

M42 Junction 6 Development Consent Order

Scheme Number TR010027

8.16 Statement of Common Ground with National Exhibition Centre Limited

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M42 Junction 6 Development Consent Order
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**STATEMENT OF COMMON GROUND WITH
NATIONAL EXHIBITION CENTRE LIMITED**

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) National Exhibition Centre Limited.

Signed.....

Chris Harris

Project Manager

on behalf of Highways England

Date: [DATE]

Signed.....

[NAME]

[POSITION]

on behalf of National Exhibition Centre Limited

Date: [DATE]

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed M42 Junction 6 order ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 The order, if granted, would authorise Highways England to carry out the following works:
- a. a new dumbbell junction approximately 1.8km south of the existing Junction 6 on the M42;
 - b. construction of a new 2.4km dual carriageway link road between the new junction and Clock Interchange (an existing junction on the A45);
 - c. modifications to the existing Clock Interchange junction;
 - d. upgrades to the existing Junction 6; and
 - e. realignments and improvements to local roads to the west of the existing M42 in proximity to the proposed bypass.
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) National Exhibition Centre Limited ("the NEC").
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 The NEC's role in relation to the Development Consent Order ("DCO") process derives from Section 42(1)(d) of the Planning Act 2008 as a land interest and neighbouring business which may be affected by the M42 Junction 6 scheme ("the Scheme").
- 1.2.4 Collectively Highways England and the NEC are referred to as 'the parties'.

1.3 Terminology

- 1.3.1 In the table in the Issues chapter of this SoCG:
- “Agreed” indicates where the issue has been resolved.
 - “Not Agreed” indicates a final position, and
 - “Under discussion” where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to NEC, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to the NEC.
- 1.3.3 The NEC holds numerous events throughout the calendar year that require varying levels of resources and logistics subject to the size and popularity of the event. As part of this SoCG the following terminology – communicated to Highways England by the NEC – shall be used to differentiate between events:
- **‘Key Events’** – These events are of critical importance to the continued success of the NEC and require the maximum car parking and operational efficiency to accommodate. The NEC has provided Highways England with the following events which are classified as Key Events:
 - Horse of the Year Show (HOYS)
 - Crufts
 - Autumn Fair
 - Spring Fair
 - Caravan Shows
 - Classic Car Show
 - Multiple event dates – as notified and defined with Highways England at least 12 months in advance of the events
 - **‘Priority Events’** – these are frequently held throughout the year and are events such as concerts or multiple events that require the NEC to operate near or at capacity.
- 1.3.4 Highways England are drafting Heads of Terms with the NEC that will formalise the matters considered below.

2 Record of Engagement

- 2.1.1 The parties have been engaged in consultation since the beginning of the proposed development. A summary of the meetings and correspondence that has taken place between Highways England and the NEC in relation to the Application is outlined in **Table 2.1**.

Table 2.1 - Record of Engagement

| Date | Form of correspondence | Key topics discussed and key outcomes (the topics should align with the Issues tables) |
|-----------------------|------------------------|---|
| 12.05.16 | Meeting | Early discussion meeting to present details of the scheme to date and listen to thoughts and concerns before developing the options in more detail. |
| 10.11.16 | Meeting | Meeting to share progress on the options and discuss presentation of the options at public consultation |
| 28.11.16 | Letter | Comments on scheme options |
| 11.12.16 and 12.12.16 | Consultation event | Ladies Kennel Association Show – non-statutory options consultation event |
| 14.01.17 | Consultation event | Non-statutory options consultation event, aligned with Autosport and Performance Car Exhibition |
| 11.07.17 | Meeting | Update on PRA and the key features of the preferred route alignment |
| 15.11.17 | Email | Arrangement of GI surveys |
| 08.12.17 | Meeting | Pre statutory consultation update and outline of consultation approach |
| 3.01.18 | Letter | Category 1 and 2 notification and confirmation of red line boundary |
| 30.01.18 | Meeting | Discussion regarding land interests and Scheme updates |

