.
23. Comments on the Scheme can be made by: • Completing the questionnaire, which will be available at all consultation events or online by visiting: www.highways.gov.uk/m42-j6 • Email: m42junction6@highwaysengland.co.uk • Post: Highways England, M42 J6 Project Team, The Cube, 199 Wharfside Street, Birmingham, B1 1RN	All of these methods of communication were available for the public to correspond with the project team and respond to the consultation.
24. You can also view consultation material during normal opening hours at each of the following deposit points:	Consultation materials were delivered to all deposit points at the beginning of the consultation period. In addition,

Section and commitment within the SoCC	Accordance with commitment
<ul style="list-style-type: none"> - BCC Offices - Balsall Common Library - Hampton in Arden Library - Hobs Moat Library - Marston Green Library - Meriden Library - Solihull Central Library - South Yardley Library - Warwick Library <p>Materials available for inspection will include the consultation brochure, PEI report, NTS, SoCC, s48 Notice, DCO leaflet and plans of the Scheme.</p>	<p>consultation brochures, flyers and posters were provided to the six libraries which had been used at the non-statutory consultation as formal deposit points as follows:</p> <ul style="list-style-type: none"> - Castle Bromwich Library - Chelmsley Wood Library - Kingshurst Library - Knowle Library - Olton Library - Shirley Library <p>Paper copies of the consultation brochure were available to take away for free. Venues were contacted to check whether more brochures were needed.</p>
<p>25. All comments made about the Scheme will be recorded and carefully considered by Highways England and will be taken into account in developing the Scheme proposal. An explanation of how comments received have shaped and influenced the proposals will be reported in a Consultation Report.</p>	<p>All comments were taken into consideration and are presented along with an explanation of how comments shaped and influenced the proposals in Chapter 4 of this report.</p>
<p>27. Contact with Highways England to find out more/ respond to the consultation can be via the following methods:</p> <ul style="list-style-type: none"> • Public consultation events • The Scheme webpage: www.highways.gov.uk/m42-j6 • Post: Highways England, M42 J6 Project Team, The Cube, 199 Wharfside Street, Birmingham, B1 1RN. • Email: m42junction6@highwaysengland.co.uk • Call 0300 123 5000 (9am to 5pm, Monday to Friday). 	<p>All of these methods of communication were available for the public to correspond with the project team and respond to the consultation.</p>

3.7 Section 48 (Newspaper Notices)

- 3.7.1 S48 of the PA 2008 imposes a duty on Highways England to publish a notice of the proposed application in accordance with Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).
- 3.7.2 The newspapers used to publicise the proposed application include national (The Guardian), local newspapers (Birmingham Mail and Solihull News) and the London Gazette as shown in **Table 14**.

Table 14: Section 48 Notices

Newspapers		
National Newspaper		
Name:	Week 1:	Week 2 (local only):
Name:	Date:	Date:
The Guardian	Wednesday 3 January 2018	
The London Gazette	Thursday 4 January 2018	
Local Newspaper(s)		
Name:	Date:	Date:
Birmingham Mail	Thursday 4 January 2018	Thursday 11 January 2018
Solihull News	Friday 5 January 2018	Friday 12 January 2018

3.7.3 The Guardian has a daily circulation of 152,000 (2017) and is published Monday to Saturday. The Birmingham Mail has a daily circulation of 19,200 (2016) and is published Monday to Saturday. The Solihull News is a weekly freesheet with a circulation of 47,431 (2017) and is published every Friday. Copies of the newspaper notices, as noted in **Table 14**, are provided within **Annex L**. The notices clearly showed the following in accordance with APFP Regulation 4(3) and the name of the newspaper and the date of the publication as follows:

- a. the name and address of the applicant;
- b. a statement that the applicant intends to make an application for development consent to the Commission;
- c. a statement as to whether the application is EIA development;
- d. a summary of the main proposals, specifying the location or route of the proposed development;
- e. a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;
- f. the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph (i));
- g. whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;

- h. details of how to respond to the publicity; and
- i. deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published.

3.8 Ongoing stakeholder engagement

- 3.8.1 Ongoing stakeholder engagement has continued since the statutory consultation public events.
- 3.8.2 Meetings have taken place with the local parishes including Bickenhill and Marston Green Parish Council, Hampton in Arden Parish Council and Coventry and Warwickshire LEP. Stakeholder engagement meetings have continued with the NEC, Birmingham Airport, Arden Cross Consortium and Solihull-UK Central. The most frequent meetings have taken place with SMBC as the host local authority most impacted by the Scheme.
- 3.8.3 These meetings have covered a variety of themes from the Scheme design, SoCC preparation, highways and design review. Meetings have taken place outside of the consultation period with statutory consultees, particularly with key stakeholders. This includes highways authorities (BCC, WCC and SMBC), highways maintenance managers and relevant Statutory Undertakers with utilities in the vicinity of the Scheme.

3.9 Protective provisions for statutory undertakers

- 3.9.1 As identified in paragraph 4.1 of the Inspectorate's Advice Note fifteen: drafting Development Consent Orders (Version 2, July 2018), the Consultation Report explains Highways England's position with regards to Protective Provisions. The report confirms that, as a minimum, Highways England has submitted standard Protective Provisions for all relevant Statutory Undertakers with its application including any amendments that Highways England is seeking. A confirmation of Highways England's intended approach is set out at **Annex M**.
- 3.9.2 Discussions have been held with the relevant statutory undertakers regarding the Scheme and its impact on their apparatus. These discussions are ongoing, and it is anticipated that an agreement will be reached with each of the Statutory Undertakers prior to the close of Examination.

4 Chapter Four – Demonstration of Regard had to Statutory Consultation Responses

4.1 Analysis of responses

- 4.1.1 This section presents a summary of the questionnaire responses to the statutory public consultation, from both people who visited the consultation and those who heard about it from other sources, including newspaper adverts and via electronic media.
- 4.1.2 Of the 202 questionnaire responses received, 170 arrived via the Citizenspace online survey and 32 paper responses were returned either at consultation events or by post to the project team at Highways England. Only one questionnaire response was submitted in the extension period of the statutory consultation (20 February to 9 March 2018). In addition, any responses made in the official comments book, available at the consultation events, or via email which were related to the design proposals were also taken into account during data analysis.
- 4.1.3 The statutory consultation questionnaire was published in the Scheme's statutory consultation brochure (**Annex K**). The first seven questions and the final one were all closed questions. Where appropriate, a small text box was included for consultees to write an alternative response if the selections provided were not relevant. This alternative provision was used particularly effectively in response to Question 10 which asked people to state where they heard about the consultation. Question 6 asked respondents whether they wished to partake in a community engagement group, and if so, requested respondents to leave contact information, which 23 people did. Questions 8 and 9 were open questions and allowed consultees to write in free text, to provide detail about the Scheme design and the consultation itself. These open questions are discussed following the analysis of the closed questions.

Note: Due to rounding, percentages may not add up to 100% in the following section.

Question 1: How the proposed Scheme affects consultation respondents

- 4.1.4 Respondents were asked how the proposed Scheme would affect them and everyone answered this question (see **Figure 11**). The majority of the respondents were local residents (over 60%). In addition, 19% of the respondents said they were employed locally. Approximately 9% of the respondents were commuters, 6% business owners and less than 3% land owners. The proportion of land owners represented here may under-represent the number of land owners who responded to the consultation via other methods such as meetings and email.

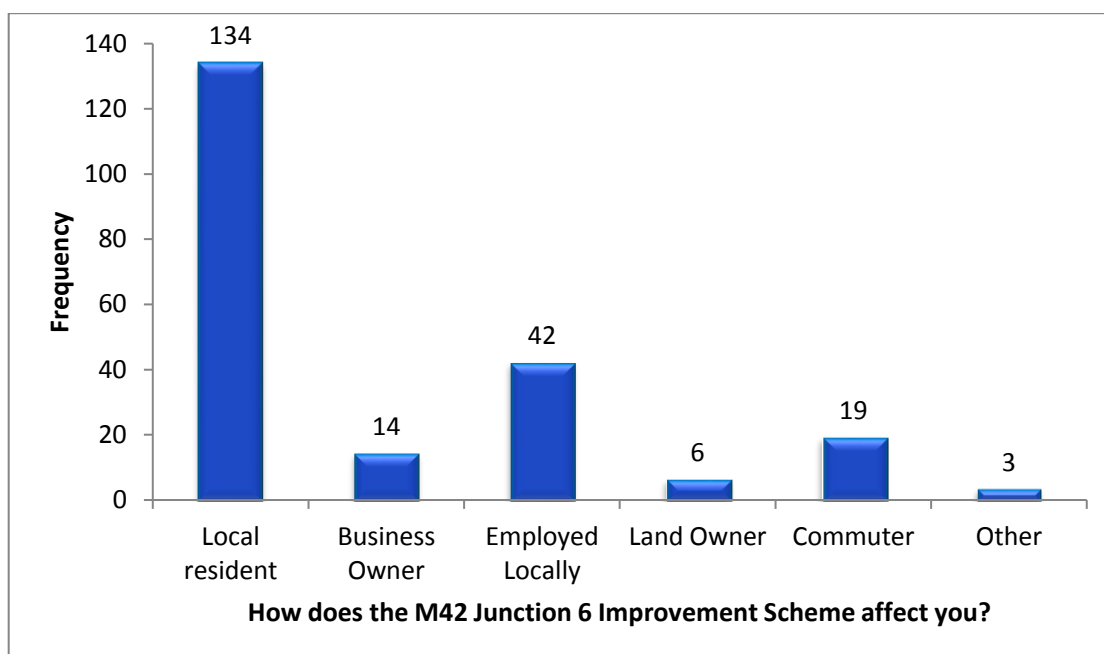


Figure 11: Type of respondents (respondent base 222)

Question 2: The need for improvements at M42 Junction 6

- 4.1.5 Respondents were asked to what extent they agreed that improvements were needed at M42 Junction 6 (see **Figure 12**). All the respondents answered this question. Overall 69% of the respondents felt that improvements were needed, with more than 41% of the respondents strongly agreeing the need for improvements. Just over a tenth of the respondents remained neutral and approximately a fifth of the respondents disagreed that improvements were needed.

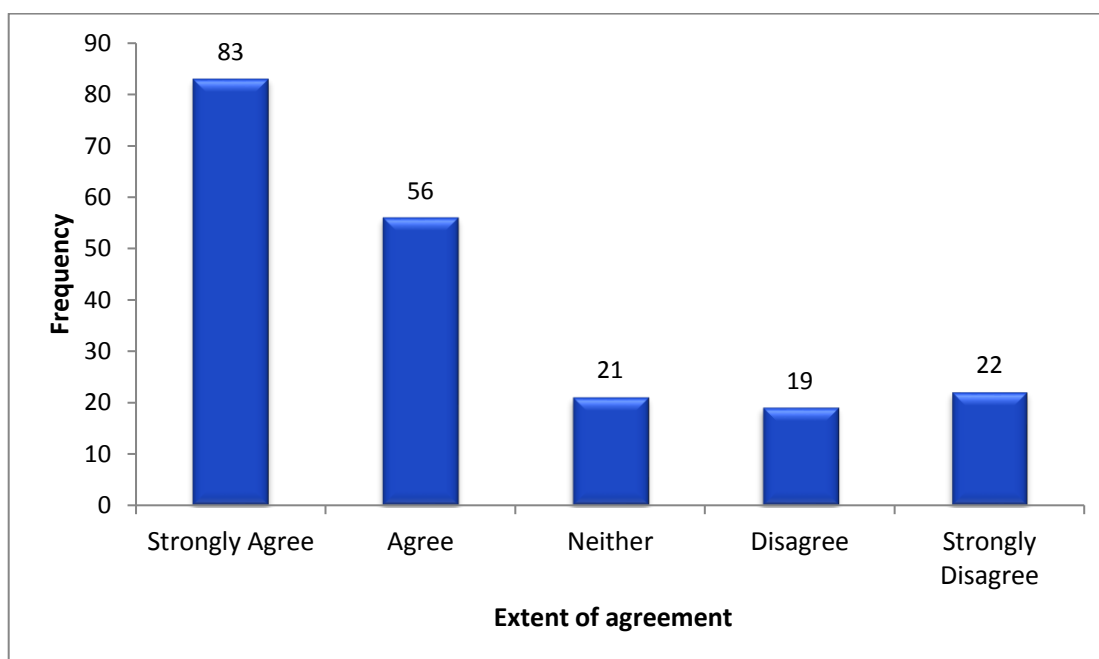


Figure 12: The need for improvements at M42 Junction 6 (respondent base 201)

Question 3: Frequency respondents travel past or use M42 Junction 6

- 4.1.6 Respondents were asked how frequently they travel past or use M42 Junction 6. All respondents answered this question. The vast majority of the respondents (over 84%) use Junction 6 of the M42 at least once a week (see **Figure 13**) with approximately 38% of the respondents travelling through the area five or more times a week. Few respondents (6%) travel less frequently than once a month through the junction and three respondents had never travelled through it at all.

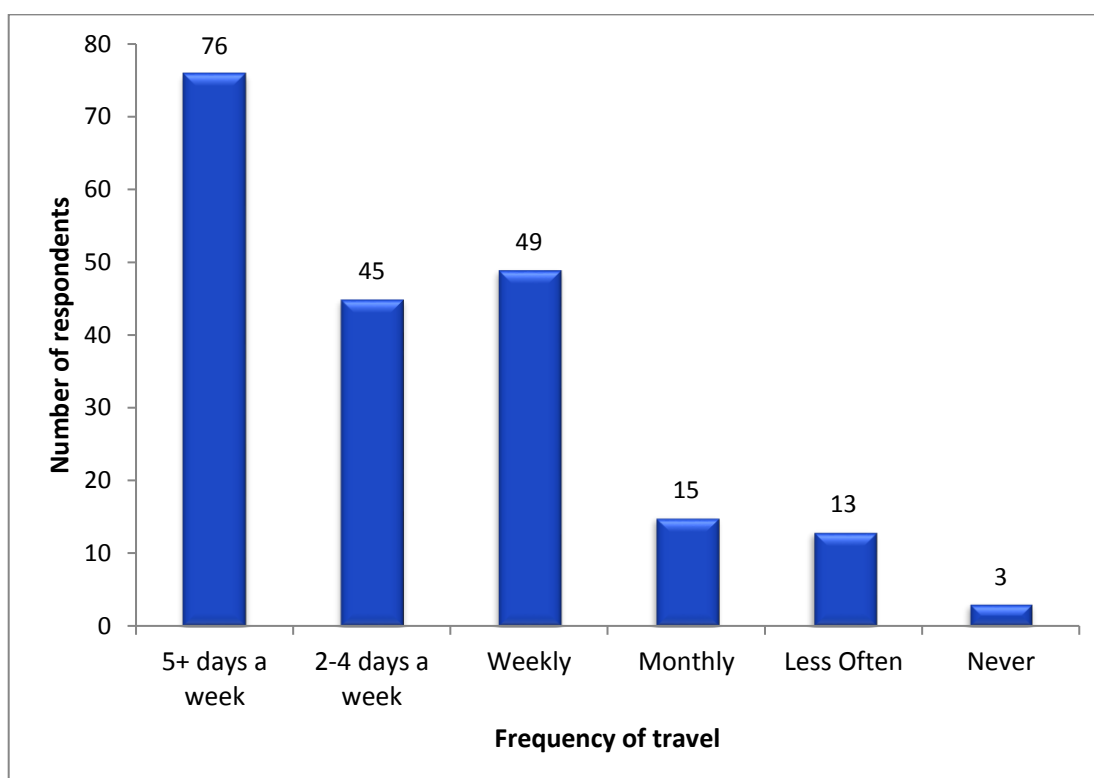


Figure 13: Frequency of travel through M42 Junction 6 (respondent base 201)

Question 4: Mode of transport respondents use to travel through or use M42 Junction 6

- 4.1.7 Respondents were asked to select all the modes of transport they use to travel through or use M42 Junction 6. All respondents answered this question, with 16 people providing multiple responses. More than 97% of the respondents use a car or van to travel past or use the M42 Junction 6 (see **Figure 14**). Only 1% travel by heavy goods vehicles (HGV) and 3% by motorcycle. Approximately 8% of the respondents use active travel modes (on foot and bicycle) to cross the Scheme area.

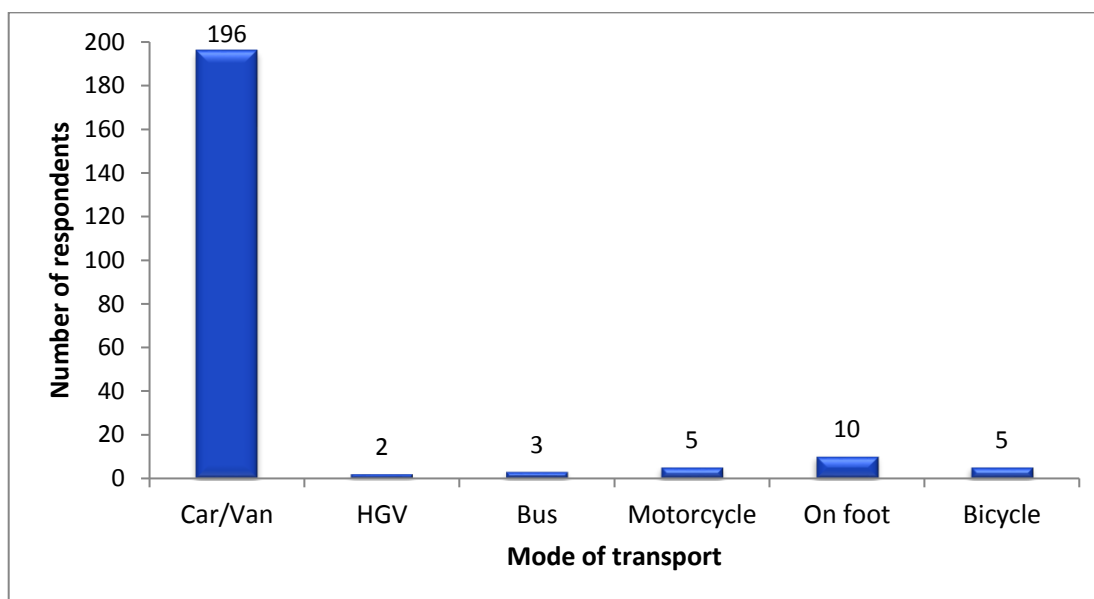


Figure 14: Mode of transport of respondents (respondent base 201)

Question 5: The working status of respondents

- 4.1.8 Respondents were asked for their working status. Only two respondents did not answer this question, although this data is included in **Figure 15**. Approximately 80% of the respondents are employed either full or part time and 12% of the respondents are retired. Respondents also included four students and two people who look after the home.

