

Requirements Register

Register of Requirements within schedule 2 of the M42 Junction 6 Development Consent Order 2020

Notes:

1. The Secretary of State for Transport granted development consent for the M42 Junction 6 Development Consent Order (DCO) on 21 May 2020. The following are links to useful decision documentation:
 - o [Secretary of State for Transport's decision letter](#) and [statement of reasons](#).
 - o [DCO as made by the Secretary of State for Transport](#). The requirements in the register in this document can be found on pages 47 to 52 of the DCO and the process for discharging the requirements can be found on pages 52 to 53 of the DCO.
 - o [Examining Authority's report and recommendations to the Secretary of State for Transport](#).
2. The made DCO is Statutory Instrument 2020/528 and can be found on the [Legislation.Gov.UK website](#).
3. Requirements are conditions that have been included in the DCO, which control how the project it consents must be implemented (constructed and maintained). Implementing the DCO in accordance with these conditions involves completing consultation and approval processes that have been defined in the DCO. These processes are referred to here and in the DCO as "discharging" the requirements.
4. This Requirements Register is a live document and will be updated as the process to discharge the requirements progresses. The latest version will always be published [here](#). This register will be maintained for three years following completion of the project.
5. To capture all changes made to the Requirements Register, a log is located on Page 2. This will be filled in each time a change is made to the register.
6. How the requirements fall within the responsibility of different tiers of local authority was determined during early meetings with those authorities.
7. The Department for Transport's National Transport Casework Team will act on behalf of the Secretary of State in determining the discharge of requirements.
8. The comments column may, for example, give further information on the meaning of the requirement, links to documents referred to in the requirement and identifies if the requirement is fulfilled or does not require discharge.
9. Where the Requirement Description refers to a document submitted as part of the DCO application and examination process, a link is provided to the document held on the Planning Inspectorate website. Where the Requirement Description refers to a document produced after the DCO has been consented, a link is provided to the document stored by Highways England.
10. Any questions or observations regarding the content can be directed to the M42 Junction 6 project inbox: M42Junction6@highwaysengland.co.uk.

Below is a table of updates which have been made to the Requirements Register

Date	Requirement Register Version Number	Detail of update
21 July 2020	V 1	Initial population of full Requirements Register.
17 September 2020	V 2	Updates following submission and where relevant, approval, of the following applications to the Secretary of State (SoS): <ul style="list-style-type: none"> • Application for the discharge of Requirement 4 in full – Construction Environmental Management Plan (scheme-wide) (approved by SoS on 14.09.2020) • Application for the partial discharge of Requirement 5 – Landscape (WGAA/Private Means of Access (PMA)) (decision by SoS pending at time of update) • Application for the discharge of Requirement 10 in full – Traffic Management Plan (scheme-wide) (approved by SoS on 15.09.2020)
20 November 2020	V3	Updates following submission and where relevant, approval, of the following applications to the SoS: <ul style="list-style-type: none"> • Application for the partial discharge of Requirement 5 – Landscape (WGAA/PMA) (approval by SoS on 18.09.2020) • Application for the partial discharge of Requirement 5 – Landscape (Phase 1) (approval by SoS on 22.10.2020) • Application for the partial discharge of Requirement 5 – Landscape (Phase 2) (decision by SoS pending at time of update) • Application for the partial discharge of Requirement 8 – Surface and Foul Water Drainage (WGAA/PMA) (approval by SoS on 10.11.2020) • Application for the partial discharge of Requirement 8 – Surface and Foul Water Drainage (Scheme-Wide, excluding WGAA/PMA) (approval by SoS on 10.11.2020) • Application for the discharge of Requirement 9 in full – Archaeology (scheme-wide) (approved by SoS on 22.10.2020)
25 November 2020	V4	Updates following approval of the following application to the SoS: <ul style="list-style-type: none"> • Application for the partial discharge of Requirement 5 – Landscape (Phase 2) (approved by SoS on 24.11.2020)
19 February 2021	V5	Updates following approval of the following applications to the SoS: <ul style="list-style-type: none"> • Application for the partial discharge of Requirement 3 (detailed design) in relation to the proposed A45 Non-Motorised User (NMU) Footbridge (approved by SoS on 12.02.2021). • Application for the full discharge of Requirement 13 (Bickenhill Meadows Site of Special Scientific Interest (SSSI)) (approved by the SoS on 28.01.2021)
5 March 2021	V6	Updates following approval of the following applications to the SoS: <ul style="list-style-type: none"> • Application for the full discharge of Requirement 14 (Relocation of Work No. 35 underground storage tank and access track) (approved by the SoS on 4.03.2021).
5 May 2021	V7	Updates following approval of the following applications to the SoS: <ul style="list-style-type: none"> • Application for the partial discharge of Requirement 3 (detailed design) in relation to proposed New Link Road, Catherine-de-Barnes North Overbridge and Catherine-de-Barnes South Overbridge (approved by SoS on 23.04.21). • Application for the partial discharge of Requirement 3 (detailed design) in relation to Work No. 65 (approved by SoS on 23.04.21).