| Date | Form of correspondence | Key topics discussed and key outcomes (the topics should align with the Issues tables) |
|----------|------------------------|---|
| 02.03.18 | Email and Letter | Statutory Consultation response |
| 13.08.18 | Call and email | Call and email from AECOM to NEC: Arranging a meeting to explain proposed changes to the scheme as a result of consultation |
| 20.08.18 | Email | Email from AECOM to NEC: Request for availability for meeting |
| 20.08.18 | Email | Email from NEC to AECOM: Arranging the date and time for meeting |
| 22.08.18 | Email | Email from AECOM to NEC: Confirming the date, time and attendees for meeting |
| 22.08.18 | Email | Email from NEC to AECOM: Confirmation of location of meeting |
| 22.08.18 | Email | Email from AECOM to NEC: Notification of attendees wishing to use car park for meeting |
| 03.09.18 | Email | Email from AECOM to NEC: Confirmation of attendees and those wishing to use car park for meeting |
| 04.09.18 | Meeting | Discussion regarding land and operational impacts. Agreed to hold a further meeting to discuss these issues in detail. |
| 18.09.18 | Meeting | Further meeting to discuss land and traffic impacts |
| 28.09.18 | Email and Letter | Response from NEC to Further Consultation |
| 11.03.19 | Meeting | Meeting following submission of the Development Consent Order to update on progress. |

| Date | Form of correspondence | Key topics discussed and key outcomes (the topics should align with the Issues tables) |
|----------|------------------------|---|
| 26.03.19 | Email | Issue of meeting notes and Transport Assessment Report |
| 29.05.19 | Letter | Highways England provided a letter to the NEC responding to the matters raised by the NEC as part of their Relevant Representation. |
| 13.06.19 | Email | Email from AECOM to NEC: Notification of Accompanied Site Inspection (ASI) itinerary including the NEC. |
| 14.06.19 | Email | Email from NEC to AECOM: Acknowledgement of email regarding ASI and query as to whether NEC representatives would be needed on site. |
| 14.06.19 | Email | Email from AECOM to NEC: Explanation of details for ASI to date, and notification that these details could be subject to change. |
| 26.06.19 | Email | Email from AECOM to NEC: Request for permission to access car parks as part of ASI, as details of visit altered, the potential of which was mentioned in email of 14.06.19. |
| 26.06.19 | Email | Email from NEC to AECOM: Querying the number of vehicles attending the ASI |
| 26.06.19 | Email | Email from AECOM to NEC: Confirmation that one vehicle will be present on the ASI and details of observation points during ASI. |
| 26.06.19 | Email | Email from NEC to AECOM: Request to provide permission by email rather than using the permission form |

| Date | Form of correspondence | Key topics discussed and key outcomes (the topics should align with the Issues tables) |
|----------|------------------------|---|
| 28.06.19 | Email | Email from NEC to AECOM: Permission form for ASI access to NEC |
| 01.07.19 | Call | Call from AECOM to NEC to confirm where to meet for ASI |
| 24.07.19 | Meeting | Meeting to discuss the draft SoCG |
| 28.08.19 | Email | Highways England issued a revised draft SoCG |
| 14.09.19 | Email | NEC returned the draft SoCG with comments. |
| 12.09.19 | Call | Conference call to discuss the SoCG and suggested changes prepared by the NEC. |
| 09.10.19 | Meeting | Discussion about the SoCG to discuss SoCG and the coordination of works, use of NEC car parks for construction during key events. |

- 2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) NEC in relation to the issues addressed in this SoCG.