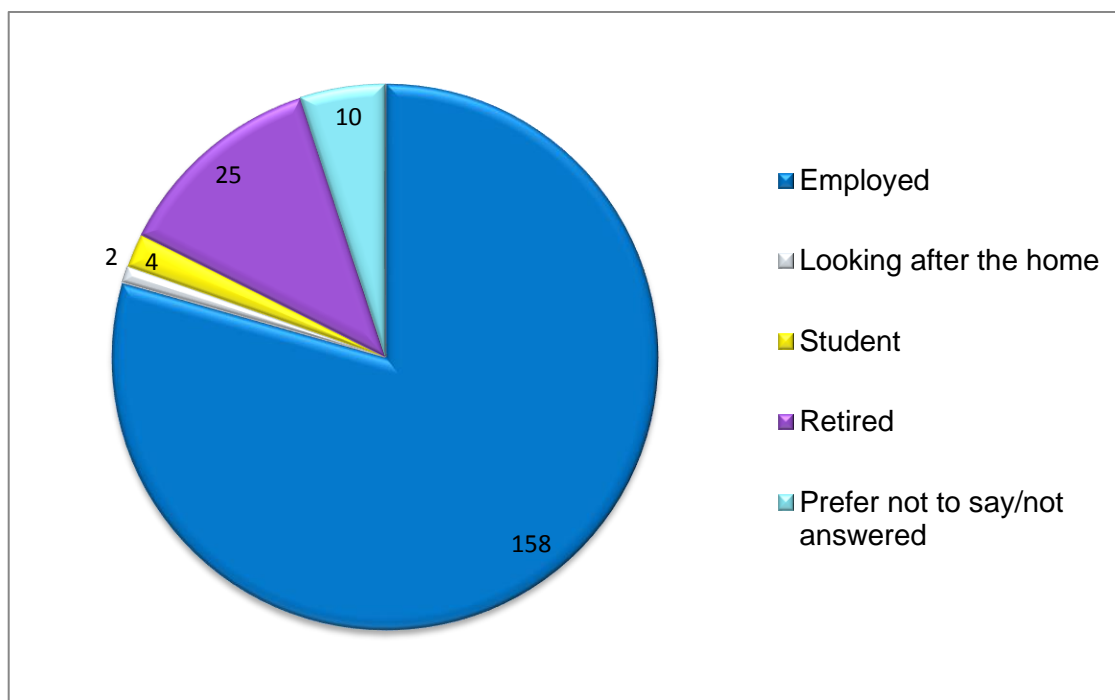


Figure 15: The working status of respondents (respondent base 201)

Question 6 Postcode information and community engagement group

- 4.1.9 As well as asking for the postcode and workplace for the respondents, consultees were asked if they would like to be part of a community engagement group. Seven respondents provided contact details for this purpose. One of these respondents was subsequently invited and attended the NMU site walkover that informed the Scheme design.

Question 7: Addressing Highways England Scheme objectives

4.1.10 Respondents were asked how well they thought that the Scheme addressed Highways England objectives. Responses where the respondents ticked not applicable have not been included in the following graphs; however, they are included in the text.

Objective – a) Reducing congestion at M42 Junction 6

4.1.11 Respondents were asked how well they thought that the Scheme would reduce congestion at M42 Junction 6. Six respondents did not answer this question and one ticked not applicable. Of the 195 respondents who provided a judgement, over 63% of respondents thought that the Scheme either addressed the objective very well or well (see **Figure 16**). Far fewer respondents (23%) thought that the Scheme would not reduce congestion and 13% of respondents remained neutral.

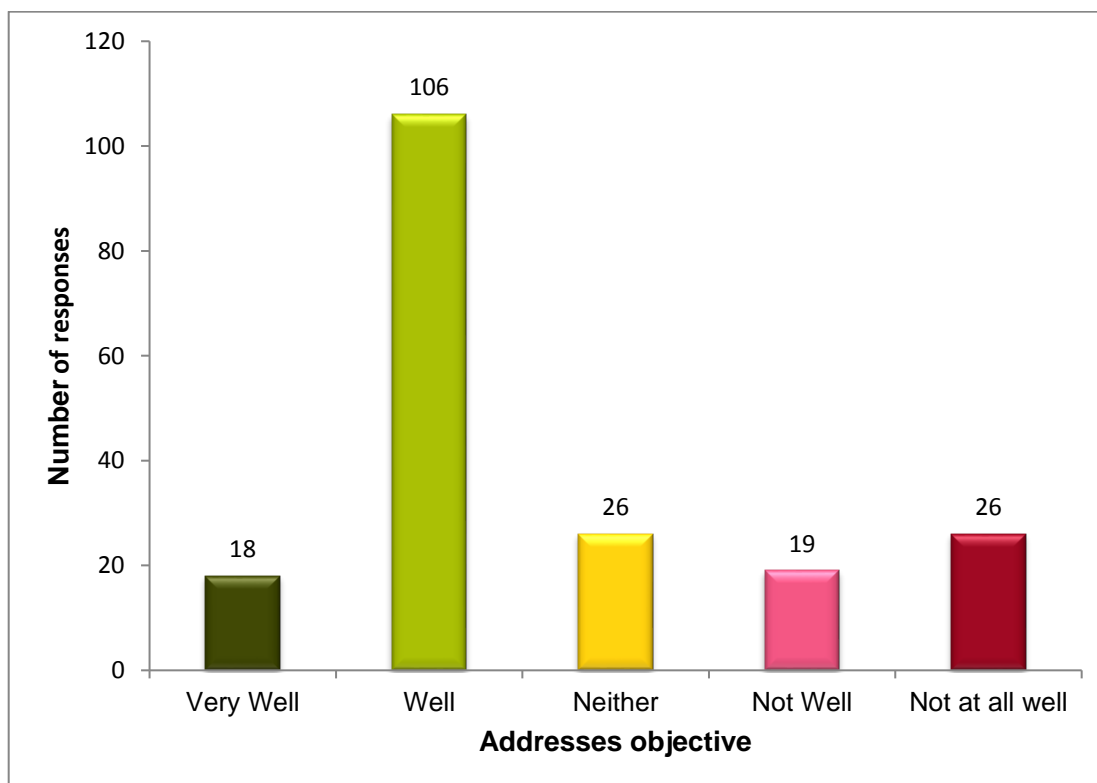


Figure 16: How well congestion will be reduced at M42 Junction 6 (respondent base 195)

Objective – b) Maintaining road safety

- 4.1.12 Respondents were asked how well they thought that the Scheme would maintain road safety. Eight respondents left this box blank and two respondents ticked the not applicable box. Of the 190 respondents who made a judgement about maintaining road safety, 54% thought road safety would be well addressed by the Scheme. Just over 23% of the respondents gave a neutral response and a similar number thought that road safety would not be well addressed by the Scheme, shown in **Figure 17**.

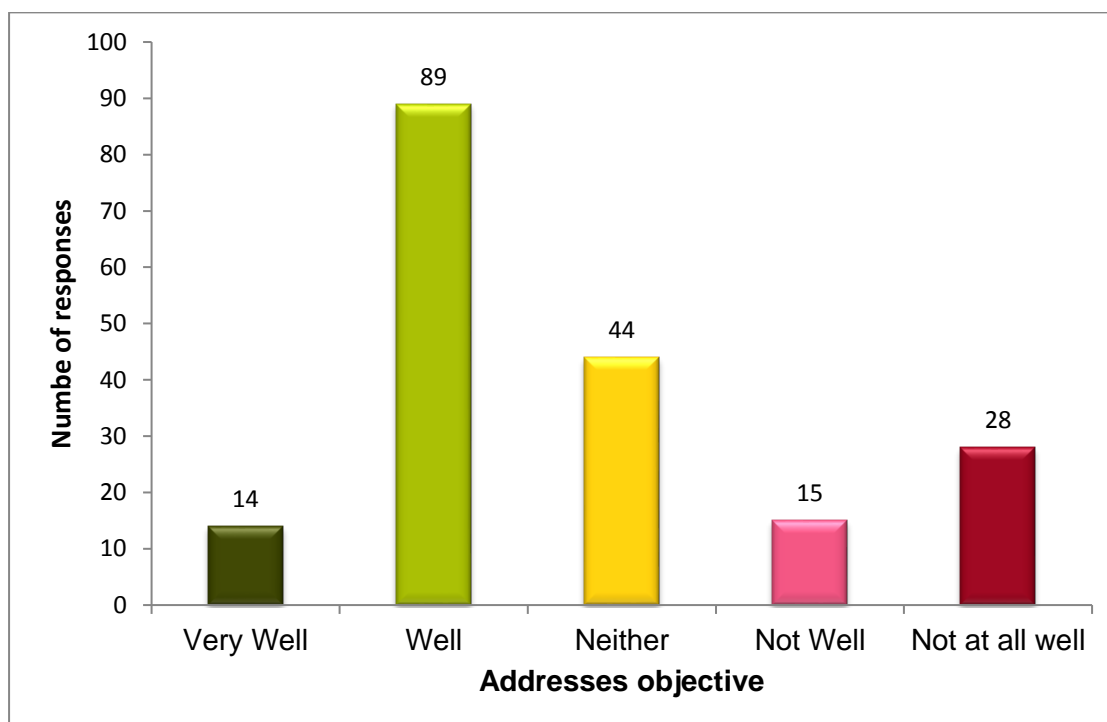


Figure 17: How well the Scheme will maintain road safety (respondent base 190)

Objective – c) Improving network resilience

- 4.1.13 Respondents were asked how well they thought that the Scheme would improve network resilience (how junctions cope when accidents occur). Eight respondents left this box blank and three respondents ticked the not applicable box. Of the 190 respondents who made a judgement about improving network resilience over half (52%) thought that the Scheme would improve network resilience, as shown in **Figure 18**. 24% gave a neutral response and 26% thought that the Scheme would not improve network resilience.

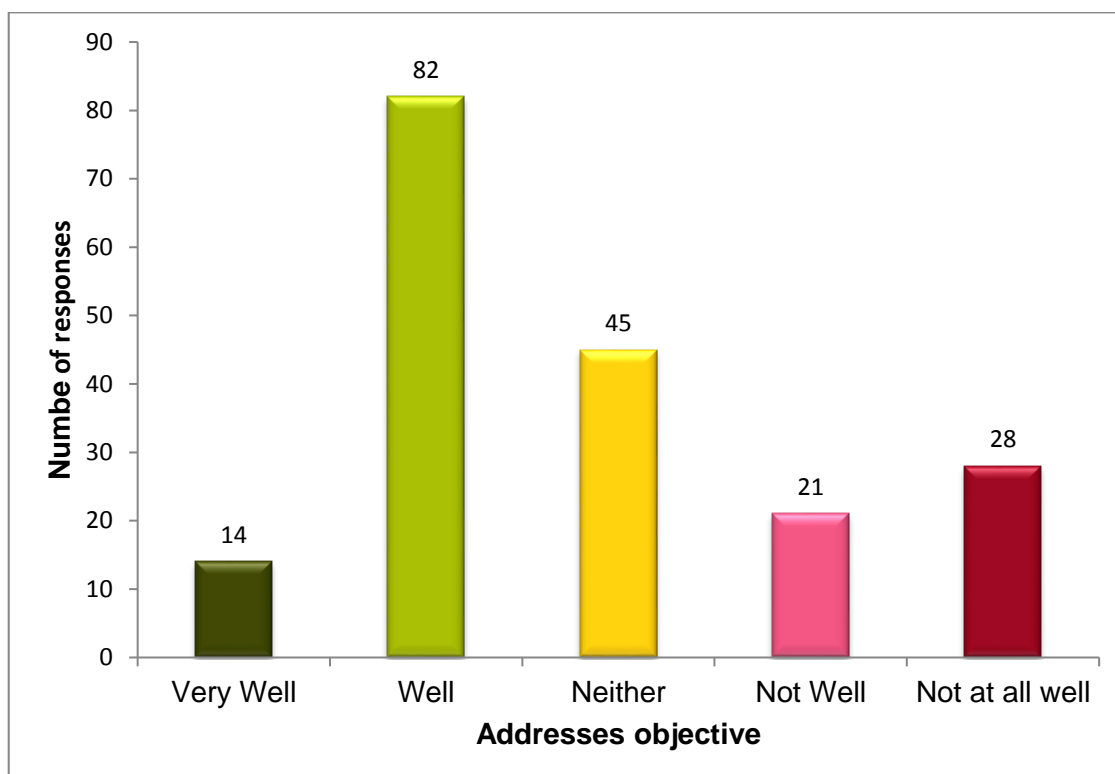


Figure 18: How well the Scheme will improve network resilience (respondent base 190)

Objective – d) Improving journey time reliability when travelling on the M42

- 4.1.14 Respondents were asked how well they thought that the Scheme would improve journey time reliability when travelling on the M42. Five respondents did not answer this question and one ticked not applicable. Of the 193 respondents who provided a judgement, 46% thought that the Scheme either addressed the objective very well or well, as shown in **Figure 19**. Just over 27% of the respondents thought that the Scheme would not improve journey time reliability when travelling on the M42 and 26% remained neutral.

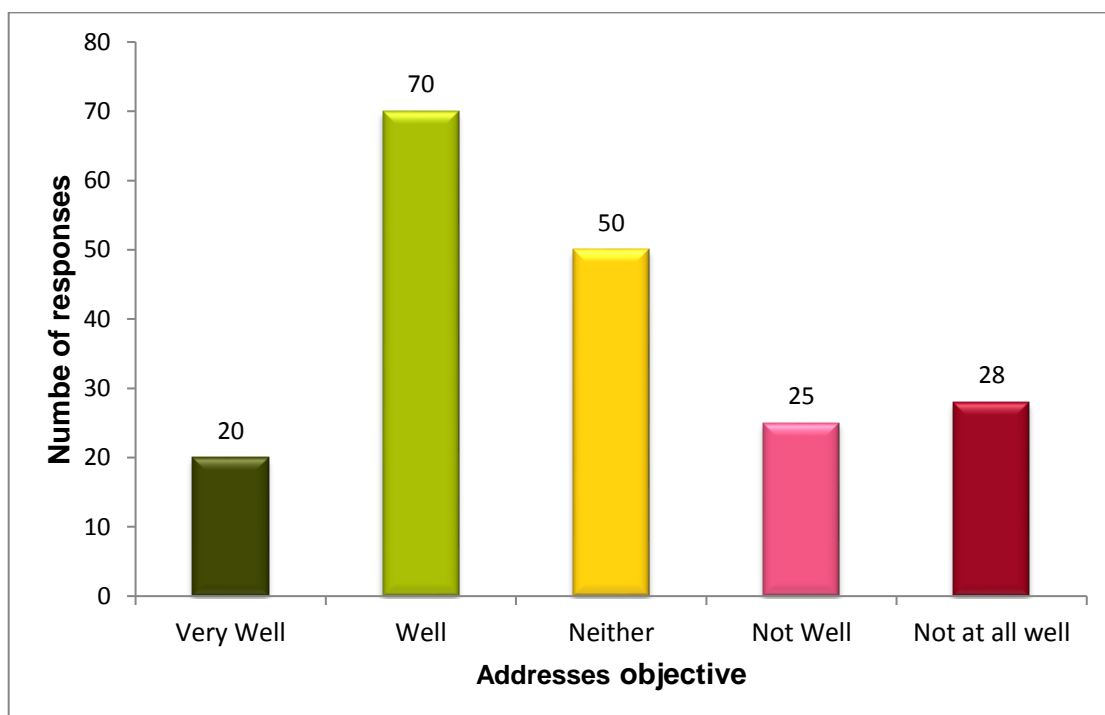


Figure 19: How well the Scheme will address M42 journey time reliability (respondent base 193)

Objective – e) Improving journey time reliability when travelling to Birmingham Airport/NEC or other destinations

- 4.1.15 Respondents were asked how well they thought that the Scheme would improve journey time reliability when travelling to Birmingham Airport/NEC or other destinations. Six respondents did not answer this question and four ticked not applicable. Of the 191 respondents who provided a judgement, over half of the respondents (56%) thought that the Scheme either addressed the objective very well or well, as shown in **Figure 20**. 23% of the respondents thought that the Scheme would not improve journey time reliability when travelling to Birmingham Airport/NEC or other destinations on the M42 and 21% of the respondents remained neutral.

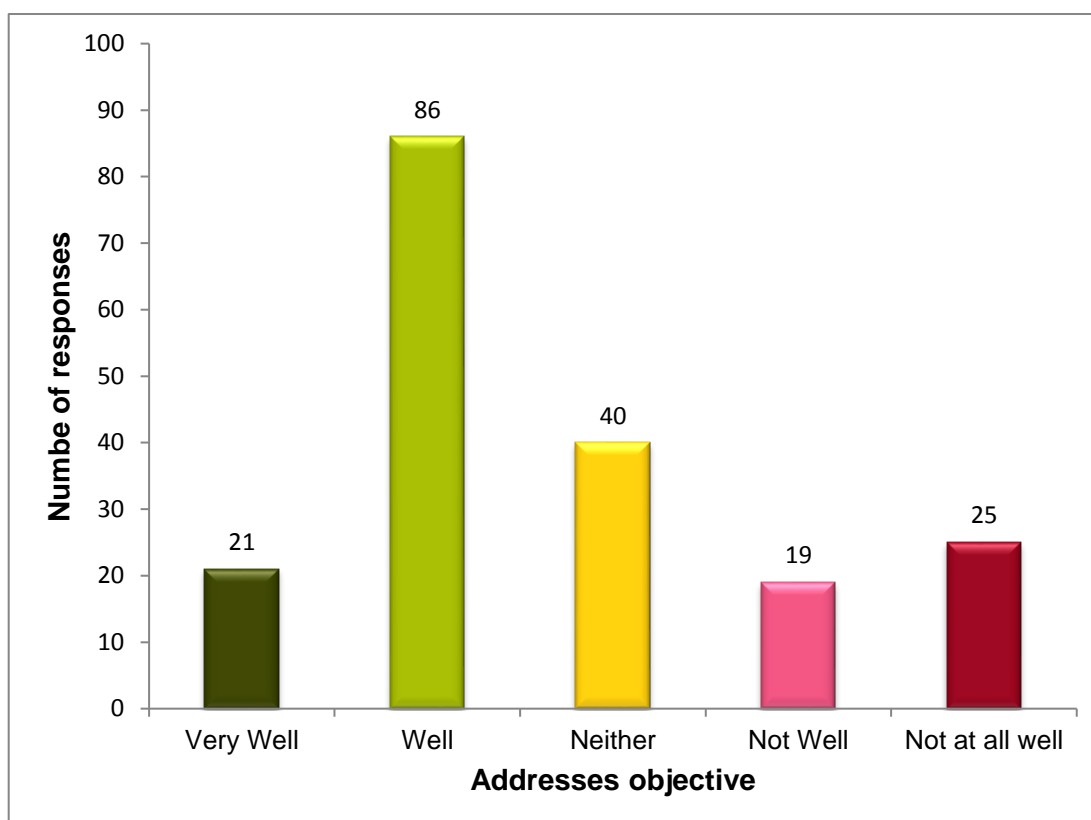


Figure 20: How well the Scheme will address journey time reliability to key assets (respondent base 191)

Objective – f) Supporting future development in the area

- 4.1.16 Respondents were asked how well they thought that the proposed Scheme would support future development in the area. Six respondents did not answer this question and six ticked not applicable. Of the 186 respondents who provided a judgement, over half (95 respondents) thought that the Scheme either addressed the objective very well or well (see **Figure 21**). Just over 25% of the respondents thought that the Scheme would not support future development in the area and 24% remained neutral.