		<ul style="list-style-type: none">• Application for the partial discharge of Requirement 5 – Landscape (Phase 3) (approved by SoS on 23.04.21). <p>This version also incorporates updates to hyperlinks style throughout Register.</p>
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Register of Requirements within schedule 2 of the M42 Junction 6 Development Consent Order 2020 – “REQUIREMENTS REGISTER”

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
Time Limits								
2	The authorised development must commence no later than the expiration of 5 years beginning with the date that this Order comes into force.	Not applicable for this requirement (n/a)	Not applicable for this requirement (n/a)	Not applicable for this requirement (n/a)	Not applicable for this requirement (n/a)	Not applicable for this requirement (n/a)	Not applicable for this requirement (n/a)	No approvals are required. The authorised development has commenced.
Detailed Design								
3(1)	The authorised development must be designed in detail and carried out so that it is compatible with the preliminary scheme design shown on the general arrangement plans, works plans and the engineering drawings and sections unless otherwise agreed in writing by the Secretary of State following consultation with the relevant planning authority and local highway authority on matters related to their functions and provided that the Secretary of State is satisfied that any amendments to the general arrangement plans, works plans and the engineering drawings and sections showing departures from the preliminary scheme design would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.	<p><u>Submission 1 - A45 NMU Footbridge:</u></p> <p>Assessment of design change report.</p> <p><u>Submission 2 - Work No. 65</u></p> <p>Assessment of design change report.</p> <p><u>Submission 3 - New Link Road, Catherine-de-Barnes North Overbridge and Catherine-de-Barnes South Overbridge</u></p> <p>Assessment of design change report.</p>	<p><u>Submission 1 - A45 NMU Footbridge:</u></p> <p>Solihull Metropolitan Borough Council (SMBC) and Birmingham Airport Ltd (BAL).</p> <p><u>Submission 2 - Work No. 65</u></p> <p>SMBC.</p> <p><u>Submission 3 - New Link Road, Catherine-de-Barnes North Overbridge and Catherine-de-Barnes South Overbridge</u></p> <p>SMBC.</p>	<p><u>Submission 1 - A45 NMU Footbridge:</u></p> <p>Draft report issued to SMBC for comment on 5 January 2021.</p> <p><u>Submission 2 - Work No. 65</u></p> <p>Draft report issued to BAL for comment on 13 January 2021.</p> <p>Following a response from SMBC, Arden Cross Limited were also consulted on the application via phone call.</p> <p><u>Submission 3 - New Link Road,</u></p>	<p><u>Submission 1 - A45 NMU Footbridge:</u></p> <p>SMBC provided a response on 20 January 2021.</p> <p>BAL provided a response on 15 January 2021.</p> <p><u>Submission 2 - Work No. 65</u></p> <p>SMBC provided responses on 18 March 2021, 22 March 2021 and 7 April 2021.</p> <p>Arden Cross provided a response on 6 April 2021.</p> <p><u>Submission 3 - New Link Road, Catherine-de-Barnes North Overbridge and Catherine-de-Barnes South Overbridge</u></p> <p>SMBC provided responses on 17 February 2021, 9 March</p>	<p>This application was submitted to the SoS on 3 February 2021.</p> <p><u>Submission 2 - Work No. 65</u></p> <p>This application was submitted to the SoS on 9 April 2021.</p> <p><u>Submission 3 - New Link Road, Catherine-de-Barnes North Overbridge and Catherine-de-Barnes South Overbridge</u></p> <p>This application was submitted to the SoS on</p>	<p>This application was approved by the SoS on 12 February 2021.</p> <p><u>Submission 2 - Work No. 65</u></p> <p>This application was approved by the SoS on 23 April 2021.</p> <p><u>Submission 3 - New Link Road, Catherine-de-Barnes North Overbridge and Catherine-de-Barnes South Overbridge</u></p> <p>This application was approved by the SoS on 23 April 2021.</p>	<p>Three applications have been made to the SoS under Requirement 3 to-date.</p> <p><u>Submission 1 - A45 NMU Footbridge:</u></p> <p>The approved documentation can be viewed on the Highways England website.</p> <p><u>Submission 2 - Work No. 65</u></p> <p>The approved documentation can be viewed on the Highways England Website.</p> <p><u>Submission 3 - New Link Road, Catherine-de-Barnes North Overbridge and Catherine-de-</u></p>