3 Issues

3.1 Issues Raised

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|--|--|--|------------------|
| Design | | | |
| Redline Boundary and Construction timeframe | <p>The NEC welcomes the Highways England's response to concerns regarding the extent of land designated as permanent acquisition or temporary possession and recognises that "the Contractor shall seek to maximise the use of the main Scheme compound in order to minimise the temporary land take in car park S5 and S7."</p> <p>The detailed design study recently commissioned by Highways England and which is to be undertaken by WPD will help to provide further clarity and a thorough understanding of the likely extent of temporary land take requirements. The NEC wants to work towards a contractual agreement, particularly in relation temporary land take, which allows</p> | <p>To provide a greater level of clarity on the nature of these diversions, Highways England has commissioned Western Power Distribution (WPD) to complete a detailed design study.</p> <p>Upon the receipt of these detailed design proposals, Highways England will review and make reasonable endeavours to reduce the extent of the temporary land take required.</p> <p>Construction of any utility diversions in car parks East 5 and East 4 will be undertaken in a phased manner. Highways England will liaise with WPD and use reasonable endeavours to ensure temporary land take is minimised and returned to the NEC at the earliest opportunity and with appropriate notice as phasing allows. The phasing of construction will take into account event activity and the most appropriate dates</p> | Under Discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|-----------|--|---|------------------|
| | <p>it to plan for the operational use of the car parking for key events and mitigate any losses flowing from HE's use of the land. The agreement will provide for:</p> <ul style="list-style-type: none"> ➤ temporary occupation and mechanism for handing back land (i.e. in order to mitigate the impact on the business including an agreed notice period for the handing back of land); ➤ suspension of all Highways England works during the Commonwealth Games (unless pre-agreed with the parties); ➤ suspension of works to allow for Key Events and the handing back maximum number of car parking spaces to the National Exhibition Centre Limited. It is acknowledged that the | <p>agreed with the NEC in order to minimise impact.</p> <p>Furthermore, Highways England will use reasonable endeavours to align its proposed works in East 4 Car Park with those of HS2 and will outline any proposed works to the NEC prior to the formal issue of statutory notices for temporary or permanent possession on the NEC.</p> <p>Highways England acknowledge the receipt of the indicative dates for Key NEC events during the construction period.</p> <p>Highways England will work with the NEC to agree detailed arrangements to maximise the number of car park spaces that can be made available to the NEC during these Key Events and Priority Events.</p> <p>Highways England recognise that the Horse of the Year Show (HOYS) has particular constraints that necessitates the use of South 3, South 5 and South 7 car parks. Highways England shall work</p> | |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|-----------|--|--|------------------|
| | <p>South car parks are critical for certain events and without which could risk the loss of the event.</p> <p>➤ provision of a dedicated replacement access road to the rear of car park S5 and S7 (the detail of which to be agreed between the parties);</p> <p>The NEC notes that until the WPD report is completed and reviewed Highways England are not in a position to comment regarding the minimisation of land take. We do however reiterate the NEC's position that significant loss of land on either a temporary or permanent basis will have a substantial business impact through the incurrence of additional costs, for example, potentially preventing the NEC from taking business, or resulting in lost events and consequent revenue. Of concern is the lack of clarity on phasing, scale and</p> | <p>closely with the NEC and use all reasonable endeavours to ensure that these car parks are made available to the NEC for this event. The use of Millennium Way for a site compound to assist with the handing back of car park spaces will be explored with the NEC.</p> <p>Highways England will also review the works undertaken during the period of the HOYS to ensure they are not of a nature that will upset the horses stabled at the site during this time.</p> <p>Highways England understand that there will be a requirement to suspend works during the Commonwealth Games in 2022. However, there may be remote works elsewhere across the Scheme that can continue during this period, which do not impact the operation of NEC or the Commonwealth Games.</p> <p>Highways England will liaise with the Commonwealth Games organisers to ensure they comply with the highway works embargo in place during this time.</p> <p>Highways England can confirm that they are looking to revise the environmental</p> | |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|-----------|--|--|------------------|
| | <p>timings around temporary possession. The NEC requests that greater certainty is given in this regard in order to better ascertain any potential impact on events taking place.</p> <p>The NEC emphasises its request that the redline boundary only includes land which is necessary (on both a temporary and permanent acquisition basis) for the construction of the Scheme and that HE confirms its indicative timings for taking possession along with phasing.</p> | <p>mitigation strategy in order to retain the access road to the rear of car parks S5 and S7 and shall provide an update to the NEC on this matter in due course.</p> | |