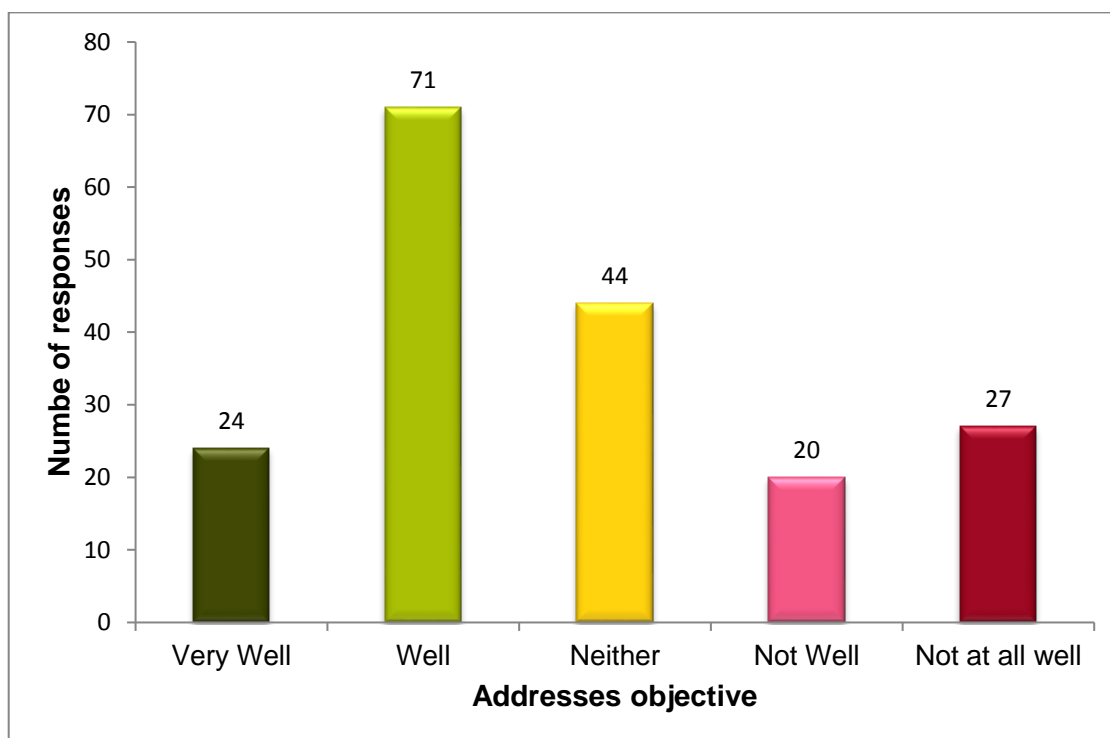


Figure 21: How well the Scheme will support future development (respondent base 186)

Question 10: Statutory consultation publicity

- 4.1.17 The last question in the survey asked how respondents heard about the statutory consultation. As people could select more than one option (if they applied) there were a total of 219 responses, as shown in **Figure 22**. However, 10 respondents left this section of the questionnaire blank. There was a diverse range of answers provided by respondents, which reflects the numerous methods used to publicise the consultation. Most respondents heard about the consultation via social media. Facebook was the most common platform with 74 respondents, followed by Twitter (nine respondents) and Instagram (three respondents). Traditional media including local radio and news stories on the television were named by only six respondents. Social media seems to be a much more successful means of publicising this kind of consultation compared to traditional media outlets.

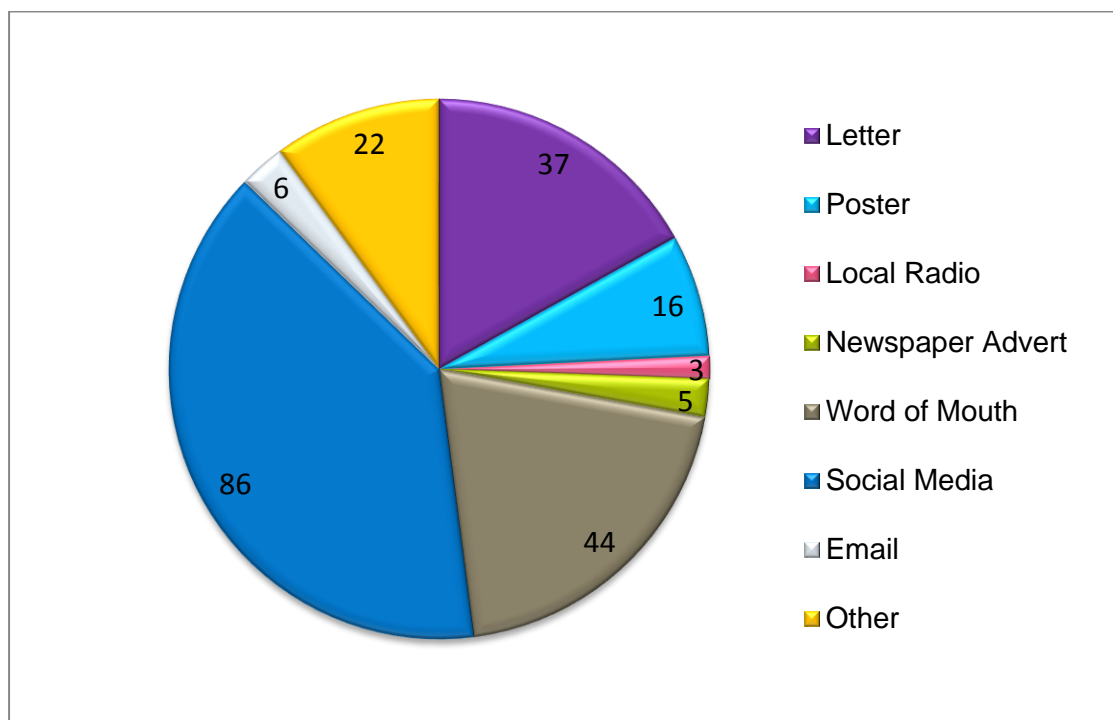


Figure 22: How people heard about the consultation (respondent base 219)

- 4.1.18 The project team contacted people who had taken part in the previous options consultation and six respondents commented that this was the means by which they had been informed about the consultation. Word of mouth was an important means of communication cited by a fifth of the respondents. The letter drop to households within the consultation boundary was mentioned by 37 respondents, posters advertising the consultation were mentioned by 16 people and five people saw the consultation in the newspaper. Respondents also mentioned a whole range of other means by which they heard about the consultation. These channels included the consultation material and posters at local libraries (three people), Solihull Updates, Birmingham Updates, parish newsletters (including Hampton in Arden), Hampton in Arden Facebook page, the

village residents' association, Neighbourhood Watch newsletter and signs pinned to a lamp post and on display on Catherine-de-Barnes Lane. This range of methods used to advertise the consultation helped to capture responses from across the community.

Question 8: Comments regarding Scheme design proposals

- 4.1.19 Question 8 asked respondents whether they had comments regarding the design proposals presented at the consultation.
- 4.1.20 Analysis of the consultation responses follows guidance from the *Inspectorate's Advice Note fourteen: Compiling the consultation report [REF 5-2]* which recommends an issues-led approach if the level of response is significant, grouping responses under headline issues. In addition, we have followed the advice to group responses under the three strands of consultation (s42, s47 and s48 of the PA 2008).
- 4.1.21 It should be noted that by far the largest number of responses came from the local community. The most detailed responses about the Scheme design came from local authorities (s42(1)(b)), PILs (s42(1)(d)) and key stakeholders. These included responses from SMBC, Coventry and Warwickshire Local Enterprise Partnership (CWLEP), the NEC, JLR, the WGAA and Arden Cross. A detailed response, focused on ancient woodland, was provided by the Woodland Trust. A detailed response on public access in the vicinity of the Scheme provided by The Open Spaces Society.
- 4.1.22 On the paper version of the questionnaire there was space for respondents to write their name, address, postcode, email and whether they were responding on behalf of an organisation. This section of the questionnaire was not included in the online version of the Highways England questionnaire. It was therefore only possible to identify s42 responses if the respondent had ticked the land owner box in Question 1 and left their details to be part of the community engagement group in Question 6.
- 4.1.23 A summary of consultation responses to Question 8 (comments regarding Scheme design proposals) organised by issue is now provided. Where information is provided, responses are split by the different strands of consultation (s42 and s47). This is not possible for the questionnaire responses as this information was not requested on the online version of the form.
- 4.1.24 The key issues raised during consultation were as follows:
- a. traffic issues (84 comments) including current and future congestion and capacity
 - b. non-motorised user (NMU) provision (65 comments), including equine, cycling and pedestrian;
 - c. design concerns (50 comments) many focused on;
 - i. the Southern Junction (M42 Junction 5A);
 - ii. Clock Interchange;

- iii. the new mainline link road; and
 - iv. M42 Junction 6.
 - d. impact of the Scheme including construction disruption (28 comments), noise and light pollution (six comments) on Bickenhill; and
 - e. impact of the Scheme on the environment (27 comments) including on the Green Belt, flooding, noise, air quality and Ancient Woodland.
- 4.1.25 As the issues raised by respondents are quite specific to particular locations of the Scheme, consultation responses are discussed by theme and also by location. Each key theme will now be discussed from the stance of the consultees.

Traffic issues (Key Issue 1)

- 4.1.26 Many of the traffic issues related to current congestion at particular locations; concerns that the Scheme design would not address traffic queues as a result of events at the NEC, Birmingham Business Park and JLR; and concerns that the Scheme would not provide sufficient capacity for planned development.

Non-motorised user provision (Key Issue 2)

- 4.1.27 Individuals used the consultation to voice their concerns about the current state of the NMU network and about issues of safety, connectivity and severance. Some of these issues are related to the local road network, others are related to the SRN. There was a general concern that NMU connectivity across the area of the Scheme should be maintained at the current level as a minimum. Some respondents suggested that routes should be upgraded as part of the Scheme to show a commitment to a wider variety of transport modes. It was noted by a couple of respondents that NMU provision was an after-thought to the needs of motorised vehicles. A particular concern related to the severance of public footpaths both east-west and north-south, as shown on the consultation brochure maps. There are three footpaths severed east-west across the Scheme. There is perceived to be a need for three pedestrian bridges across the mainline link road to keep the east-west footpaths connected. Some respondents suggested that for any public footpath severed by new infrastructure, an appropriate bridge should be added to maintain access.
- 4.1.28 Severance of NMU routes as a result of the realignment of Catherine-de-Barnes Lane was a key concern. This route is currently well used by commuters to access Birmingham International Railway Station. When the Scheme is implemented the concern is that the route will be more convoluted and less direct, particularly for people travelling from Catherine-de-Barnes. Other respondents raised concerns about their use of Catherine-de-Barnes Lane for leisure activities, for horse riding, cycling and walking. The new design requires NMUs to cross the realigned Catherine-de-Barnes Lane twice as they travel past Bickenhill Roundabout. Several respondents highlighted this as a safety concern, whereas the current path runs along the west side of Catherine-de-Barnes Lane and there is no need to cross it at any point. Some respondents noted that if the design stays the same that they would like to see

signalised crossings at Bickenhill Roundabout so that they could cross the road safely while traffic is controlled.

- 4.1.29 Bickenhill villagers held the perception that the Scheme will increase their isolation, as major roads will surround them on all sides. Local residents would therefore like to see the maintenance of all current routes. 12 respondents suggested that a bridge could be located between Clock Interchange and M42 Junction 6, to allow access from Bickenhill over to the key assets located to the north of the A45. A number of responses from people living in Bickenhill, suggested that the bridge over the A45 should logically be constructed at the end of Church Lane. Although a few respondents would still prefer the A45 to be bridged at more than one point.
- 4.1.30 In the local area there are a number of livery yards. Catherine-de-Barnes Lane is a popular route for horse riders. Several riders included the suggestion that design solutions should take into consideration the need to keep motorised traffic separate from horses as they can get “spooked” by traffic. In addition, several respondents would like to see improved NMU connectivity across the M42 Junction 6 between Hampton in Arden and the NEC/Resorts World/Birmingham International Station as part of this Scheme. Any new NMU paths need to route directly; any which are circuitous are perceived not to be considerate to the needs of all users.

Design concerns at the Southern Junction (Key Issue 3a)

- 4.1.31 The option to add a Southern Junction was generally supported by those who responded to the consultation. 20 comments were received regarding this, with a focus on the dumb-bell design and lack of north-facing slips. In terms of the design of the Southern Junction, a concern shared by eight respondents was whether the link would work better as a free-flow link instead of the proposed dumb-bell design. The reason for this suggestion was related to traffic movements. It was thought that most traffic using the mainline link road would make the same movement from the M42 to Clock Interchange. Consequently, the dumb-bell roundabouts would slow traffic and cause unnecessary queuing. It was suggested that the new junction would perform better and be cheaper to construct as a free-flowing link. In addition, the dumb-bell roundabouts would require lighting for safety reasons, a concern for local residents who live in the Green Belt.
- 4.1.32 A further concern at the Southern Junction is a proposed MSA currently the subject of a planning application to SMBC. The MSA as proposed would link onto the western dumb-bell roundabout and would require north-facing slips to be added. Adding a new junction without north-slips has been noted by five respondents as being somewhat short-sighted as north-facing slips would increase the resilience of the motorway network and cater for future growth. With north-facing slips, traffic weaving safety concerns are mentioned as a particular issue for the M42 mainline between the Southern Junction and M42 Junction 6 as the distance between the two junctions would be below the Design Manual for Roads and Bridges (DMRB) requirements.

Design concerns at Clock Interchange (Key Issue 3b)

- 4.1.33 The design for Clock Interchange was raised in 14 separate comments. Key concerns related to traffic congestion, traffic modelling and the alteration of the gyratory lanes. A number of respondents cited a concern about the current traffic congestion around Clock Interchange and the potential increase in traffic as a result of the mainline link road being connected directly to the junction. Experience of queuing traffic getting onto the M42 and A45 was noted as an issue, as it blocks back from M42 Junction 6 along the short section of the A45 to Clock Interchange. There is a perception that Clock Interchange will not cope with the proposed increase in traffic as a signalised gyratory with the mainline link road in place. Several respondents hope that the design proposal would improve current traffic conditions and improve access to both the NEC and Birmingham Airport. Although, a number of people did question what problems the Scheme solves as it does not seem to improve flow to/from particular key assets such as Birmingham Airport, NEC/Resorts World, Birmingham International Railway Station, JLR, Birmingham Business Park and HS2.
- 4.1.34 A few respondents suggest that the Scheme will not help anyone turning right at Clock Interchange or help people travelling to the airport from the mainline link road, as there is no free-flow link to the A45 westbound, which is described as a missed opportunity. With a high level of HGV use from JLR, there are perceived concerns that the Scheme will not cope with traffic levels at the beginning or end of shifts. Also, by making three lanes from two on Clock Interchange, there is a perception that the new lanes will be narrow, and HGVs will struggle to remain within the redesigned lanes, especially when turning right from A45 eastbound to the new mainline link road travelling south. Furthermore, concerns were raised that the traffic data at Clock Interchange is not representative of the current conditions and the Scheme design does not solve the current traffic problems.
- 4.1.35 It was suggested that traffic using the mainline link road will be able to access Birmingham Airport, but the same benefit is not provided for vehicles accessing the NEC. Although vehicles using the mainline link road could access to the road to Marston Green and the Northern NEC car parks.
- 4.1.36 NMU users perceive the Scheme to be focused on motorised road users rather than NMU commuters who traverse Clock Interchange on their way to work. Clock Interchange is currently a well-used NMU route to the Birmingham International Railway Station. It is perceived that the new bridge across the A45 to the west would take NMU users on a longer, less direct route.

Design concerns about the mainline link road (Key Issue 3c)

- 4.1.37 Only nine comments were made about the mainline link road. The issues raised were diverse in nature and included safety concerns due to the sharp bend as road users join the mainline link road, traffic queues at Clock Interchange, and the design of the realigned Catherine-de-Barnes Lane. Three respondents noted that the new mainline link road would

bring with it safety issues. The sharp left turn from Catherine-de-Barnes Roundabout which takes vehicles north onto the mainline link road could become a potential accident spot when temperatures drop below freezing. It was suggested that queuing at Clock Interchange would require drivers to brake suddenly as they travel northbound on the mainline link road. There was a suggestion that a 50mph speed limit could be introduced to improve safety and that this would also allow the extensive verges to be narrowed.

- 4.1.38 Five respondents commented that the realigned Catherine-de-Barnes Lane would make their journeys from Bickenhill Village to Clock Interchange much more convoluted than currently experienced. This would result in longer journey times as they have to travel south to Catherine-de-Barnes Roundabout to then access the mainline link road and travel north to reach Clock Interchange. A couple of respondents understood how the local road design would reduce 'rat running' of vehicles between Catherine-de-Barnes and Clock Interchange.

Design concerns about M42 Junction 6 (Key Issue 3d)

- 4.1.39 A couple of respondents noted that the Scheme is misnamed as it does very little for M42 Junction 6. Due to development coming forward and the increase in passengers at Birmingham Airport, M42 Junction 6 would be better as an Interchange or at least all free-flow links should be included in the current design to improve traffic flow, as suggested in Highways England's own SRN Initial Report. There is nothing to improve the traffic flow from M42 northbound to A45 eastbound. There is a demand for NMU access across this junction as Old Station Road is an ideal NMU route, but currently there is no NMU route across the junction. There are a number of solutions provided for this junction including improving lane designations, traffic management and destination signage. These would be easy wins to integrate into the Scheme design. This area will have construction disruption from multiple schemes, therefore staged construction and an awareness of other schemes coming forward is key to successful delivery of this Scheme.

