

Our ref: M42J6/DCO_D7
Your ref: TR010027

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

Chris Harris
Project Manager
Highways England
2 Colmore Square
Birmingham
B4 6BN

Tel: 0300 123 5000
28 October 2019

By email only

Dear Kate,

M42 Junction 6 Development Consent Order (TR010027): Deadline 7 (D7)

Please find, accompanying this letter, Highways England's (the Applicant's) submission for Deadline 7 (D7) containing:

- 8.4(g) Updated Guide to the Application
- 8.11(c) Statement of Common Ground with Warwickshire Wildlife Trust
- 8.18 Statement of Common Ground with Arden Hotel
- 8.74 Outline Biodiversity Management Plan
- 8.80 Applicant's Comments on any Additional Information or Submissions Received by Deadline 6
- 8.81 Protective Provisions for the Benefit of National Grid
- 8.82 Interim Biodiversity Impact Calculation
- 8.83 Post Hearing Submission – Written Submission of Oral Case for ISH on Compulsory Acquisition and Temporary Possession on 22 October 2019
- 8.84 Post Hearing Submission – Written Submission of Oral Case for ISH on dDCO on 23 October 2019
- 8.85 Applicant's Comments on Responses Received to Panel's Third Written Questions
- 8.86 Actions Arising out of ISH on Living Conditions on 1 October for Deadline 7
- 8.87 Actions Arising out of ISH on Environmental Matters on 2 October for Deadline 7
- 8.88 Actions Arising out of ISH on Compulsory Acquisition and Temporary Possession on 22 October
- 8.91 Outline Bickenhill Meadows SSSI Monitoring and Management Plan
- 8.92 Outline Bird Strike Management Plan

Statements of Common Ground and agreements

At ISH7 on the DCO the Examining Authority asked the Applicant to “clarify the status of “final” SoCGs where issues are identified as “under discussion” and to outline the implications for the resolution or otherwise of such issues”. The Applicant has reviewed the “final” SoCGs. The following have issues identified as “under discussion”:

- **Solihull Metropolitan Borough Council (SMBC):** While the Statement of Common Ground (SoCG) with SMBC was submitted as final at Deadline 6, further discussions have taken place and this SoCG will be updated at Deadline 8.
- **HS2 Ltd:** All matters described as “under discussion” are matters which the parties have agreed will be covered by the Protective Provisions Agreement under negotiation between them.
- **Natural England:** There are five issues identified as “under discussion” within the SoCG. These are:
 - Whether there should be further woodland creation north of Aspbury’s Copse. The Applicant has accepted the principle of this, as confirmed within **AS-035/Volume 8.64** ‘Ancient Woodland Clarifications and Proposed Additional Measures Technical Note’ which was welcomed by Natural England. The Applicant considers that this is now ‘agreed’.
 - Whether there should be further enhancements of Aspbury’s Copse and ecological networks. The Applicant has accepted the principle of this, as confirmed within AS-035 which was welcomed by Natural England. The Applicant considers that this is now ‘agreed’.
 - What constitutes an appropriate compensation replanting ratio. The Applicant has set out its approach to replanting within document AS-035. Natural England confirmed in its response that it does not have a position on compensation ratios, so the Applicant considers that this is now ‘not agreed’.
 - The rationale for the “tapering” of the ancient replanting proposed by the DCO. The SoCG sets out our respective position on this and therefore this matter is ‘not agreed’. The Applicant provided further clarification on this in its answer to question 1.7.22 in its response to the first round of Written Questions **[REP2-007/Volume 8.6]**.
 - Monitoring and maintenance of Bickenhill Meadows SSSI. The Applicant has since provided a draft SSSI Monitoring and Management Plan **[Volume 8.91]**, which was welcomed in principle by Natural England. The Applicant considers that the detail of the monitoring and maintenance can be set out in the management plan, which Natural England will be consulted on. The Applicant considers that this is now ‘agreed’.

The Warwickshire Wildlife Trust

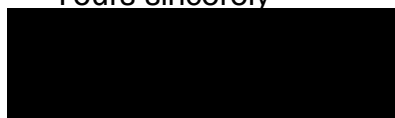
The Applicant is yet reach a final agreement for all the points raised within the SoCG as presented within 8.11(c), this is due to a change in the case officer overseeing the

Trust's input M42 Junction 6 Scheme examination process. Topics still under discussion primarily relate to the continual development of the Outline Bickenhill Meadows SSSI Monitoring and Management Plan (8.91) in-conjunction with Natural England and SMBC and the impacts to ancient woodland. The Applicant confirms it will continue to seek common ground with the Trust for the matters within the SoCG.

Response to Mr O'Reilly

The Applicant wrote to Mr O'Reilly on the 25 October 2019. As this letter also addressed issues relating to Mr O'Reilly's property ownership the Applicant has not submitted the letter to the Examination at this stage. Should Mr O'Reilly wish to submit this letter or his reply to the Examination, the Applicant would not object to this.

Yours sincerely



Chris Harris

Project Manager

Email: chris.harris@highwaysengland.co.uk