| | <p>Highways England advised during the 11 March 2019 meeting that the anticipated construction timeframe for the A45 East to M42 North Free Flow Link is now confirmed at 24 months (as opposed to 12 months as was communicated in early 2018). The NEC welcomes Highways England's confirmation that works will be suspended during the 2022 Commonwealth Games, as the Estate is a venue for multiple</p> | <p>Highways England refers to the response above in relation to the suspension of works during the Commonwealth Games.</p> <p>Highways England will provide further details of the construction phasing and quantity of temporary land take as the construction programme is developed by the Scheme's contractor.</p> | Under Discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|-----------|--|---|------------------|
| | events and active on-site works would most likely lead to considerable disruption; are disruptive works likely to occur before or after the 2022 Commonwealth Games? | | |
| | The NEC also welcomes the high-level information provided on the proposed phasing of the A45 East to M42 North Free Flow Link but wishes to enter into an agreement by which areas of land will be occupied sequentially on a temporary basis and 'handed back' subject to notice being provided to the NEC. It is only with the benefit of such an agreement that the NEC will be able to mitigate the loss of key events that use this specific space for critical event use and consider and plan for the provision of alternative car parking arrangements for any forthcoming events. This will include the potential need to acquire additional car spaces around the Estate or undertake works to provide temporary replacement car parking | As noted above, Highways England understands the NEC's concerns and, as a principle, is happy to enter into an appropriate agreement with the NEC that sets out the conditions for the possession and hand back of the temporary land take. Highways England's contractor will closely liaise with the NEC throughout the works and attend the NEC's event organisation meetings as appropriate to facilitate this close working and sharing of information. | Under Discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|-----------|--|-----------------------------------|------------------|
| | <p>so that the visitor experience is not impacted.</p> <p>It is envisaged that this agreement (amongst other matters) will:</p> <ul style="list-style-type: none"> • refine the areas of minimum land take (where possible); • make provision for the NEC to be informed of any subsequent refinement to land take requirements the main works contractor (once appointed); • confirm the notice arrangements for land taken temporarily; and • confirm the notice arrangements for land handed back after temporary possession. • Confirm that the maximum available car parking spaces will be handed back to the NEC for all notified 'Key Event' dates. | | |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|-----------|---|---|------------------|
| | Furthermore, the NEC considers that it is vital that Highways England works with High Speed Two (HS2) Ltd to produce a harmonised approach in undertaking their respective utility diversion works across East 5 car park so that the disruption to the NEC's business activities is minimised. Both schemes need to underground high voltage cables across the East 5 car park with a connection to the final termination tower; these works need to be aligned by the promoters to ensure that the impact on the NEC's operations are mitigated. The NEC understands from recent discussions with HS2 that they are now planning to scale back their original scope of works and will only be undergrounding cables in the East 4 car park. | Highways England will liaise with the NEC and High Speed Two (HS2) to ensure that all works are coordinated in order to minimise disruption to the operation of the NEC where possible. | Under Discussion |
| | During the 18 September 2018 meeting, Highways England offered to explore the possibility of the NEC using a proposed worksite located on the opposite | Highways England notes the NEC's concerns and shall use reasonable endeavours to minimise the temporary possession of the NEC's estate for the construction of the A45 Eastbound to | Under discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|---|---|---|------------------|
| | side of the A45 Coventry Road to the Estate as to mitigate the loss of car park space. The NEC welcomed Highways England's suggestion but considered that the site in question would be appropriate only for use by contractors (and their employees) as opposed to visitors of the NEC. Furthermore, it wishes to be satisfied that Highways England will use alternative land in its control as worksites and contractor parking before supporting Highway England's proposed land take requirements which have yet to be minimised in respect of South 7 car park. | M42 Northbound free flow link and the diversion of WPD's assets. See further details above. | |
| Maintaining access to the Estate | <p>The NEC recognises that the construction of the Scheme presents various challenges to Highways England, including the maintenance of traffic flow and mitigation of the impact to local businesses.</p> <p>The maintenance of access to the Estate from the M6, M42 and A45 during the Scheme works remains</p> | Highways England recognises that the Scheme will be undertaking significant and complex construction works in the vicinity of the NEC. Highways England has thoroughly reviewed the design from a constructability perspective and has presented to the NEC a programme of works to ensure that the operation of the South Way access and egress onto the NEC site remains operational. | Agreed |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