Impact of the Scheme on Bickenhill Village (Key Issue 4)

- 4.1.40 A number of issues related to the Scheme were raised by the local residents. Issues of severance and isolation have already been discussed. There is a strong feeling that the realigned local road network is convoluted and is a real dis-benefit of the Scheme. In addition, with a new mainline link road being built close to the village, local residents would like landscaping/tree planting to be used in the design between the mainline link road and Bickenhill village to mitigate against any additional noise that may be introduced into the area. There is a safety concern about children trying to cross the local road network to get to bus stops to travel to and from school. Local residents are also concerned about how construction will impact on their daily lives in terms of noise and disruption and local road network access. While construction takes place, locals are concerned that there will be additional noise and disruption. They do not want construction overnight with the associated noise and light pollution, yet a

few respondents wanted construction to occur in a short period of time and carefully ordered, so that their journeys and everyday activities are disrupted as little as possible.

Impact of the Scheme on the environment (Key Issue 5)

- 4.1.41 A number of respondents raised issues about how the Scheme will affect different aspects of the environment with particular concerns related to the Green Belt, flooding, noise pollution, air quality and Ancient Woodland. There is concern about the impact of the Scheme on the Meriden Gap Green Belt. This relates to the amount of development coming forward in the area and the consequent impact on wildlife. Additionally, if there is development in the Meriden Gap, then this should be designed to be in-keeping with the area. Design considerations would need to include minimal lighting, landscaping, screening and tree planting in sensitive areas to minimise the impact of the Scheme on the local area. Aspbury's Copse is an area of ancient woodland and should be protected from any development, so the southern junction should be moved further north.
- 4.1.42 If the Scheme brings more traffic through the area, then there is a perception that the Scheme will cause a decline in air quality in the vicinity of the SRN. There is also a concern that this Scheme is being built in a high-water table area, where surface flooding occurs. The Scheme may therefore have an impact on flooding, drainage, and safety on the mainline link road. As the mainline link road is going through a rural area, some respondents suggested the use of quiet surfacing for new road surfaces, with further planting and banking to increase mitigation. It is suggested that lighting needs to be screened from the local housing, particularly around local villages and the Southern Junction.
- 4.1.43 With regard to the settlement ponds it was noted by a couple of respondents that they were poorly designed in terms of airport safeguarding, the excessive area of land required and location, especially when there are severed areas which could be used instead.

Question 9: General comments or observations about the consultation

- 4.1.44 Question 9 asked respondents whether they had any general comments or observations about the consultation.
- 4.1.45 A selection of the responses received for Question 9 are as follows:

"Like the idea of a footbridge over A45 I am happy to have visited and had questions answered."

"Very good consultation exercise. Particularly impressed with video of new road design."

"I think the consultations were most helpful and Informative; in our case it was only on closer scrutiny of the plans that we noticed the lack of screening to our properties."

"I think the preferred scheme manages to meet the majority of the concerns and is the best compromise. Obviously, such schemes are always compromises, but I'm impressed with this one."

4.2 Section 42 Consultation responses

Prescribed consultees (s42(1)(a))

- 4.2.1 A number of prescribed consultees note that they would not be affected by the proposed works including: The Coal Authority, The Crown Estate, Southern Gas Plc, Fulcrum Pipelines, Colt Technology Services, ESP Gas Group, Vodafone, Virgin Media and Viatel. Instalcom note that they do have apparatus within the works area, but it is located along the rail network and as such should not be affected by the Scheme. GTC Utility Construction Ltd. no longer provide written responses – and instead ask applicants to refer to their online portal. Openreach and Genesys suggest that they need to understand Scheme requirements in order to understand what alterations to their apparatus may be necessary.
- 4.2.2 **Public Health England** recommends that the developer considers including a chapter in the environmental statement on the impacts of the Scheme to public health and also include PM2.5 in the assessment of air quality impacts. They also note that electromagnetic field (EMF) impacts have not been mentioned. It is possible that the Scheme does not result in the movement or construction of any significant sources of EMF but would ask that this be confirmed or that the necessary assessments be included with the next submissions. The **Health and Safety Executive** stated that the extent of the Scheme will pass over and in part run parallel with three Major Accident Hazard Pipelines and that there are currently no Major Hazard Installations in the vicinity of the proposed Scheme. Cadent Gas who are the owners/operators of these gas mains. **National Grid** note that their assets (electricity and gas) are within or in close proximity to the order limits however it would appear that none of National Grid's towers are directly affected. **Cadent Gas Limited** state that their gas pipes and associated equipment is in the vicinity of the works and will require appropriate protection and further discussion on the impact to its apparatus. **Western Power Distribution** note that their assets are likely to be affected by the Scheme and request confirmation of whether diversions are to remain overhead or be buried. **Interoute Vitesse** noted that their assets are expected to be affected. These are leased off **Zayo** and it will be their responsibility to move assets (if required) and manage this work. **Esso Petroleum Company Ltd.** have apparatus near the proposed works, but have no objections in principle to the proposals so long as the 'Special Requirements for Safe Working' booklet and the covenants contained in the Deed of Grant are adhered to. **Severn Trent** has water mains which will require diverting due to the Scheme.
- 4.2.3 **HS2 Ltd** provided no specific comments or concerns about the Scheme. However, in light of the interface between the respective projects, they advised the project team to follow ongoing progress of the HS2 programme as it moves towards the construction phase. **Transport Focus** noted that they were pleased to see that the consultation material refers to motorists, residents and local businesses rather than them being wrapped up to together. **Transport for West Midlands** had no issues with the Scheme and expressed their support. **Warwickshire and West Mercia Police** provided the reminder that a scheme of this nature is likely to

cause considerable disruption to the local area and so liaison with WCC in their capacity as highway authority and the Police are vital to ensure that this disruption is kept to an acceptable level.

- 4.2.4 Following consideration of the Preliminary Environmental Information Report, **The Canal and River Trust** set out the following comments in their response: The Grand Union Canal runs to the west of the site and as land owner/operator of the canal the Trust would wish to see any potential impacts on the canal and its users fully identified and addressed within the final ES. They are pleased to note that the PEI Report includes additional references to the canal and that the Landscape and Visual Impact Assessment will include user views from the Grand Union Canal. The canal will also be identified and considered as a sensitive receptor to noise/air quality with the assessments addressing potential impacts to the users of the canal both during construction and operation of the development. The applicant is advised that the trust is not a land drainage authority and any surface water discharge to the waterway will require prior consent from the Trust.
- 4.2.5 **The Office of Rail and Road** have no comments on the proposals. **The Environment Agency** and **Natural England** provided no formal response during the statutory consultation period. However, they have been involved in ongoing dialogue with Highways England that commenced with the scoping of the EIA pre-consultation.

Local authority responses (s42(1)(b))

- 4.2.6 **SMBC** supports the Scheme. They raised a number of detailed issues related to the Scheme design and impact of construction. For example, the exclusion of north-facing slips at the new southern junction (Junction 5A) seems not to cater for future growth and a free running lane should be considered onto the A45W at the Clock Interchange. SMBC asked for more detail in the design such as signage and carriageway markings. They also raised concerns about network resilience, the construction programme and future responsibility of the roads improved as part of the Scheme. SMBC mentioned that an alternative access onto the A45, rather than directly onto M42 Junction 6 would improve access to and from the NMM, that variable signage could be used to switch traffic to alternative routes and that they would welcome further capacity improvements on the M42 mainline.
- 4.2.7 **Coventry and Warwickshire Local Enterprise Partnership (LEP)** support the preferred route and hope that the current proposals will not preclude future road enhancements that are reportedly needed according to Midlands Connect's *Long Term Midlands Motorway Hub Study* [REF 4-1]. They note that the performance of the SRN is critical to the regional economy, including the Coventry and Warwickshire sub-region, and will become more so with growth coming forward in the Local Plan period, including HS2 in 2026. It is suggested that there is discussion between Highways England and WCC/CCC as promoters of the A46 Link Road regarding the combined impact of both schemes on the A45/A452 Stonebridge Island. Provision for NMUs is supported.

- 4.2.8 **Transport for West Midlands** support the Scheme and are keen to see quick delivery. They recommend that Highways England work closely with SMBC during the Scheme development and that they consider the broader implications that this work may have on future improvements to M42 Junction 6.

PILs responses (s42(1)(d))

- 4.2.9 Written statutory consultation responses were provided by Birmingham Airport, the WGAA, the NEC, JLR and HS2; a precis for each is provided below.
- 4.2.10 **Birmingham Airport** support the preferred route and request that the Scheme design takes into account the significant future growth in the area, improves network resilience, is carefully tied into the western link road and Airport Way and follows aerodrome safeguarding requirements. Birmingham Airport would encourage Airfield Operations staff being seconded to the contractors to ensure adequate safeguarding is in place.
- 4.2.11 The **WGAA** is directly affected by the preferred route and in their consultation response they set out the national importance of the club site. Although the WGAA recognise the need for and support the proposed Scheme, in principle, they are unable to support the preferred option in the absence of a detailed agreement from Highways England. The proposed route has meant that the extension of their Clubhouse has been put on hold and the loss of their county-standard pitch would exclude the County Team from participating in national competition. The WGAA wish any replacement facility to be delivered promptly. In the absence of an agreement being entered into, the WGAA note their intention to register their opposition as an Interested Party when the DCO application is submitted.
- 4.2.12 **The NEC** welcomes Highways England's plans to address the current traffic issues experienced around M42 Junction 6 and is pleased that need to unlock the obvious growth potential of the area is recognised. The NEC note the challenge Highways England will face to keep traffic moving during construction and hope that there will be minimal impact on their business. The NEC note that any land take will have a significant business impact. They hope the Scheme will bring resilience, especially with the use of variable message signs to keep event traffic moving.
- 4.2.13 **JLR** is supportive of the Scheme and wish to highlight the importance of reliable journey times on the network both for freight and people. JLR request communication of the work programme ahead of time to allow them to minimise disruption to customers, employees and suppliers.
- 4.2.14 **HS2** has no specific comments or concerns and ask that the project team follow ongoing progress of the HS2 programme as it moves towards the construction phase. Highways England continue to liaise closely with HS2 regarding impact on the trunk road network including this Scheme. Highways England plans to continue to work with HS2 and other major stakeholders in the area to develop the construction strategy to minimise disruption to each other and the general public.

Non-Prescribed Environmental Bodies

- 4.2.15 Two non-prescribed environmental bodies - **The Open Space Society** and **The Woodland Trust** - provided responses. The Open Space Society is concerned that no public footpaths should be severed, as the proposals shown in the consultation brochure show the severance of six public footpaths. Wherever new roads are proposed to sever public footpaths the society suggest that pedestrian footbridges are created. The Woodland Trust aims to protect native woods, trees and object to the preferred route on the grounds of damage and disturbance to the ancient woodlands, including Aspbury's Copse (Eastern and Western sections) and Barber's Coppice.

4.3 Regard to responses (in accordance with s49 of the PA 2008)

- 4.3.1 S49 of the PA 2008 imposes a duty on the applicant "to have regard to any relevant response" received under s42, s47 or s48 of the PA 2008 within the specified deadline.
- 4.3.2 Similarly, for each Scheme objective included in the questionnaire, a larger number of respondents felt that Highways England's proposal met the objective than disagreed. Consultation responses are shown in **Figure 11** to **Figure 22**.
- 4.3.3 Highways England has shown regard to all other issues raised during the statutory consultation, in accordance with s49 of the PA 2008. Where issues were raised during the statutory consultation, Highways England has sought to accommodate design changes.
- 4.3.4 Due to changes to the redline (Order Limits) and a number of alterations made to accommodate responses from statutory consultation. Highways England held a further consultation in September 2018. A plan showing the redline boundary (Order Limits) at statutory consultation stage and the proposed Order Limits that was the subject of further consultation is at **Annex R** of this report. This is discussed later in **Chapter 5** of this report.
- 4.3.5 Annex P includes the tables for evidencing the regard had to consultation responses in accordance with s49 of the PA 2008.

4.4 Summary of Scheme changes as a result of consultation

- 4.4.1 The list of Scheme changes made in light of statutory consultation, as sent out to consultees, is in **Annex O**. Design changes are numbered and the reasons for the change, are summarised in **Table 15**.

Table 15: Changes to the Scheme following the statutory consultation

No.	Location	Element of the Scheme which has changed	Reason for design change
1	Southern Junction (M42 Junction 5A) Slip Roads and Junction	Minor alterations to the junction and realignment of the slip roads at the new Southern Junction, which have been moved	Modifications will significantly reduce the impact on the Scheduled Ancient Woodland, saving approximately 2,000 m ² of woodland.

No.	Location	Element of the Scheme which has changed	Reason for design change
		closer to the M42 carriageway.	
2	Solihull Road Overbridge	The span of the bridge has been decreased.	In conjunction with change reference 1, the span of Solihull Road overbridge has been reduced to minimise the impact on the Scheduled Ancient Woodland.
3	Solihull Road Overbridge Footway provision	The layout has been redesigned for future provision of a combined footway/cycleway.	Capacity for a footway to be provided along the bridge in anticipation of SMBC promoting pedestrian and cycle facilities along Solihull Road in the future.
4	Surface water storage and treatment system, south-east of M42 J5A	An upgrade to the existing surface water drainage tank. This includes the provision of a new access from Solihull Road for maintenance purposes.	An upgrade of existing drainage storage systems is proposed in order to comply with the latest standards. The form of drainage treatment was agreed in consultation with the Environment Agency and Birmingham Airport.
5	Surface water storage and treatment system, north-west of M42 J5A	Storage and treatment strategy altered to underground storage and reed beds.	The amendments are in response to consultation with Birmingham Airport and the Environment Agency.
6	Between Shadowbrook Lane and Solihull Road	Provision of a new accommodation bridge over the mainline link road between Shadowbrook Lane and Solihull Road.	The bridge is provided to maintain farm and pedestrian access over the new mainline link road. The changes have been made in response to consultation with SMBC, an affected landowner and The Ramblers' Association.
7	Roundabout near Barber's Coppice	The roundabout has been moved closer to Catherine-de-Barnes Lane and reduced in size.	The alterations have been undertaken in response to consultation with SMBC.
8	Access route to the west of the new mainline link road.	The proposed bridleway to the west of the new mainline link road to be re-designated as a footpath.	The change is in response to consultation with SMBC.
9	New Bickenhill Roundabout	The roundabout has been relocated approximately 100m further south to better	The relocation is in response to consultation with SMBC and design development.

No.	Location	Element of the Scheme which has changed	Reason for design change
		connect with St Peters Lane and the new mainline link road off-slip.	
10	Drainage system south of the Clock Interchange.	The storage and treatment arrangement has been modified and relocated to the west of the mainline link road away from Church Lane.	The change is response to consultation with SMBC, affected land owners and residents of Church Lane to minimise land take. The form of drainage treatment was agreed in consultation with the Environment Agency and Birmingham Airport.
11	Footway/ cycleway provision at Clock Interchange.	An underpass has been provided on the footway / cycleway to the south-west of Clock Interchange to provide safer access to the airport and along the southern side of the A45 towards M42 J6.	The amendments are in response to consultation with SMBC.
12	Clock Interchange	It is proposed to include a free flow link road from the new mainline link road to the A45 westbound at Clock Interchange.	The change is in response to consultation with SMBC.
13	A45 north of Church Lane, Bickenhill	It is proposed to include a new pedestrian / cycle bridge linking Church Lane, Bickenhill to facilities to the north of the A45.	The change is in response to consultation with SMBC and residents of Bickenhill.
14	Bus stop on A45 westbound	The bus stop on the Airport Way link road is to be relocated closer to Church Lane.	The change is in response to consultation with SMBC and residents of Bickenhill. The precise location of the bus stops will be subject to discussion with SMBC and Transport for the West Midlands.
15	A45 eastbound to M42 northbound.	The A45 eastbound to M42 northbound free flow link arrangement has been altered.	The revised layout has been refined to further improve capacity and reduce delays.
16	M42 southbound slip road to	The Slip Road and links to East Way and to the A45 Eastbound	The change allows East Way overbridge to be retained thereby reducing the impact on the NEC

No.	Location	Element of the Scheme which has changed	Reason for design change
	Junction 6 and East Way	roundabout has been reconfigured to minimise impact on the NEC.	private access road.
17	M42 Junction 6 dedicated south-west slip road to Airport Way	The free flow link from M42 northbound at J6 onto A45 westbound is proposed to be closed to general traffic and is being retained for emergency use only. Access to Airport Way for vehicles travelling north towards Birmingham Airport is now provided by the new mainline link road.	The change simplifies traffic movements on the A45 and addresses safety concerns between M42 J6 and Clock Interchange.
18	North-east of M42 Junction 6	Additional drainage storage and treatment device now proposed.	The upgrade of the existing drainage storage systems is compliant with the latest standards.
19	Middle Bickenhill Lane Loop	Two-way access to Middle Bickenhill Lane to be provided.	Linked to reference 16 above - the M42 southbound to A45 eastbound free flow link severs the existing access arrangements for residents of Middle Bickenhill. Two-way access here is therefore required to maintain full access for residents.
20	South-west quadrant of M42 Junction 6	Additional land is required temporarily during construction to divert and relocate existing power cables.	The change is in response to consultation with Statutory Undertakers.
21	NEC car parks and internal access roads	Additional land is temporarily required to divert and relocate existing power cables and for highway construction.	The change is in response to consultation with Statutory Undertakers.
22	WGAA	Land previously identified for potential relocation site has been removed from the redline boundary (Order Limits).	Land is no longer required as a proportionate reconfiguration of the WGAA site is being considered on land adjacent to the boundary of the current site to mitigate the direct impact of the Scheme.
23	Land adjacent to the Arden Hotel and	Additional land is required from SMBC for the construction of the	Additional Land take required (see reference 13 above).

No.	Location	Element of the Scheme which has changed	Reason for design change
	north of the A45	proposed new pedestrian/cycle bridge over the A45.	
24	Bickenhill Meadows Site of Special Scientific Interest (SSSI)	Additional land required on a temporary basis.	Land take required for potential environmental mitigation and on-going surveys. The change is proposed in response to consultation and ongoing engagement with the Warwickshire Wildlife Trust and Natural England.
25	Footway adjacent to NMM and A45 westbound to M42 J6 slip	Additional land is required to potentially enhance pedestrian facility.	Land take required for the construction of a proposed cycleway/footway. The change is in response to consultation with SMBC.

4.4.2 A Plan to accompany the Change List is available on Highways England's website and in **Annex O** of this Report as sent to consultees as part of the further consultation. It shows the numbered key design changes.

4.4.3 Issues raised on more than one occasion during consultation, but which did not result in changes to the Scheme are presented in **Table 16**, along with a justification of this approach.

Table 16: No design changes to the Scheme after statutory consultation

No.	Element of the Scheme & issue raised in consultation	Reasons why changes were not made
Scheme design		
1	Would prefer a free flow link rather than the dumb-bell design shown for the Southern Junction	A free flow junction design would require greater land take and increased impact on the Scheduled Ancient Woodland. Design development has included realigning the new roundabouts to minimise impact. The dumb-bell arrangement also facilitates non-motorway traffic the opportunity to turn around.
2	Weaving and safety concerns between M42 J6 and Clock Interchange	Alterations to this section of the network are aimed at improving safety. The volume of traffic using the A45 from M42 J6 to Clock Interchange will be reduced due to the introduction of the new mainline link road. This will provide an alternative route for traffic from the M42 travelling northbound and to the airport, railway station and A45 westbound, which will reduce the

No.	Element of the Scheme & issue raised in consultation	Reasons why changes were not made
		<p>need for weaving movements.</p> <p>This, combined with the closure of the free flow link at Junction 6 will improve safety for traffic using the A45 westbound (this is linked to reference 17 of Table 15).</p>
3	Safety concerns on the new mainline link road	<p>The road will be designed to current design and safety standard plus will have a national speed limit appropriate for this class of road. Road safety audits will be undertaken at key design stages to ensure the design is as safe as reasonably possible.</p>
4	Concern about number of roundabouts on realigned Catherine-de-Barnes Lane	<p>Roundabouts have been included in the Scheme design to allow access on/off the mainline link road, to Catherine-de-Barnes Lane and local connections to Bickenhill and Catherine-de-Barnes.</p>
5	Concern that Clock Interchange will not cope with additional traffic	<p>Clock Interchange is proposed to be a signalised gyratory with three lanes to reduce congestion and queueing and to maintain effective operation of the junction. Also, a free-flow link to A45 westbound is proposed to be included that will reduce traffic at Clock Interchange.</p>
6	North slips would add resilience on the Southern Junction	<p>The design of the new junction and new mainline link road allows vehicles travelling north on the M42 to leave before M42 J6 in order to access Birmingham/Birmingham Airport and Birmingham Railway Station. This reduces the number of vehicles using M42 J6. There is therefore no need for north-facing slips on the new southern junction for this purpose.</p> <p>However, the potential for future provision of north-facing slips in the future has not been precluded by the design of this Scheme subject to wider improvements of the SRN in the area.</p>
7	The Scheme does not address issues at M42 J6	<p>The new mainline link road and free flow left turns on the M42 J6 roundabout will benefit the junction and access to the NEC by reducing the number of vehicles having to use the roundabout.</p>
8	Concern about M42 mainline capacity	<p>Improvements to the M42 mainline capacity is out of the scope of this Scheme. It is noted as a potential future scheme in the Midlands Motorway Hub Study [Ref 4-1].</p>

No.	Element of the Scheme & issue raised in consultation	Reasons why changes were not made
9	Lack of free-flow connections on the south-east corner of the junction	<p>A free-flow left turn onto the M42 southbound would be difficult to build on the current junction due to constraints such as the location of the NMM.</p> <p>Providing free flow right-hand-turn links on J6 itself would also not be possible due to the geometry of the current junction, the impact on the local area, disruption during construction and the cost.</p>
10	Concern that the design will preclude the proposed MSA	Design development has been undertaken to ensure that, where practicable, the Scheme would not preclude the provision of the MSA, should the developer receive planning consent from SMBC.
11	A junction further north or an Interchange would be better for HS2	These options were considered as part of the options assessment that informed the preferred route announcement in August 2017.
12	This Scheme is over-designed and not necessary	The compelling need for the Scheme is identified in the Planning Statement [TR010027/APP/7.1] and was first identified in 2014. The Scheme is a proportionate response to mitigate the existing and future planned and aspirational developments in the area.
13	Concern about construction disruption	<p>Construction impacts will be mitigated with a variety of measures including construction phasing and in consultation with stakeholders to understand their issues. Highways England plan to build the mainline link road offline prior to impacting the A45 and M42. The Outline Environmental Management Plan (OEMP) [TR010027/APP/6.11] will identify practical measures to minimise impact on the local community.</p>
14	Concern about the safety and quality of Shadowbrook Lane	The Scheme will have very little impact on Shadowbrook Lane. Highways England will work with SMBC to maintain the character of Shadowbrook Lane where practicable.
15	Concerns about extra distance to travel from Bickenhill to the A45	<p>The travel distance from Bickenhill to the A45 will increase but the design of the Scheme was chosen, in discussion with SMBC, to minimise the impact of rat-running on Bickenhill.</p> <p>There will be a minimal increase in journey distances from Clock Interchange to</p>

No.	Element of the Scheme & issue raised in consultation	Reasons why changes were not made
		Bickenhill and Catherine-de-Barnes.
16	Concerns about drivers using the local road network as a rat-run	Highways England will work closely with SMBC to consider the impact and appropriate mitigation measures of the Scheme on the use of local roads for rat running in SMBC.
17	Concerns that traffic model numbers do not add up	<p>The traffic forecasts have been prepared using traffic models representing all main roads and junctions in the area.</p> <p>The models have been calibrated and validated against WebTAG criteria to represent existing traffic count and journey time data in the morning, interpeak and evening peak hours.</p> <p>Future year forecasts have been developed from these base models using standard forecasting methods and assumptions.</p> <p>The traffic flows shown in the consultation document have been prepared in summary form for key road links only, for presentation purposes. They show daily two-way traffic for the selected key links only. Hence, it is not intended that the traffic flows should be aggregated.</p>
18	Desire for a rear egress to the NMM	Highways England considered the need for a rear egress to the NMM. Following discussions with the NMM and interrogation of the traffic model, it was agreed not to include it.
19	Variable signage	Highways England will continue to engage with key stakeholders about signage.
NMU Provision		
20	Concern about the safety of NMUs crossing Clock Interchange	As part of a wider NMU strategy, developed by the Scheme in consultation with SMBC, NMU access across Clock Interchange will be removed and a new cycle/footbridge crossing the A45 will be provided to give safe access.
21	The desire for a bridleway between villages	No provision has been made in the Scheme for a bridleway connecting Bickenhill to Catherine-de-Barnes. There is no desire from SMBC to provide a bridleway provision as this would not connect to any existing bridleways.
22	Desire to improve NMU	As part of a wider NMU strategy, developed

No.	Element of the Scheme & issue raised in consultation	Reasons why changes were not made
	provision	by the Scheme in consultation with SMBC, Highways England has mitigated the impact from the Scheme on the NMU network and sought improvements where possible and in collaboration with SMBC and TfWM. SMBC is responsible for the provision of further NMU facilities.
23	NMUs wanting access to NEC along the north side of the A45	<p>Following consultation with SMBC, it was agreed that the section of existing footway/cycleway will be terminated at Longacre Farm (immediately east of the A45 Railway underbridge).</p> <p>In response to concerns raised by the NEC, uncontrolled NMU access into their car parks next to the A45 are not to be provided. Provision to cross to the southern side of the A45 has been provided with the proposed NMU overbridge to allow users to cross M42 Junction 6 on the southern side of the junction.</p>
24	Concern for the severance of public footpaths	<p>The Scheme ambition is not to cause any severance of footpaths in the vicinity of the Scheme. However, due to the nature of the mainline link road, mitigation is required to keep footpaths connected.</p> <p>The addition of the accommodation bridge and NMU bridge over the A45 are part of overall NMU strategy to minimise Scheme impacts on NMU movements and makes it possible to cross the mainline link road in three locations.</p> <p>The proposed A45 NMU bridge to the east of Clock Interchange will help to connect communities with facilities on the north side of the A45.</p>
Environment		
25	Concerns that the Scheme will require landscaping to screen Bickenhill Village from the new mainline link road	<p>The new mainline link road is generally in deep cutting, minimising visual impact on Bickenhill. Opportunities to introduce landscaping on the new and improved sections of carriageway between Clock Interchange and Bickenhill / Church Lane have been taken where feasible; however, as this area coincides with Birmingham Airport's safeguarding zone, restrictions exist on the form, extent and location of planting that can be introduced.</p>

No.	Element of the Scheme & issue raised in consultation	Reasons why changes were not made
26	Concern about additional noise as a result of the Scheme	Noise modelling has been undertaken for both the construction and operation phase of the Scheme. The assessment has concluded that during construction a number of receptors would be subject to short term and temporary changes in noise levels considered significant. During operation, the assessment has concluded that no receptors would be subject to changes in noise levels considered significant.
27	Concerns that extra roundabouts will bring extra traffic noise and pollution	Noise modelling has been undertaken for both the construction and operation phase of the Scheme. The assessment has concluded that during construction a number of receptors would be subject to short term and temporary changes in noise levels considered significant. During operation, the assessment has concluded that no receptors would be subject to changes in noise levels considered significant.
28	Concerns about light pollution for a road located in the Green Belt	The design of the Scheme includes new lighting only in locations where there is a requirement to meet safety standards, the design and specification of which has been developed to minimise potential light spill beyond the highway.
29	Impact of the new mainline link road route on the Ancient Woodland	<p>In defining the preferred route, the location of the southern junction is the optimal position between Junction 6 and Junction 5. The design of Junction 5A has been developed to further minimise the amount of land taken from Aspbury's Copse (see Table 15, response 1).</p> <p>In addition, Highways England is proposing a comprehensive strategy to translocate the soils from affected areas of the ancient woodland, alongside proposals to establish new planting adjacent to Aspbury's Copse to compensate for the loss of woodland vegetation.</p>

5 Chapter Five – Further Consultation

5.1 The need for further statutory consultation

- 5.1.1 Due to changes to the Scheme and consequent redline boundary (Order Limits) following the statutory consultation (9 January to 9 March 2018) and ongoing assessment, a further targeted consultation was carried out for 29 days, between 4 September and 2 October 2018. A plan showing the redline boundary (Order Limits) at statutory consultation stage and the proposed Order Limits that was the subject of further consultation is at **Annex R** of this report.
- 5.1.2 The parties consulted were:
- four s42(1)(d) statutory consultees who were newly identified since the last statutory consultation in early 2018 as having a Land Interest due to changes in the redline boundary (Order Limits);
 - 79 existing s42(1)(d) consultees where the impact on them will differ as a result of changes to the Scheme;
 - 75 prescribed statutory consultees s42(1)(a); and
 - 24 local authorities s42(1)(b).
- 5.1.3 S42 consultees, identified above, received a letter (see **Annex O**) setting out Scheme changes in a bullet point list, a plan locating all of the changes and details of where the earlier statutory consultation material and further consultation material can be accessed (**Annex O**). The consultation provided the opportunity for people to comment on changes to the Scheme within the consultation period.
- 5.1.4 At the same time as the further s42 statutory consultation, a non-statutory consultation was carried out in order to update people previously consulted, including the local community, about changes to the Scheme.
- 5.1.5 As part of this further consultation, Highways England published a press notice in the same two local newspapers that had been used for the statutory consultation early in 2018 in two editions over two consecutive weeks; these are listed in Table 17. The press notice set out the key changes to the Scheme, directed people to the three deposit points and the project website where further information was available during the consultation period (a copy of the press notice can be found in **Annex O**).

Table 17: Further consultation press releases

Newspapers		
Local Newspaper(s)		
Name:	Date:	Date:
Birmingham Mail	Friday 31 August 2018	Friday 7 September 2018
Solihull News	Friday 31 August 2018	Friday 7 September 2018

- 5.1.6 To allow people the opportunity to inspect consultation materials for the duration of the further consultation period, materials from the statutory consultation and updated plans and the Scheme changes list were deposited at the following three deposit points:

Hampton in Arden Library

(Tues 10:00 to 12:00 and 13:00 to 18:00; Fri 13:00 to 17:00)
39 Fentham Road, Hampton in Arden, Solihull, B92 0AY

Marston Green Library

(Mon and Thurs 10:00 to 13:00 and 14:00 to 18:00; Wed 11:00 to 13:00; Sat 10:00 to 13:00)
Land Lane, Marston Green, Birmingham, B37 7DQ

Solihull Central Library

(Mon and Thurs 09:00 to 20:00; Tues, Wed and Fri 09:00 to 18:00; Sat 09:00 to 17:00)
The Core, Homer Road, Solihull, B91 3RG

- 5.1.7 Information available at the deposit points included the following:
- a. the previous statutory consultation information (from early 2018) including the *Statutory public consultation brochure* [REF 5-4], marked as superseded to ensure no confusion;
 - b. updated General Scheme Plan;
 - c. *Preliminary Environmental Information Report* [REF 5-3] and *Preliminary Environmental Information Non-technical Summary* [REF 3-1];
 - d. SoCC, 2018 (**Annex F**); and
 - e. updated Plan and list of changes to the Scheme (**Annex O**).
- 5.1.8 Highways England's project website was also updated to include the same information as available at the deposit points. This included electronic versions of the plans and the list of changes to the Scheme and also provided information about how further comments could be made.

Further consultation consultees

- 5.1.9 Prior to further consultation, land referencing took place based on the revised Scheme and redline boundary (Order Limits) to identify individuals to be consulted as part of the s42 statutory consultation. The further consultation process followed guidance given in DCLG's pre-application guidance [REF 5-1]. Statutory consultees included the four newly affected PILs; (s42(1)(d)), 79 existing PILs impacted in a different way (s42(1)(d)), 75 prescribed statutory consultees (s42(1)(a)); and 24 local authorities (s42(1)(b)).
- 5.1.10 Non-statutory consultees included 231 existing PILs (s42(1)(d)) whose impact is unaffected by the Scheme changes and 40 PILs no longer directly affected by the Scheme. Consultees identified for the further consultation are listed according to their interest in the Scheme and the

relevant section of PA 2008. Prescribed consultees are in **Annex G**, List of Land Interests is in **Annex H**, and the four newly affected PILs are in **Annex N**.

- 5.1.11 Consultation letters were sent out to all consultees identified above. Due to the variety of people being consulted, there were six different variations of the consultation letters sent out. These are summarised in **Table 18**. A copy of each of these letters is within **Annex O**.

Table 18: Summary of consultation letters

Group	Consultee	PA 2008	Number	Method of post	Enclosures
1.	New s42(1)(d) Cat 1 and s42(1)(d) changed impact	s42(1)(d)	4 79	Recorded delivery	Redline plan, Scheme changes list and plan Land Interest Plan and questionnaire
2.	Prescribed	s42(a)	75	Recorded delivery and email	Redline plan, Scheme changes list and plan
3.	Local authorities adjacent to Scheme	s42(b)	23	Recorded delivery and email	
4.	Host local authority (SMBC)	s42(b)	1		
5.	Cat 1,2 now out		40	First class mail	
6.	Existing s42(1)(d) Cat 3, s42(1)(d) Cat 1 and 2 with no change		231	First class mail	

- 5.1.12 Note that SMBC was sent a consultation letter at this stage that reflected their status as a host authority and a PIL. WCC and NWBC were sent consultation notification letters reflecting the erroneous understanding of their status as neighbouring local authorities.
- 5.1.13 To ensure people had at least 28 days to respond to the consultation, all letters were sent on Thursday 30 August 2018. In addition, where we had email addresses for individuals and organisations such as for the prescribed consultees and local authorities (listed in **Annex G**), an additional email was sent on Monday 3 September 2018 attaching a copy of the consultation letter, along with the list and plan of Scheme changes.
- 5.1.14 If consultation letters sent via Recorded Delivery were returned, the project team first checked whether an email had successfully been received, then confirmed the postal address for the consultee and resent the letter via First Class mail. If the consultee had 'gone away', desk-

based referencing was carried out to see whether there was an alternative address. Any changes of address were noted in the Stakeholder Tracker.

- 5.1.15 During the further consultation period Highways England held meetings to discuss the revised redline boundary (Order Limits) and changes to the Scheme to allow all consultees to be fully aware of design developments, support continued dialogue and provide the opportunity to provide a consultation response during the further consultation period.

5.2 Further consultation response summary

- 5.2.1 This section presents a summary of the further consultation. In total, there were 266 responses received during the consultation period and an additional six consultation responses were received from prescribed consultees after the deadline date.
- 5.2.2 It should be noted that by far the largest number of responses came from non-statutory consultees who had been made aware of the consultation through their membership or affiliation with the WGAA. These are considered in more detail below.
- 5.2.3 Of the 266 responses received, 32 were responses from the prescribed consultees. Of these:
- a. 18 came from prescribed consultees (s42(1)(a));
 - b. one from the SMBC and one from CWLEP on behalf of WCC (s42(1)(b)); and
 - c. 13 were received from PILs (s42(1)(d)) affected by changes to the Scheme.
- 5.2.4 A questionnaire was not produced for people to fill in for this consultation. Instead people responded via Highways England's consultation webpage, email, telephone or post. Of the 266 responses, 220 arrived via Citizenspace – Highways England's mechanism to receive online consultation responses.
- 5.2.5 As was the case for the statutory consultation in early 2018, analysis of the consultation responses followed guidance from the Inspectorate's *Advice Note fourteen: Compiling the consultation report* [Ref 5-2]. This recommends grouping responses under the different strands of consultation. Accordingly, s42 and non-statutory responses are dealt with separately. In addition, the advice note recommends an issues-led approach to organising responses. This is followed for the larger number of non-statutory responses. Due to the specific nature of individual s42 responses, these were grouped by issue only when appropriate.

5.3 Statutory consultation responses

Prescribed consultees (Section 42(1)(a))

- 5.3.1 There were 18 responses from the 75 prescribed consultees who were contacted prior to the start of the further consultation period; these are listed in **Table 19**.

Table 19: Prescribed Consultees (Section 42(1)(a)) responding to consultation

Prescribed consultees responding to consultation	
Crown Estate	NATS Safeguarding
Western Power Distribution	Environment Agency
Wales & West Utilities Ltd	Health and Safety Executive
Ministry of Defence	National Grid
Severn Trent	Canal and River Trust
Energetics Gas	HS2
Public Health England	Natural England
CA Telecom / Colt Utility	Cadent Gas

- 5.3.2 A number of prescribed consultees noted that they would not be affected by the proposed works including the **Crown Estate, Wales & West Utilities, the Ministry of Defence, Cadent Gas, and Energetics Gas**. Note that **Esso Petroleum Co. Ltd.** is not a prescribed consultee but has been consulted and engaged in the same spirit as the statutory undertakers. In addition, a number of prescribed consultees thanked Highways England for informing them of changes to the Scheme and commented that the additional information did not change their original response (**Public Health England, Environment Agency, Canal and River Trust**).
- 5.3.3 **HS2** reiterates that Highways England needs to continue to work with them due to the interactions between the two schemes; this was reiterated by other consultees such as **SMBC**.
- 5.3.4 **Natural England** provided a very detailed consultation response. It list a number of technical notes shared by Highways England during pre-application dialogue and suggested early engagement via their Discretionary Advice Service for advice and continued dialogue about Bickenhill Meadows Site of Special Scientific Interest (SSSI) and Aspbury's Copse Ancient Woodland. Natural England agrees that no main badger setts will be impacted, that the impacts on bats are very low and no ponds/habitats for great crested newts will be lost. Natural England repeated comments made by **Warwickshire Wildlife Trust** in relation to the type of mitigation required at Shadowbrook Meadows Local Nature Reserve.
- 5.3.5 A number of statutory undertakers provided detailed consultation responses which relate to the close proximity of apparatus, compliance with relevant standards for works in close proximity to apparatus and technical safeguarding. These responses were provided by **Colt Utility, National Grid, Severn Trent and Western Power Distribution**.
- 5.3.6 Additional responses were also received from the Health and Safety Executive, NATS Safeguarding.