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| | critical to the NEC's business and the NEC therefore supports and appreciates the principle of 'off-line' construction of Junction 5A, as proposed by Highways England. The NEC welcomes Highways England's confirmation that its "contractor[s] (will liaise) with the NEC during both the planning and construction stages to identify key events where specific construction works or night-time traffic management closures should be avoided." | <p>To enable the continued operation of South Way, it is proposed that the A45 Eastbound to M42 Northbound free flow link underpass structure is constructed in six phases and shall utilise temporary widening of the existing verges. This will allow the existing carriageways to be moved onto temporary alignments as the bridge construction progresses.</p> <p>As noted above, Highways England's contractor will liaise closely with the NEC in a timely manner to agree working arrangements during Key Events and Priority Events in order to minimise any impact on those events.</p> | |
| M42 Southbound to A45 Eastbound | The NEC has concerns in respect of the redesign of the Eastway roundabout and the lack of a 'loop' beyond the southbound exit slip road. We note from Highways England's letter dated 29 May 2019 that traffic specialists have concluded that "the junction will operate well within capacity up to the year 2041 in both morning and evening peak times". The NEC notes that the morning and | Highways England will give consideration to part time traffic management measures at the proposed East Way Roundabout to manage conflicting traffic priorities. | Agreed |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|---|--|--|------------------|
| | evening peaks do not consider additional traffic arriving for events that could cause a consistent peak throughout the morning. Delays in access to the site caused by the new traffic island prioritisation are a concern and could lead to significant queueing, affecting the mainline. If the design cannot be altered to avoid this, what other mitigation measures can be introduced to avoid this, or deal with such an eventuality? The NEC welcomes clarity on the control measures which can be implemented to deal with an increase in traffic, such as part time signals or manually controlled part time signals. | | |
| M42 Junction 6 dedicated south-west slip road to Airport Way | The NEC acknowledges and accepts Highways England's response regarding the removal of the dedicated slip lane, the inclusion of the 4th lane at the signal and the supporting detail regarding safety. However, the NEC requires confirmation that the existing capability to divert NEC | Highways England is liaising with its Operations Directorate to understand if it could be possible for the NEC to retain its existing traffic management capability including the ability to direct traffic away from J6 via Clock Interchange / Bickenhill Lane to West car parks or North car parks via Bickenhill Parkway using Variable Message Signage. | Under Discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|-----------------------------------|---|--|-------------------------|
| | <p>traffic left onto the A45 or directly on to the NEC site via Southway, will be retained using the VMS signing on the approach gantries.</p> | <p>Highways England understands that the NEC wishes to be no worse off in terms of managing traffic entering the site than it is now.</p> <p>Highways England has been in discussion with Solihull Metropolitan Borough Council (SMBC) to develop and refine a signage strategy for the Scheme. Highways England will consult with appropriate stakeholders, including the NEC, on the signage strategy once it has been agreed with SMBC.</p> <p>Highways England shall continue to liaise with the NEC and SMBC to develop and refine the signage strategy for the Scheme.</p> | |
| <p>Signalling/ Signage</p> | <p>The NEC currently works very closely with Highways England, through its partnership agreement, to manage the peak event traffic flows onto and off its site. The scope for switching traffic between different entry points to the campus – through use of motorway variable message signs – is critical to the success of the NEC's business operations and</p> | <p>Highways England has been in discussion with SMBC to develop and refine a signage strategy for the Scheme. Highways England will continue to consult with appropriate stakeholders, including the NEC, on the signage strategy when it has been agreed with SMBC, including the use of Variable Message Signage (VMS) to sign alternative routes.</p> | <p>Under Discussion</p> |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
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| | <p>must be maintained within the Scheme going forward.</p> <p>We understand that Highways England is currently working with Solihull Metropolitan Borough Council (SMBC) to develop a robust signage strategy. The NEC welcomes further discussion on the strategy and supporting information and documentation regarding this in order to ensure the NEC is not adversely impacted.</p> <p>The NEC recently met with Highways England and Solihull Metropolitan Borough Council (SMBC) on the preliminary static signage strategy and the link between both Highways England and HS2 works. A signage strategy for the new road layout should be agreed prior to the application being determined. We understand that details are being finalised, but we are yet to receive any further feedback or confirmation. The NEC asks that the findings are made available to</p> | | |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|--------------------------|--|---|------------------|
| | it before its involvement at the detailed stage. The NEC seeks early agreement on high level signage principles for key access routes in the form of a SoCG and assurances on when the NEC is likely to be to be involved. | | |