Section 42(1)(b) Local Authority

- 5.3.7 **SMBC**, as the host local authority most directly impacted, support the Scheme in principle and supplied an Action Log during the consultation period and has been involved in a wide variety of ongoing dialogue with Highways England since the inception of this Scheme. Key issues included in the Action Log and discussed during the consultation meetings on 4 and 18 September 2018 (the latter being a joint meeting with the NEC) include the location of the bus stop on the A45, the two-way proposal for Middle Bickenhill Lane, a potential cycle link from Hampton in Arden to Catherine-de-Barnes, funding for the new A45 footbridge, Green Belt impact and mitigation, the rear egress for the NMM, the signage strategy and re-trunking of the A45 between M42 Junction 6 and Clock Interchange. In a letter received after the consultation closed, these issues are explained in more detail.

Newly-identified Persons with Interests in Land (Section 42(1)(d))

- 5.3.8 Of the four PILs, who were newly identified for further consultation for statutory consultation, **Warwickshire Wildlife Trust**, **JLR** and **Network Rail Infrastructure Ltd** provided formal responses. The fourth landowner, **Lansdowne Group Ltd**, did not formally respond to the consultation but a meeting with this interest was held on site on 17 September 2018. Their land interest is affected temporarily during construction. **JLR** was aware of the Scheme and had been an s47 consultee in the earlier statutory consultation. Network Rail is a prescribed consultee (s42(1)(a)) and had previously been consulted in that capacity.
- 5.3.9 **Warwickshire Wildlife Trust** (the "Trust") has met Highways England a number of times with regard to the Scheme over the last year. Their response followed the most recent meeting held on 25 September 2018 and expresses strong concerns regarding the impacts of the Scheme on Bickenhill Meadows SSSI (Shadowbrook Meadows Unit). This meadow includes rare, nationally significant, meadow grassland which relies on damp conditions. The Trust questioned whether the new road may impact the flow of ground water to the SSSI which, if not mitigated, would destroy the grassland for which the site is designated. They also object to the pumped solution as proposed mitigation for the potential impact of the Scheme on the SSSI.
- 5.3.10 In addition to their objection as a PIL under s42, the Trust objected to the destruction of part of the Scheduled Ancient Woodland at Aspbury's Copse and the impact on the designated Local Wildlife Site at Castle Hill Farm. They asked for information about how connectivity for wildlife will be retained across the new mainline link road.
- 5.3.11 **JLR** - After receiving the consultation letter, JLR requested further information about how the Scheme would impact its site located close to M42 Junction 6, which they use for logistics. A meeting was held on 31 August 2018 to discuss the impact of the Scheme and the redline

boundary (Order Limits) was subsequently reviewed and amended to remove the JLR land interest.

- 5.3.12 **Network Rail** noted that the bulk of the Scheme works are located at least 50 metres from the operational rail boundary, therefore they would only need to review any proposed Works over the operational railway. Network Rail provided four locations requiring review, as Highways England proceeds further with the Scheme design. Although their response was provided after the consultation period, due to their status as a newly-identified PIL, their response has been included in this section of the Report.

Previously-identified Persons with an Interest in Land (Section 42(1)(d))

- 5.3.13 There were 79 PILs identified as being affected in a different way since the previous statutory consultation, from which 13 consultation responses were received. Those of the 13 that are private individuals are identified by a unique DCO reference.
- 5.3.14 The **National Exhibition Centre Group Limited (NEC)** welcomes the plans to address the current issues at M42 Junction 6. Highways England has had a number of meetings with NEC with regard to the Scheme, the most recent meeting being held on 18 September 2018. The NEC is concerned that the revised redline boundary which has been increased to include a greater area of car park. The construction timeframe will also potentially have a significant business impact. The construction timeframe has doubled to 24 months, from 12 months, to build the A45 east to M42 north free flow link and the change to the redline boundary will have an impact on 1,500 additional car spaces. The response outlines the need for Highways England to co-ordinate with HS2 Ltd to undertake utility diversion Works across East 5 car park and the need to maintain traffic flow and mitigation of the impact to local businesses during the construction period. Further, the NEC has concerns in respect of the proposed changes to the East Way roundabout such that traffic could potentially back up on the slip road onto the M42, as traffic leaving the NEC estate has priority and this will need careful management. The NEC welcome the new free-flow link from the mainline link road onto the A45 towards Birmingham and NMU provision at Clock Interchange. They are disappointed about the lack of north-facing slip roads at the new Junction 5A. The NEC were concerned by the Scheme's impact on Resorts World who lease East 5 car park that is identified within the redline boundary.
- 5.3.15 **Severn Trent Water Ltd.** highlighted that the Scheme potentially crosses a trunk water main which may have a material impact on their statutory undertaking.
- 5.3.16 **Birmingham Airport** supports improvements to M42 Junction 6. Highways England has had a number of meetings with Birmingham Airport and will continue to meet with regard to the Scheme design and safeguarding. Birmingham Airport reiterates that their previous response remains relevant. In addition, the airport has concerns that the location of the proposed segregated left turn lane will cause difficulties in providing two merging lanes onto the A45 westbound from Clock Interchange. They

note that further growth in the region may have an impact on the design of Clock Interchange. They hope that the proposed new motorway junction and mainline link road does not prejudice the construction of the Runway End Safety Area should this be built in the future. They are disappointed about the lack of north-facing slip roads at the new Junction 5A and hope that the closed free-flow link to the A45 should be retained for resilience should a traffic incident occur. Birmingham Airport would like cyclists who use the pedestrian footbridge adjacent to the West Coast Mainline to be able to travel without dismounting. The airport concludes by suggesting dialogue continues with regard to Scheme design and construction impacts.

- 5.3.17 **Resorts World** said that they were satisfied that the amendments to the Scheme will provide the best solution to the infrastructure development being undertaken.
- 5.3.18 **Arden Hotel** noted that the Scheme is likely to affect their 'perfect location' and that they would oppose anything which detracts from this. However, they may support the Scheme if an agreement can be reached on the following: the construction programme of the project, condition the site would be returned to them, compensation arrangements, footbridge design, and land acquisition arrangements.
- 5.3.19 **PIL39** will continue to provide land access for surveys and have had a number of meetings with Highways England in regard to the Scheme. The most recent meetings were held on 25 September 2018 and on 25 October 2018. The consultation response is focused on the impact the Scheme will have on the inter-relationship between the Scheme and the Planning Application as submitted by Extra MSA Group in relation to the proposed MSA, the scale of land take for environmental mitigation, severance of some fields and future access arrangements for farming activities. Agreements about these issues and several others such as the alignment of the attenuation ponds are the focus of ongoing dialogue and they look forward to continuing to work with Highways England.
- 5.3.20 **Extra MSA Group** has submitted a planning application for a proposed MSA on land to the south of Solihull Road. This is currently awaiting determination by SMBC. In their response, Extra notes that Natural England is currently removing part of Aspbury's Copse close to the M42 Motorway from the inventory of Scheduled Ancient Woodland. They further suggest that, as there is strong evidence that as Aspbury's Copse has not been continuously wooded, it should not be designated as Ancient Woodland.
- 5.3.21 They would also like reassurance that the modifications to Solihull Road will not prejudice or preclude delivery of the MSA and would wish the MSA site to be correctly shown and clearly labelled on maps with the application number.
- 5.3.22 **WGAA** provided a detailed consultation response via their agent. This sets out how the Scheme will impact on all three of Páirc na hÉireann's existing pitches, cut off access to its clubhouse and carpark and necessitate the relocation of the members' memorial. The WGAA do not think that a

reconfiguration of the current site will leave them in an equivalent position to that which it currently enjoys and consider it would place the club in an inferior position.

- 5.3.23 It is recorded that Highways England previously agreed that relocating the entire facility could be provided within its DCO, as an Associated Development. The WGAA note that they are unable to comprehend why Highways England now considers that it may not be possible to justify using compulsory purchase powers to acquire the site that had previously been identified for the relocation. The WGAA reiterate their position that they would support a like-for-like replacement and confirm that if this solution is taken forward they would lend their full support to the Scheme. If this is not possible, a search for an alternative site will commence and Highways England would be required to compensate the WGAA. The WGAA reiterate that they hope to work together with Highways England to deliver a mutually acceptable solution.
- 5.3.24 The WGAA asked that a study undertaken by West Midlands Economic Forum (WMEF) is considered as part of their formal response. The resulting note states that the reconfiguration of the current site would “*provide no parity with the potential loss of current resources*”. This study outlines the natural capital and the wider social costs of the Scheme and highlights the following:
- a. the facility currently borders a minor B-road, some 30m away which will be replaced by a 4-lane dual carriageway carrying 2000 cars per hour within 5 metres of the main county pitch. Pitch two would be covered in concrete and pitch three reduced to that of a juvenile training pitch;
 - b. noise and air pollution from the new mainline link road will affect the hearing, lungs and performance of all users and visitors to Páirc na hÉireann;
 - c. no thought has been given to where or how the facilities might be replaced;
 - d. no thought has been given to the safety of road users with sliothars (hurling balls) travelling at over 150km/h and over 110m; and
 - e. no thought to the suitability of lands adjacent to the current facility with land to the north being underneath the flight path, land to the west being a disused land fill and an oil pipeline is within land to the south.
- 5.3.25 The note concludes by saying that “the only alternative to preserve the fabric of what the WGAA currently is to relocate the facility. This is the only viable solution that leaves the WGAA in an equivalent position; all other proposals leave WGAA worse off. This is clearly not within the remit of a well-executed Compulsory Purchase Order. It needs to be replaced with a facility of equivalent standing”.
- 5.3.26 **PIL44** owns land between Bickenhill village and the A45 and they are opposed to the amount of their land that is set out as proposed landscaping and requests Highways England to find an alternative solution which does not involve their land.

- 5.3.27 **PIL77** is concerned about the impact of the Scheme on their home and business, both during construction and once it is completed. They are concerned about increased traffic levels if the private means of access (PMA) for the WGAA is built as a through-road. They are concerned by the increasing amount of parking in Bickenhill village. During construction, they want to ensure there is clear signage so that people can navigate any diversions and they hope that construction is carried out during sociable hours over as short a timeframe as is practicable. Their business is successful due to its rural location and they are concerned that this is not impacted by the Scheme. With a livery on site, they are concerned that land take and construction disruption will have a negative impact on business and is opposed to a PMA which will increase land take on their property.
- 5.3.28 **PIL47** has indicated they may consider selling some of their land to facilitate the reconfiguration of the WGAA. This would have the added benefit of allowing an extension to Bickenhill SSSI and alter the requirements for the PMA.
- 5.3.29 The proposed Scheme is currently unacceptable to **PIL42** as it will deprive them of some of their land and the access provision will not be equivalent to the current provision. They conclude that if a better access cannot be provided, then they would expect the whole of their land to be acquired.
- 5.3.30 Subject to terms, **PIL41** are prepared to discuss the acquisition of their land for the Scheme by agreement.

5.4 Non-statutory further consultation responses

- 5.4.1 There were 232 non-statutory consultation responses. A majority of these (214) discussed the impact of the Scheme on the WGAA. Of the remaining, eight were focused on the impact of the Scheme on the environment, three relate to non-motorised users and transport. Six did not provide any details.
- 5.4.2 The **Woodland Trust** maintains an objection to the Scheme due to the direct loss of irreplaceable habitat in Asbury's Copse Ancient Woodland. Although they welcome the reduction of land take within the ancient woodland, they note that the embankments which will support the slip roads will still be located inside the ancient woodland resulting in direct loss on both sides of the existing road. Consequently, their position is that any development resulting in the loss or deterioration of irreplaceable habitats should be refused.
- 5.4.3 Highways England is aware that the WGAA provided an update about the Scheme on their website and social media and set up a change.org online petition (<https://www.change.org/p/m42-junction-6-improvement-protect-gaa-our-heritage-and-our-culture-in-warwickshire>). It asked their membership of over 3,000 to support the WGAA position and respond to Highways England's consultation or write a letter to their local Member of Parliament (MP). As of 11 December 2018, the online petition had 11,787 signatures.

- 5.4.4 In response to the WGAA's campaign, DfT/Highways England also received correspondence from a number of MPs. These highlight their desire for a solution that mitigates the Scheme's impact on the club.
- 5.4.5 Of the 214 consultation responses received about the WGAA, the following issues were raised (note an individual response may have included multiple issues):
- a. 104 responses mentioned the importance of the WGAA as a community sports facility, this being particularly important as it serves a large Irish diaspora;
 - b. 80 responses suggested that there would be an increase in noise and air pollution as a result of the new mainline link road and this could have a potential impact on the health of players at Páirc na hÉireann;
 - c. 70 consultees note that the new mainline link road will be close to Páirc na hÉireann;
 - d. 17 consultees outline how they would prefer the current WGAA facilities to be maintained, rather than having a new mainline link road built;
 - e. 58 responses suggest that the safety of road users could be affected as sliothars (hurling balls) can travel quickly and over long distances;
 - f. 52 responses highlight the importance of the monument on the current site and they would like thought put into where it will be relocated;
 - g. 44 consultees reject Highways England's decision to opt for a reconfiguration of the current site rather than a relocation of the WGAA site;
 - h. 52 responses suggest that a reconfiguration of the current site is not a reasonable alternative to the earlier promise of a re-location;
 - i. 56 consultees suggest that land adjacent to Páirc na hÉireann is unsuitable for reconfiguration;
 - j. nine people stated that the revised proposals are to the detriment of the WGAA and 12 suggest that adequate compensation should be provided;
 - k. 49 consultees demand a facility of equivalent benefit; and
 - l. 27 consultees would like an alternative solution to the site reconfiguration to be sought.
- 5.4.6 Of the remaining 29 responses to the further non-statutory consultation, the following themes are covered:
- a. eight responses focus on the environment and Green Belt. Five of these responses question the need for the Scheme to be located in the Green Belt, two question what the increase and noise and pollution will be as a result of the Scheme and the last one questions the impact of the Scheme on biodiversity. Note that Warwickshire Wildlife Trust objected to the impact of the Scheme on part of the

Schedule Ancient Woodland at Aspbury's Copse and this is outlined in section 5.3.9 alongside their response as a newly identified PIL;

- b. three responses focus on non-motorised users and public transport. Two of these responses question how the Scheme will impact on NMU provision in the vicinity of the Scheme. Of these the **Open Spaces Society** provided a detailed analysis of the Scheme's impact and identified a few areas for further discussion with SMBC. The final response questions the relocation of the bus stop on the A45; and
- c. one response expressed opposition to the Scheme, but it does not provide further detail. The remaining 17 responses did not contain any written detail, so could not be thematically organised.

Consultation responses – received after 2 October 2018

- 5.4.7 The **Ramblers Association (Warwickshire Area)** are pleased to see that the accommodation bridge over the mainline link road between Shadowbrook Lane and Solihull Road (public footpath M123) has now been confirmed.
- 5.4.8 **Historic England** notes the attention being paid to the historic environment issues and is content with the proposals as they currently stand.
- 5.4.9 **The Forestry Commission** set out how it is government policy to discourage development that will result in the loss of Ancient Woodland, unless "*the need for, and benefits of, the development in that location clearly outweighs the loss*" (National Planning Policy Framework, paragraph 118).
- 5.4.10 **Coventry and Warwickshire Local Enterprise Partnership (CWLEP)** is concerned about future-proofing (ensuring that opportunities to further enhance M42 Junction 6 beyond the current proposal) and remain concerned that the A45/A452 Stonebridge Island is likely to experience further growth pressures and conclude by welcoming several changes which seek to improve access for NMUs.

5.5 Further consultation conclusion

- 5.5.1 The further consultation was conducted in accordance with the PA 2008 as a targeted consultation to enable those impacted by the proposed changes to the Scheme a chance to comment. Highways England also took the opportunity to allow the wider public to comment on the proposed Scheme changes. This enabled a variety of individuals and organisations to comment on the Scheme as amended in light of the Statutory Consultation earlier in the year.
- 5.5.2 Ongoing dialogue has been helpful to Highways England's understanding of important issues for key stakeholders and further refining the Scheme.

5.6 Regard to further consultation responses

- 5.6.1 The following issues raised in consultation responses have led to changes to the Scheme design.
- 5.6.2 **Table 20** shows numbered changes to the Scheme, which are cross-referenced to responses received during the further consultation and identified in the tables evidencing the regard had to consultation responses (in accordance with s49 of the PA 2008) provided in **Annex P**.

Table 20: Changes to the Scheme following the further consultation

No.	Location	Element of the Scheme which has changed	Reason for design change
1	A45 Coventry Road	The bus stop on the A45 Coventry Road has been relocated onto the Airport Way Connector Road.	This change has been made at the request of SMBC – the exact location is subject to ongoing discussion with SMBC and TfWM.
2	T-Junction of Catherine-de-Barnes Lane and St Peters Lane	A PMA and turning head has been added.	This change has been made at the request of local residents to discourage anti-social behaviour and to ensure adequate maintenance access of highways infrastructure.
3	Private Means of Access (PMA) to the west of the new mainline link road	The PMA has been split at a point just north of the WGAA facility.	This is to ensure that the PMA cannot be used as a through road to prevent 'rat-running' as requested by SMBC and local residents.
4	B4438 Realigned Catherine-de-Barnes	Proposed speed limit between Barber's Coppice and Bickenhill Roundabouts.	Following consultation with SMBC it was agreed that the speed limit of this section of road would be lowered from 50mph to 40mph.
5	Scheme Wide	Environmental Mitigation and or Enhancement areas	Following consultation with various landowners across the Scheme, the environmental mitigation and enhancement strategy has been adjusted to reduce the impact of the associated land take.

No.	Location	Element of the Scheme which has changed	Reason for design change
6	NEC East car park	No construction compound	The area of land taken for the permanent works is some distance from the HS2 works. The remaining land is for temporary construction and access purposes and Highways England will work to minimise disruption to HS2 and the NEC.

5.6.3 Issues raised on more than one occasion during consultation, but which did not result in changes to the Scheme, are presented in **Table 21**, along with a justification for this approach.

Table 21: No design changes to the Scheme after further consultation

No.	Element of the Scheme & issue raised in further consultation	No design change as a result of consultation response
Scheme design		
1	The closure of the M42 Northbound to A45 Westbound free flow link	The new mainline link road provides improved functionality over that currently provided by the existing free flow link. The closure is required for operational and safety reasons – it will be retained for emergency use only. Operational details will be developed in consultation with SMBC and the Highways England's Network Operations team.
2	A45 Pedestrian Overbridge alignment	Following consultation with SMBC and the Arden Hotel the design of the A45 Pedestrian Overbridge has not been altered. However, the DCO limits of deviation have been adjusted to provide flexibility during detailed design to modify the ramp locations should this be feasible.

5.6.4 Further consultation responses which will be the subject of ongoing dialogue are presented in the following table.

Table 22: Further consultation responses, the subject of ongoing dialogue

No.	Location	Element of the Scheme under consideration	Reason for design change
1	B4438 Realigned Catherine-de-Barnes	Access arrangements to residential property	Following consultation, Highways England has identified an alternate access arrangement to the property, which needs to be agreed with the owner and SMBC.
2	B4438 Realigned Catherine-de-Barnes	WGAA	Following consultation, Highways England has identified an alternate access arrangement to the property, which needs to be agreed with the owner and SMBC.
3	The Haven Caravan Park	Temporary Access alteration to the Haven Caravan Park during construction	During consultation, an alternative means of access off the Realigned Catherine-de-Barnes was proposed by the owner. This change remains subject to further environmental assessments and consultation with SMBC.
4	Parcel of land to the North East Quadrant of M42 Junction 6	Location of the Reed Bed system	Following consultation with HS2, the DCO limits of deviation have been altered to provide some flexibility to ensure that the M42 Junction 6 Improvement and HS2 scheme can be coordinated in this region. Ongoing discussions are being held to agree the detail.
5	Shadowbrook Meadows Local Nature Reserve	Strategies for further assessment and mitigation	<p>Highways England has maintained dialogue with Natural England and Warwickshire Wildlife Trust - a number of meetings to identify issues and agree appropriate strategies for further assessment and mitigation have been held.</p> <p>Agreements to date include:</p> <ul style="list-style-type: none"> i. Tree planting rates. ii. Landscaping valuation and replacement strategy. <p>Highways England has agreed a hierarchical approach to dealing with SSSI monitoring of baseline conditions and potential impacts and mitigation.</p> <p>Highways England continues to work closely with Natural England and WWT to ensure that environmental impacts are understood and mitigated appropriately, and licenses will be obtained before any site works will be undertaken, as required.</p>

6 Chapter Six - Conclusion

6.1 Compliance with advice and guidance

- 6.1.1 The DCLG Guidance on the pre-application process (version 26 March 2015) has been followed during the statutory and further consultation as appropriate. Table 23 presents evidence of compliance.

Table 23: Compliance with DCLG guidance on the pre-application process

Paragraph	Requirement	Evidence of compliance
17	When circulating consultation documents, developers should be clear about their status, for example ensuring it is clear to the public if a document is purely for purposes of consultation.	All the consultation material used clearly states the Scheme name and that the status of the document is for consultation. For example, the statutory consultation brochure states on its cover M42 junction 6 Improvement Scheme – Statutory public consultation”. At page 3 of the brochure it states, “ <i>This brochure is in relation to the proposed M42 Junction 6 improvement consultation</i> ”.
18	Early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties.	All major stakeholders have been involved throughout the option identification, selection and development of the Scheme as evidenced in this report. Regular meetings have taken place with SMBC (as the host authority most impacted by the Scheme) throughout the Scheme development to discuss the Scheme, design, SoCC and ongoing consultation. Highways England has also met with WCC, BCC and Stratford-on-Avon District Council. It is now acknowledged that WCC and NWBC are host authorities (with minimal impact) and will be engaged as host authorities going forward. As mentioned previously, Highways England consulted with WCC and NWBC on the terms of the SoCC. Parish Councils engaged include Bickenhill and Marston Green PC and Hampton in Arden PC and Catherine-de-Barnes Residents’ Association. Meetings have taken place with stakeholders including Arden Cross, UK Central, Birmingham Airport, the NEC, NMM, HS2, WGAA, TfWM, Birmingham Business Park and PILs.
19	The pre-application consultation process is	Extensive consultation has been undertaken in accordance with the PA

Paragraph	Requirement	Evidence of compliance
	crucial to the effectiveness of the major infrastructure consenting regime. A thorough process can give the Secretary of State confidence that issues that will arise during the 6 months examination period have been identified, considered, and – as far as possible – that applicants have sought to reach agreement on those issues.	2008 and related guidance on the pre-application process to ensure that all consultees and interested parties have been identified and had good opportunity to make their views known. Highways England has engaged in dialogue with these parties to consider as far as possible the issues raised and sought to reach agreement wherever possible.
20	Experience suggests that, to be of most value, consultation should be: <ul style="list-style-type: none"> • Based on accurate information that gives consultees a clear view of what is proposed including any options; • Shared at an early enough stage so that the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and • Engaging and accessible in style, encouraging consultees to react and offer their views. 	SMBC and other stakeholders were involved early in the process to understand of the problems and define scheme options. Three options were presented at the non-statutory consultation held from 9 December 2016 to 27 January 2017. This informed the identification and refinement of a preferred option with the detail set out in Chapter 2 of this report. The Preferred Route alignment was developed to sufficient level of detail and accuracy to provide a clear representation of what was proposed. The statutory consultation sought views on this preliminary design. The design was changed in light of consultation responses and a further targeted consultation undertaken to give consultees a clear view and opportunity to comment on the emerging design. All consultation materials were reviewed and edited by the Highways England Communications team to ensure that content was engaging and accessible. A variety of media and consultation methods were also used as set out in this report.
25	Consultation should be thorough, effective and proportionate. Some applicants may have their own distinct approaches to consultation, perhaps	Highways England has followed its own consultation protocols as well as Inspectorate guidance (Advice Note three: EIA Notification and Consultation, Version 7 (August 2017), together with the Department for Communities and Local Government – The Planning Act

Paragraph	Requirement	Evidence of compliance
	<p>drawing on their own or relevant sector experience, for example if there are industry protocols that can be adapted. Larger, more complex applications are likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response. Many proposals will require detailed technical input, especially regarding impacts, so sufficient time will need to be allowed for this. Consultation should also be sufficiently flexible to respond to the needs and requirements of consultees, for example where a consultee has indicated that they would prefer to be consulted via email only, this should be accommodated as far as possible.</p>	<p>2008, Guidance on pre-application consultation (March 2015).</p> <p>The report, compiled in accordance with Planning Inspectorate, Advice Note fourteen: "Compiling the consultation report", Version 2 (April 2012), demonstrates that the Consultation was thorough, proportionate and effective using Highways England's experience and specialist resources to support this process.</p> <p>In addition to the actual consultations Highways England has held 1:1 meetings with stakeholders during the process in order to ensure their comments were understood.</p> <p>Highways England has held 3 Consultations to ensure stakeholders understood and contributed to the proposals.</p> <p>Specialist technical expertise was available to support consultee understanding of the Scheme and to inform the design changes made in light of consultation responses.</p> <p>The consultation was designed to enable people to gain a good understanding of the Scheme through different media such as the brochure, large plans displayed at the consultation venues, 3D visualisations, and 'fly-through' images as well as having technical experts available to answer detailed questions.</p> <p>Engagement with individuals was via email, letter, phone call and individual meetings held, in accordance with the individual wishes of each consultee.</p>
26	<p>The Planning Act requires certain bodies and groups of people to be consulted at the pre-application stage but allows for flexibility in the precise form that consultation may take depending on local circumstances and the needs of the project itself. Sections 42 – 44 of the Planning Act and Regulations set out details of who should be</p>	<p>Highways England has followed the PA 2008 and associated guidance in this pre-application stage to consult with the prescribed bodies and groups of people as detailed in this report.</p> <p>Highways England has followed Inspectorate guidance (Advice Note three: EIA Notification and Consultation, Version 7 (August 2017), together with the Department for Communities and Local Government – The Planning Act 2008, Guidance on pre-application consultation (March 2015).</p> <p>The report, compiled in accordance with</p>

Paragraph	Requirement	Evidence of compliance
	consulted, including local authorities, the Marine Management Organisation (where appropriate), other statutory bodies, and persons having an interest in the land to be developed. Section 47 in the Planning Act sets out the applicant's statutory duty to consult local communities. In addition, applicants may also wish to strengthen their case by seeking the views of other people who are not statutory consultees, but who may be significantly affected by the project.	<p>Planning Inspectorate, Advice Note fourteen: "Compiling the consultation report", Version 2 (April 2012), demonstrates that the Consultation was thorough, proportionate and effective using Highways England's experience and specialist resources to support this process.</p> <p>Additionally, Highways England has gone beyond this requirement and sought the views of the wider community, for example, by targeting non-statutory consultees such as JLR, Birmingham Business Park and LEPs to inform the Scheme proposals, together with employees of Birmingham Business Park and JLR. Highways England also made use of the BCC 'Birmingham Connected' email circulation to notify people of the consultation.</p> <p>A pull-up exhibition board advertising the proposed Scheme was also left at JLR and NMM. Posters were displayed at the NEC, Birmingham Airport, Birmingham International railway station, Resorts World (one on each level) and displayed at five motorway service areas targeting long-distance motorists. A pop-up exhibition also took place at Birmingham Business Park on 13 February 2018 as part of the statutory consultation.</p> <p>In preparing the SoCC for the s47 consultation Highways England consulted SMBC, WCC, NWBC, BCC and CCC. Changes to the SoCC were made in light of comments received and these are set out in Section 3.2 of this report.</p>
27	The Planning Act and Regulations set out the statutory consultees and prescribed people who must be consulted during the pre-application process. Many statutory consultees are responsible for consent regimes where, under section 120 of the PA 2008, decisions on those consents can be included within the	<p>Highways England has followed Inspectorate guidance (Advice Note three: EIA Notification and Consultation, Version 7 (August 2017), together with the Department for Communities and Local Government – The Planning Act 2008, Guidance on pre-application consultation (March 2015).</p> <p>The statutory and prescribed consultees are listed within Annex H and Annex G and an updated list for the further consultation is provided in Annex N. Early discussions were held, and are ongoing, with the relevant consenting bodies such as Natural England,</p>

Paragraph	Requirement	Evidence of compliance
	<p>decision on a DCO. Where an applicant proposes to include non-planning consents within their DCO, the bodies that would normally be responsible for granting these consents should make every effort to facilitate this. They should only object to the inclusion of such non-planning consents with good reason, and after careful consideration of reasonable alternatives. It is therefore important that such bodies are consulted at an early stage. In addition, there will be a range of national and other interest groups who could be make an important contribution during consultation. Applicants are therefore encouraged to consult widely on project proposals.</p>	<p>Environment Agency and SMBC in order to obtain the relevant consents required for each consenting regime.</p> <p>Consultation has been undertaken with other national bodies and interest groups such as the Ramblers, the Open Space Society and Woodland Trust, for example.</p>
29	<p>Applicants will often need detailed technical input from expert bodies to assist with identifying and mitigating the social, environmental, design and economic impacts of projects, and other important matters. Technical expert input will often be needed in advance of formal compliance with the pre-application requirements. Early engagement with these bodies can help avoid unnecessary delays and the costs of having to make changes at later stages of the process. It is equally important that statutory consultees</p>	<p>Technical input has been actively sought and secured from bodies such as Natural England, Environment Agency, Historic England, the relevant Utility Companies, Sport England and Highways operations etc.</p> <p>In light of the proximity of the Scheme to Birmingham Airport discussions have been held and continue to be held with the Airport operator to meet the technical and safeguarding needs of the airport. Highways England has consulted with host and neighbouring authorities as well as the local LEPs to understand the social and economic impacts of the Scheme.</p> <p>At these meetings the organisations have been made aware of the programme for the Scheme, keys dates for their input, and the DCO process.</p>

Paragraph	Requirement	Evidence of compliance
	respond to a request for technical input in a timely manner. Applicants are therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.	
38	The role of the local authority in such discussions should be to provide expertise about the make-up of its area, including whether people in the area might have particular needs or requirements, whether the authority has identified any groups as difficult to reach and what techniques might be appropriate to overcome barriers to communication. The local authority should also provide advice on the appropriateness of the applicant's suggested consultation techniques and methods. The local authority's aim in such discussions should be to ensure that the people affected by the development can take part in a thorough, accessible and effective consultation exercise about the proposed project.	Numerous and regular meetings have taken place with SMBC (as the host authority most impacted) to discuss the Scheme, design, wider traffic and highway matters, planning and regeneration issues and the scope and content of the SoCC. Highways England has worked with SMBC's Equalities Service to overcome barriers to engaging with the local Gypsy and Traveller community to ensure they are aware of the Scheme and potential impacts during construction etc. As set out above, Highways England engaged more widely than required under the PA 2008 in consulting on the SoCC, including with WCC and NWBC, which are now both host authorities. The SoCC was changed in light of comments received in order to ensure a thorough, accessible and effective consultation was achieved. Going forward, SMBC, WCC and NWBC will be treated as host authorities.
41	Where a local authority raises an issue or concern on the SoCC which the applicant feels unable to address, the applicant is advised to explain in their consultation report their course of action to the Secretary of State when they submit their	There were no major issues of concern raised on the SoCC which Highways England felt unable to address. BCC did suggest numerous additional deposit point locations and, following further discussion with the City Council, these were refined to the nine locations used.

Paragraph	Requirement	Evidence of compliance
	application.	
50	It is the applicant's responsibility to demonstrate at submission of the application that due diligence has been undertaken in identifying all land interests and applicants should make every reasonable effort to ensure that the Book of Reference (which records and categories those land interests) is up-to-date at the time of submission.	<p>Due diligence has been undertaken to identify all land interests and Highways England has made every reasonable effort to ensure that the Book of Reference is up-to-date.</p> <p>The Book of Reference will be refreshed and updated throughout the course of the DCO Examination should the application be accepted.</p> <p>The Statement of Reasons [TR010027/APP/4.1] sets out clearly the land referencing methodology undertaken.</p> <p>A validation check between the final Book of Reference and the parties listed in Annex H detailing those consulted at s42 in January and September 2018 has revealed a number of parties/interests in land whom have not been consulted. A list of these parties and an explanation as to why they have not been consulted at s42 is contained in Annex Q.</p>
54	In consulting on project proposals, an inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Applicants should use a range of methods and techniques to ensure that they access all sections of the community in question. Local authorities will be able to provide advice on what works best in terms of consulting their local communities given their experience of carrying out consultation in their area.	<p>An inclusive approach to consultation was designed to ensure that different groups have the opportunity to participate. A letter drop and poster displays encouraged the local community to take part. Social Media (Facebook targeted adverts and Twitter) were used to advertise the consultation and target Social Media users. A press release and Midlands Today news story highlighted the consultation on traditional media. Carrying out an Equalities Impact Assessment and discussions with SMBC helped us to identify local groups to be consulted and people with protected characteristics.</p> <p>Consultation with the local Traveller and Gypsy community was sought, initially utilising the Red Cross as local advocates as advised by the Gypsy Council. Contact was also made locally with the residents of the Haven Caravan site via the SMBC Equalities Service during the statutory consultation and brochures distributed with an offer to meet. A meeting was held with the owner of the Haven caravan site as part of the further consultation.</p>

Paragraph	Requirement	Evidence of compliance
55	<p>Applicants must set out clearly what is being consulted on. They must be careful to make it clear to local communities what is settled and why, and what remains to be decided, so that expectations of local communities are properly managed. Applicants could prepare a short document specifically for local communities, summarising the project proposals and outlining the matters on which the view of the local community is sought. This can describe core elements of the project and explain what the potential benefits and impacts may be. Such documents should be written in clear, accessible, and non-technical language. Applicants should consider making it available in formats appropriate to the needs of people with disabilities if requested. There may be cases where documents may need to be bilingual (for example, Welsh and English in some areas), but it is not the policy of the Government to encourage documents to be translated into non-native languages.</p>	<p>Highways England has been very clear what was being consulted on at each stage of the process and what elements of the Scheme have been settled.</p> <p>A consultation brochure was published for the non-statutory consultation and a further brochure published for the statutory consultation. These summarised the proposals, the potential benefits, and impacts, and clearly stated what matters Highways England were seeking people's views on.</p> <p>The consultation brochures met the Highways England style guide and avoided using technical language and jargon. The brochures were available as paper copies and online and the other consultation material was available on the website and at deposit points.</p> <p>The project team were readily available to consultees to explain the details of the Scheme in person and did provide materials such as plans in larger formats to aid understanding.</p>
57	<p>The SoCC should act as a framework for the community consultation generally, for example, setting out where details and dates of any events</p>	<p>The SoCC as agreed provided the consultation framework as detailed in Section 3.2 of this report.</p> <p>The details and dates of all the consultation events was published within the SoCC and made available online, at</p>

Paragraph	Requirement	Evidence of compliance
	will be published. The SoCC should be made available online, at any exhibitions or other events held by applicants. It should be placed at appropriate local deposit points (e.g. libraries, council offices) and sent to local community groups as appropriate.	exhibition events and at the Deposit Point locations. These dates and venues were included in a 'flyer' and on posters that were distributed to households within the consultation area and posters displayed at local shops, libraries and other venues. (see Annex K – "S47 Consultation Materials")
58	Applicants are required to publicise their proposed application under section 48 of the Planning Act and the Regulations and set out the detail of what this publicity must entail. This publicity is an integral part of the public consultation process. Where possible, the first of the two required local newspaper advertisements should coincide approximately with the beginning of the consultation with communities. However, given the detailed information required for the publicity in the Regulations, aligning publicity with consultation may not always be possible, especially where a multi-stage consultation is intended.	S48 Notices were published in the Birmingham Mail and Solihull News on 4 January 2018 and 5 January 2018 respectively prior to consultation commencing on the 9 January 2018. Further s48 Notices were placed in the Birmingham Mail on 11 January 2018 and in the Solihull News on 12 January 2018 (see Table 14 of this report and Annex L). Highways England commissioned further publicity using social media including targeted Facebook advertisements and Birmingham Updates.
68	To realise the benefits of consultation on a project, it must take place at a sufficiently early stage to allow consultees a real opportunity to influence the proposals. At the same time consultees will need sufficient information on a project to be able to recognise	There was approximately 6 months between the close of the non-statutory consultation period and the announcement of the preferred route announcement. This allowed time for the consultation responses to inform the preferred route selection. The statutory consultation provided people with 60 days to view the Scheme consultation material, understand the impacts and respond to Highways