| Traffic Modelling | The NEC welcomed receiving the Transport Assessment Report in March 2019 and notes its findings. As previously discussed, The NEC is keen to ensure that the modelling considers both the Birmingham Airport seasonal peaks and the NEC event peaks, without a reliance on average baseline data. The NEC will continue to monitor this as part of future discussions. | <p>Highways England note that the NEC may request an independent Transport Consultant to review the Transport Assessment Report [APP-174/Volume 7.2]. In the meantime, Highways England would draw attention to Section 6.4 of the report which provides information on the variability in NEC traffic recorded using South Way during 2017 and the level of traffic represented in the traffic modelling, and Section 3.7 and Paragraph 7.6.4 confirming that the HS2 Birmingham Interchange station traffic has been included.</p> <p>Highways England will continue to liaise with the NEC and, where the information contained within the Transport Assessment Report does not reasonably allay the NEC's concerns, propose that a traffic modelling orientated meeting is</p> | Under Discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
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| | | arranged to discuss the finer detail of the Scheme's proposals. | |
| North facing slip roads | <p>Although the NEC was initially disappointed with the lack of north facing slip roads at the new Junction 5A of the M42, it acknowledges the expected reduced levels of management required by both the NEC and Highways England during major events.</p> <p>Nonetheless, it has been flagged that it is "possible that the junction may on occasion become congested, but these occurrences are likely to be infrequent." This is still concerning and based on Highways England's next comment that suggests "the proposed junction layout and design...will not preclude north facing slip roads being introduced...at a later stage if the need arises." Would it not be prudent to provide these in the first instance to more robustly deal with the potential for future congestion issues?</p> | <p>Operational traffic modelling of Junction 6 indicates that the junction will perform in a satisfactory manner up to the year 2041 during average conditions. The traffic modelling indicates minimal traffic demand for north-facing slips at Junction 5A due to the greater distances and travel times that will be incurred.</p> <p>As such, although north-facing slip roads were considered at an earlier stage of the Scheme development, they are not included as part of the DCO application.</p> | Under Discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|---------------------------------------|---|---|------------------|
| | <p>Without north facing slip roads the resilience of the Scheme improvements to the road network is suppressed as there is no opportunity to re-route heavy southbound traffic exiting the M42 or northbound traffic wishing to gain access to the motorway.</p> <p>Birmingham Airport's Relevant Representation accords with the NEC's view that north facing slip roads should be included as part of the Scheme; it states that a "significant proportion of traffic associated with potential developments such as...NEC...would require these slip roads to avoid congestion being created...which in turn may affect access to/from the airport."</p> | | |
| Free flow link to Clock Island | <p>The NEC notes that further to its consultation responses, a free-flow link has been included in the revised Scheme from the new link road on the approach to Clock Island, directly onto the A45 towards Birmingham. In the absence of traffic modelling data,</p> | <p>NEC's welcome for the free-flow links from the Link Road to Clock Island onto the A45 is noted.</p> <p>Traffic growth from background growth and committed developments has been accounted for in the Transport Assessment Report for this scheme.</p> | Under Discussion |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
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| | <p>the NEC welcomes this inclusion as it believes that it will reduce traffic waiting times, and queuing, at the island.</p> <p>However, we also agree with Birmingham Airport's Additional Submission and their comments regarding concerns over future traffic growth associated with other developments, which could result in increased volumes of traffic during peak periods. Its suggestion to increase the queue storage area in order to maximise capacity and provide operational flexibility should be investigated and is supported by the NEC.</p> | <p>Further traffic growth from non-committed schemes that may come forward in the future will need to consider additional highway provision as appropriate.</p> <p>In respect to increasing the taper to subsequently create an increase in queue storage area for the free flow link to the A45 Westbound, Highways England can confirm that the taper for the segregated left turn diverge cannot be extended within the constraints of the existing Airport Way Connector Road Overpass structure.</p> <p>To increase the taper, would require the existing structure to be widened, requiring extensive civil engineering works where the traffic modelling does not demonstrate a requirement.</p> | |
| Clock interchange footpaths | As discussed in NEC'S Relevant Representation, the NEC welcomes the proposal that an alternative footpath and cycleway will be included in the Scheme. | Highways England notes the NEC's support of the alternative footpath and cycleway measures proposed by the Scheme. | Agreed |

| Sub-topic | NEC Comment | Highways England Response/Actions | Status/Agreement |
|---------------------|---|---|------------------|
| Gas governor | The NEC queried whether the gas and electricity apparatus was to be impacted by the Scheme. | <p>It was previously expected that Cadent Gas would decommission its gas governor in the vicinity of the NEC.</p> <p>During recent discussions, Cadent Gas has advised that it will be retaining the governor and is therefore considering alternative locations for this to be situated. Discussions are underway with Cadent Gas to relocate the governor within the DCO powers and Order limits.</p> <p>In acknowledgement of the potential impact on the NEC's car parks, Highways England will use reasonable endeavours to ensure that Cadent Gas pursues the relocation of its gas governor as a result of the Scheme either off-site or outside of the NEC's retained land.</p> | Under Discussion |