Paragraph	Requirement	Evidence of compliance
	and understand the impacts.	<p>England.</p> <p>There was a further 8 to 9 months from the close of statutory consultation on 9 March 2018 to DCO submission for the team to refine the preliminary design of the Scheme in light of consultation responses.</p> <p>The proposed Scheme design changes were then subject to a Further targeted consultation held between 4 September 2018 and 2 October 2018, providing the Project Team two months to review and consider further changes.</p>
72	<p>The timing and duration of consultation will be likely to vary from project to project, depending on size and complexity, and the range and scale of the impacts. The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt of the consultation documents. It is expected that this may be sufficient for projects which are straightforward and uncontroversial in nature. But many projects, particularly larger or more controversial ones, may require longer consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. It is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is</p>	<p>The statutory consultation was held between 9 January 2018 and 19 February and subsequently extended to the 9 March 2018 as explained in paragraphs 3.3.16 to 3.3.18 of this report. The Further Consultation allowed people at least 28 days to respond from 4 September 2018 and 2 October 2018.</p> <p>There were a few late responses received by Highways England and these were also taken into account.</p>

Paragraph	Requirement	Evidence of compliance
	not obliged to take those responses into account.	
73	Applicants are not expected to repeat consultation rounds set out in their SoCC unless the project proposals have changed very substantially. However, where proposals change to such a large degree that what is being taken forward is fundamentally different from what was consulted on, further consultation may well be needed. This may be necessary if, for example, new information arises which renders all previous options unworkable or invalid for some reason. When considering the need for additional consultation, applicants should use the degree of change, the effect on the local community and the level of public interest as guiding factors.	Further targeted consultation was undertaken between 4 September 2018 and 2 October 2018 to seek views on the minor design changes and additional land take proposed in light of the earlier statutory consultation. Details of this Further targeted consultation are set out in Chapter 5 of this report.
77	Consultation should also be fair and reasonable for applicants as well as communities. To ensure that the consultation is fair to all parties, applicants should be able to demonstrate that the consultation process is proportionate to the impacts of the project in the area that it affects, takes account of the anticipated level of local interest, and takes account of the views of the relevant local authorities.	The consultation was designed to reflect the local area, its location in proximity to the Airport and other regional and national trip attractors as well as the rural nature of the area traversed by the proposed new mainline link Road and the impact of the Scheme on key stakeholders and local communities. The consultation process undertaken fully accorded with the agreed SoCC.
84	A response to points raised by consultees	Highways England is satisfied that the Consultation Report provides sufficient

Paragraph	Requirement	Evidence of compliance
	with technical information is likely to need to focus on the specific impacts for which the body has expertise. The applicant should make a judgement as to whether the consultation report provides sufficient detail on the relevant impacts, or whether a targeted response would be more appropriate. Applicants are also likely to have identified a number of key additional bodies for consultation and may need to continue engagement with these bodies on an individual basis.	detail in response to the relevant impacts identified in response to consultation. Highways England has met regularly with key stakeholders and PILs as appropriate to address specific issues. This engagement is ongoing.

6.1.2 Compliance with the Inspectorate's *Advice note fourteen: Compiling the Consultation Report*, is evidenced in the following table.

**Table 24: Compliance with the Inspectorate's Advice Note Fourteen
(Version 2, April 2012)**

Advice	Evidence of compliance
Explanatory text should set the scene and provide an overview and narrative of the whole pre-application stage as it relates to a particular project. It would assist if a quick reference guide in bullet point form, summarising all the consultation activity in chronological order, is included near the start of the report.	A summary of all the consultation activity in chronological order is included at Chapter 1 of this report, in particular at Table 1 .
The applicant should include a full list of the prescribed consultees as part of the consultation report.	This is in Annex G (Prescribed Consultees), Annex H (List of Land Interests) and Annex N (List of Additional Consultees).
A short description of how s43 of the Act has been applied in order to identify the relevant local authorities should be included. This could be supported by a map showing the site and identifying the boundaries of the relevant local authorities.	Local Authorities were identified as prescribed consultees in accordance with the Planning Inspectorate's Advice Note two: " <i>The role of local authorities in the development consent process</i> " (Version 1; February 2015). This is set out in section 3.2 and Table 6 (SoCC), paragraph 3.3.7, Figure 9 and Table 9 details the Local Authority Consultees of this Consultation Report.
Where compulsory acquisition forms part of the draft DCO the consultees who are also included in the book of reference for compulsory acquisition purposes should be highlighted in the consolidated list of prescribed consultees.	Annex H contains the full list of PILs consulted and those who in the Book of Reference for the purposes of compulsory acquisition are shown as Category 1 and Category 2 interests. Some parties in the Book of Reference were not formally consulted and are identified in Annex Q with reasons why they were not consulted.
It would be helpful to provide a summary of the rationale behind the SoCC methodology to assist the Secretary of State's understanding of the community consultation and provide a context for considering how consultation was undertaken.	The rationale behind the SoCC methodology is set out in Section 3.2 and the detail regarding how the statutory consultation was carried out is presented in Chapter 3 .
Any consultation not carried out under the provisions of the Act should be clearly indicated and identified separately in the report from the statutory consultation. This	The original non-statutory consultation was associated with the options stage. This is set out in Chapter 2 of this report. The statutory consultation on the Scheme

Advice	Evidence of compliance
does not necessarily mean that informal consultation has less weight than consultation carried out under the Act, but identifying statutory and non-statutory consultation separately will assist when it comes to determining compliance with statutory requirements.	is associated with the pre-application phase (see Chapter 3). The further consultation prior to DCO submission was an amalgam of statutory and non-statutory consultation (see Chapter 5). The status of each consultation has been clearly identified in the consultation materials throughout.
<p>The summary of responses, if done well, can save a significant amount of explanatory text. We advise that applicants group responses under the three strands of consultation as follows:</p> <ul style="list-style-type: none"> • S42 prescribed consultees (including s43 and s44); • S47 community consultees; and • S48 responses to statutory publicity. <p>This list should also make a further distinction within those categories by sorting responses according to whether they contain comments which have led to changes to matters such as siting, route, design, form or scale of the Scheme itself, or to mitigation or compensatory measures proposed, or have led to no change.</p>	<p>The summary of responses clearly distinguishes between the different categories of consultees, s42, s47 and s48 responses. Highways England has additionally clearly indicated where these responses resulted in changes to the Scheme, where mitigation measures are proposed or where no changes are proposed.</p> <p>For Statutory public consultation these can be found at section 4.2 and regard to the responses set out in Table 15 and, where no changes made, Table 16 respectively for statutory consultation. For the further targeted consultation, the summary of responses is at section 5.3 and design responses are set out in Table 20 and where no changes are proposed, these are detailed in Table 21.</p>
A summary of responses by appropriate category together with a clear explanation of the reason why responses have led to no change should also be included, including where responses have been received after deadlines set by the applicant.	<p>Where “no changes have been made following statutory consultation and reasons” are shown in Table 16.</p> <p>Where “no changes have been made following the further statutory consultation and reasons” are shown in Table 21.</p> <p>Where a final position has not been reached, ongoing discussions are shown in Table 22.</p>

6.2 Conclusion

- 6.2.1 In conclusion, Highways England has fully met the statutory requirements of the pre-application process. This report describes the phased consultation process undertaken by Highways England in accordance with the PA 2008 and the SoCC issued for the statutory consultation stage.
- 6.2.2 As mentioned previously, SMBC, WCC and NWBC are all host authorities, although WCC and NWBC were not originally identified as host authorities

until later. As set out above, Highways England did consult with each of the host authorities in accordance with the requirements of the SoCC.

6.2.3 Non-statutory and statutory consultation served as the primary means of gaining feedback on the proposals and, where possible. The summary of these activities is set out in Table 1 of this report. Throughout the consultation process Highways England has had regard to consultation responses and this is demonstrated in the development of the Scheme through the pre-application stage. These are set out in some detail in this report.

6.2.4 A summary of the changes made in response to non-statutory consultation is set out in section 2.4 of this report and Statutory Consultation is summarised in **Table 15** and changes made in light of the further consultation are set out in **Table 20**.

References

REF 1-1	<i>M42 Junction 6 Improvement Scheme: Technical Appraisal Report</i> (Highways England, 2016). Available online at: www.highwaysengland.co.uk/m42-j6 (Accessed 15 May 2018).
REF 2-1	<i>Report on Public Consultation: Non-statutory consultation – winter 2016</i> (Highways England, May 2017). Available online at: www.highwaysengland.co.uk/m42-j6 (Accessed 15 May 2018).
REF 2-2	<i>EIA Scoping Report</i> (Highways England, October 2017). Available online at: https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-junction-6-improvement/?ipcsection=docs (Accessed 15 May 2018).
REF 2-3	<i>M42 Junction 6 Improvement: Scheme Assessment Report</i> (Highways England, 2017). Available online at: https://highwaysengland.citizenspace.com/he/m42-junction-6-improvement/supporting_documents/Scheme%20Assessment%20Report%20%20Final.pdf (Accessed 5 November 2018).
REF 2-4	<i>M42 junction 6 Improvement scheme Preferred route announcement</i> (Highways England, August 2017). Available online at: www.highwaysengland.co.uk/m42-j6 (Accessed 15 August 2018).
REF 2-5	<i>Public Consultation Brochure</i> (Highways England, December 2016) Available online at: www.highwaysengland.co.uk/m42-j6 (Accessed 15 May 2018).
REF 2-6	<i>Scoping Opinion Report</i> (Planning Inspectorate, December 2017). Available online at: https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/m42-junction-6-improvement/?ipcsection=docs (Accessed 15 August 2018).
REF 3-1	<i>Preliminary Environmental Information Report - Non-Technical Summary (NTS)</i> . Available online at: https://highwaysengland.citizenspace.com/he/m42-junction-6-improvement-statutory-consultation/ (Accessed 15 May 2018).
REF 4-1	<i>Long Term Midlands Motorway Hub Study</i> (Midlands Connect 2018) Available online at: https://www.midlandsconnect.uk/media/1209/midlands-motorway-hub-summary-report-final-06062018.pdf (Accessed 1 October 2018).
REF 5-1	<i>Department for Communities and Local Government's document Planning Act 2008: guidance on the pre-application process</i> (DCLG pre-application Guidance). Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418009/150326_Pre-Application_Guidance.pdf (Accessed 2 February 2018).
Ref 5-2	The Planning Inspectorate's 'Advice note fourteen: <i>Compiling the consultation report</i> ' and is available at: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/ (Accessed 15 May 2018).
REF 5-3	<i>Preliminary Environmental Information Report</i> (Highways England) Available online at: www.highwaysengland.co.uk/m42-j6 (Accessed 15 May 2018).
REF 5-4	<i>M42 Junction 6 Improvement scheme: Statutory public consultation brochure</i> . Available online at: https://highwaysengland.citizenspace.com/he/m42-junction-6-improvement-statutory-consultation/ (Accessed 15 May 2018).

Glossary

Term	Meaning	Description
The APFP Regulations	The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009	Regulations setting out the procedures which applicants for development consent for nationally significant infrastructure projects will be required to follow before submitting, as part of the submission of, and upon acceptance of, an application.
APM	Automated People Mover	HS2's mass transit scheme that passes to the north of junction 6.
	Biodiversity	The biological diversity of the earth's living resources. The total range of variability among systems and organisms at the following levels of organisation: bioregional, landscape, ecosystem, habitat, communities, species, populations, individuals, genes and the structural and functional relationships within and between these different levels.
BOR	Book of Reference	
C2/C3 process		<p>The New Roads and Street Works Act 1991 requires a highway authority (Highways England) and statutory undertakers to make reasonable arrangements to identify, protect and/or divert utility apparatus. These arrangements are made in accordance with "Measures Necessary Where Apparatus is Affected by Major Works (Diversionary Works): A Code of Practice 1992"</p> <p>Arrangements are undertaken in a nine-stage approach as outlined in Appendix C of this Code of Practice and range from notification of the highway authority's agent to invoicing and payment.</p> <p>To date Highways England has engaged with Statutory Undertakers for the, Notification of Agent, (C1); Scheme Identification and Preliminary Inquiries (C2) and Budget Estimates (C3) stages.</p>
CEMP	Construction Environmental Management Plan	A site-specific plan developed in substantial accordance with the Outline Environmental Management Plan to ensure that appropriate environmental management practices are followed

Term	Meaning	Description
		during the construction phase of a project.
	Consultation materials	Documents published to explain the purpose and detail of the public consultation.
	Consultation response	Feedback provided by a member of the public or an organisation in response to a public consultation.
	Consultation boundary	The furthest extent of the geographical area around the Scheme which identifies people who live and work in the vicinity and may be affected by the Scheme.
	Cutting	An earthwork to establish the road foundations (along with embankments), where the road is cut into the landscape, providing potential for visual screening and noise attenuation.
DCLG	Department for Communities and Local Government	A government department which is now called the Ministry of Housing, Communities and Local Government, but which is still referenced as DCLG in certain guidance, with responsibility for driving up housing supply, increasing home ownership, devolving powers and budgets to boost local growth in England, and supporting strong communities with excellent public services.
DCO	Development Consent Order	A statutory instrument granting consent for the construction, operation, maintenance and (if relevant) decommissioning of a Nationally Significant Infrastructure Project (NSIP). NSIPs include, for example, major energy and transport projects.
DfT	Department for Transport	Government department responsible for the transport network in England, and for aspects of the transport network in the devolved administrations.
DMRB	Design Manual for Roads and Bridges	A series of 15 volumes prepared by the Department for Transport and Highways England that provide standards, advice notes and other published documents relating to the design, assessment and operation of trunk roads, including motorways, in the United Kingdom.

Term	Meaning	Description
	Environment Agency	A non-departmental public body, established in 1995 and sponsored by the United Kingdom Government's Department for Environment, Food and Rural Affairs (DEFRA), with responsibilities relating to the protection and enhancement of the environment in England (and until 2013 also Wales).
EAST	Early Assessment and Sifting Tool	
EIA	Environmental Impact Assessment	A process by which information about environmental effects of a proposed development is collected, assessed and used to inform decision making.
	Embankment	An earthwork to establish the road foundations (along with cuttings), where material is built up on either side of the road, providing potential for visual screening and noise attenuation.
	Enhancement	A measure that is over and above what is required to mitigate the adverse effects of a project.
	Environmental impact	The change in the environment from a development such as the removal of a hedgerow.
ES	Environmental Statement	A document produced in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to report the results of an EIA.
HGV	Heavy Goods Vehicle	The term for any truck with a gross combination mass of over 3,500 kilograms.
LIQ	Land Interest Questionnaire	Questionnaires sent to people thought to have an interest in land to obtain the most up to date information about land ownership in the area.
	Local Authorities	The host or adjoining county council, or district council
MP	Member of Parliament	The representative of the voters to the UK parliament.
NMU	Non-motorised user	Someone who is walking or cycling, a horse rider or using any other form of

Term	Meaning	Description
		transport which does not include a motor.
NSIP	Nationally Significant Infrastructure Project	A project which requires a development consent order to be made by the relevant Secretary of State, in order to be constructed, operated, maintained and decommissioned. The definition and thresholds for a Nationally Significant Infrastructure Project are as set out in the Planning Act 2008.
OEMP	Outline Construction Environmental Management Plan	A plan setting out an outline of the environmental management practices that may be followed during the construction phase of a project. The OEMP will later be refined and expanded into a full CEMP as more information becomes available and there is more certainty in terms of the proposed layout, construction methods, and construction programme of the development.
PA 2008	Planning Act 2008	The relevant legislation for dealing with nationally significant infrastructure projects.
PEI	Preliminary Environmental Information	PEI is defined in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 as: 'information referred to in regulation 14(2) which— (a) has been compiled by the applicant; and (b) is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development).
PEI Report	Preliminary Environmental Information Report	A report compiled by the applicant reporting the Preliminary Environmental Information.
PILs	Persons with an Interest in Land subject to the DCO (within Category 1, 2 or 3 of section 44 of the PA 2008 - owners, occupiers or people with an interest in or right in the land)	A person who has an interest in land as defined by s42(1)(d) of the Planning Act 2008.
The	Planning Inspectorate	On 1 April 2012, under the Localism Act

Term	Meaning	Description
Inspectorate		2011, the Planning Inspectorate became the agency responsible for operating the planning process for nationally significant infrastructure projects (NSIPs).
PMA	Private Means of Access	Routes which connect homes, businesses and community facilities to the public highway network.
	Preferred Route Announcement	Designation of a 'preferred route' by the Department for Transport provides a form of planning protection from development of land in the vicinity of the Scheme
	Prescribed Consultees	The persons listed in Schedule 1 of the Application Regulations who must be consulted in relation to the Scheme under s42(1)(a) of the PA 2008
PRoW	Public Right of Way	A way over which the public have a right to pass and repass. The route option may be used on foot, on (or leading) a horse, on a pedal cycle or with a motor vehicle, depending on its status. Although the land may be owned by a private individual, the public may still gain access across that land along a specific route option. Public rights of way are all highways in law.
	Receptor	A component of the natural or man-made environment that is affected by an impact, including people.
	Report	The M42 J6 Improvement Consultation Report
RIS	Road Investment Strategy	A document that sets out the Government's long-term approach to improve England's motorways and major roads (the 'strategic road network').
RLB	Red Line Boundary or extent of the Scheme	The line that denotes the Order limits of the proposed development.
	s42(1) a, b and d	The sections of the Planning Act 2008, relevant to the development, which prescribe statutory consultees.
	s47 notice	A notice published pursuant to section 47 of the Planning Act 2008, advising that a Statement of Community Consultation has been published.

Term	Meaning	Description
	s48 notice	A notice prepared pursuant to section 48 of the Planning Act 2008, required to publicise the proposed application for a nationally significant infrastructure project.
SAR	Scheme Assessment Report	The technical report that supports the announcement of a preferred route for a highways scheme.
Scheme	Proposed M42 Junction 6 Improvement scheme	
SoCC	Statement of Community Consultation	A Statement of Community Consultation is a document prepared pursuant to section 47 of the Planning Act 2008 setting out how the applicant proposes to consult, about the proposed application, people living in the vicinity of the land.
SoS	Secretary of State for Transport	
SMBC	Solihull Metropolitan Borough Council (Host Local Authority)	
SRN	Strategic Road Network	The motorways and trunk roads in England.
SSSI	Site of Special Scientific Interest	A conservation designation denoting a protected area in the United Kingdom. The sites are protected by law to conserve their wildlife or geology.
	Statutory Undertakers	Persons with regulatory powers and duties, such as gas, electricity, water and transport providers or transmitters
TAR	Technical Assessment Report	The technical report that supports the optioneering process for a highways scheme.
WebTAG	Department for Transport's transport analysis guidance (TAG)	