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				<p><u>Catherine-de-Barnes North Overbridge and Catherine-de-Barnes South Overbridge</u></p> <p><u>Draft report issued to SMBC on 9 February 2021.</u></p>	2021 and 24 March 2021.	12 April 2021.		<p><u>Barnes South Overbridge</u></p> <p>The approved documentation can be viewed on the Highways England Website.</p> <p>Further changes to the scheme design and the associated consultations and approvals will be described here in due course.</p>
3(2)	The Secretary of State must not approve any amended details under sub-paragraph (1) that exceed the maximum vertical limits of deviation shown on the works plans and on the engineering drawings and sections within the Airport safeguarding zone, unless the Secretary of State, following consultation with Birmingham Airport Limited, is satisfied that a deviation in excess of those limits would not adversely affect the safety of aircraft taking off or landing at, or flying in the vicinity of, Birmingham Airport or result in significant operational limitations being imposed on Birmingham Airport.	n/a	n/a	n/a	n/a	n/a	n/a	BAL will be consulted if any future changes would result in an exceedance of the maximum vertical limits of deviation shown on the works plans and on the engineering drawings and sections within the Airport safeguarding zone.
3(3)	Where amended details are approved by the Secretary of	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required. All

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	State under sub-paragraph (1), those details are deemed to be substituted for the corresponding general arrangement plans, works plans or engineering drawings and sections and the undertaker must make those amended details available in electronic form for inspection by members of the public.							changes to the scheme will be made available electronically on the Highways England website.
Outline Environmental Management Plan								
4(1)	The authorised development must be carried out in accordance with the Outline Environmental Management Plan (OEMP).	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required. The OEMP can be found on the Infrastructure Planning website .
4(2)	The undertaker must make the Construction Environmental Management Plan (CEMP) and the Handover Environmental Management Plan (HEMP) produced in accordance with the OEMP available in an electronic form suitable for inspection by members of the public.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required. The approved CEMP is available on the Highways England Website. The HEMP will be made available electronically in due course.
4(3)	The CEMP must be written in accordance with ISO14001 and must— (a) reflect the mitigation measures set out in the REAC; (b) contain a record of all sensitive environmental features that have the	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required. The approved CEMP is available on the Highways England website.

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	<p>potential to be affected by the construction of the proposed development;</p> <p>(c) require adherence to any working hours set out in the REAC or, where no such hours are set, to working hours of 07:00–18:00 on Mondays to Fridays and 08:00–13:00 on Saturday except for—</p> <ul style="list-style-type: none"> (i) night-time closures for bridge and gantry demolition and installation; (ii) night-time lifting operations; (iii) site clearance of vegetation adjacent to live carriageways; (iv) site clearance of signs, street furniture and lighting column adjacent to live carriageways; (v) any oversize deliveries or deliveries where daytime working would be excessively disruptive to normal traffic operation; (vi) junction and highway tie-in works; (vii) installation of temporary and permanent line markings; (viii) installation of detector loops within the M42 carriageway; (ix) removal of overhead power lines; 							

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	(x) overnight traffic management measures; (xi) any emergency works; (xii) work associated with the diversion of existing utilities; (xiii) works associated with traffic management and signal changes; and (xiv) as otherwise agreed by the local authority in advance; (d) include the following management plans— (i) Dust, Noise and Nuisance Management Plan; (ii) Site Waste Management Plan; (iii) Environmental Control Plan: Invasive Species; (iv) Environmental Control Plan: General Ecology; (v) Soil Management Plan; (vi) Surface Water Management Plan; (vii) Control Of Substances Hazardous to Health, Material, Waste Storage and Refuelling Plan; (viii) Energy and Resource Use Management Plan; (ix) Materials Management Plan;							

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	(x) Contaminated Land Management Plan; (xi) Archaeological Control Plan; (xii) Pollution Prevention Plan; (xiii) Bird Strike Management Plan; (xiv) Crane Management Plan; (xv) Biodiversity Management Plan; and (xvi) Compound Management Plan.							
4(4)	No part of the authorised development is to commence until a CEMP, substantially in accordance with the OEMP, has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority, Birmingham Airport Limited or Natural England to the extent that it relates to matters relevant to its function.	Construction Environmental Management Plan and subsidiary topic-specific management plans, including: - Air Quality Management Plan; - Noise and Vibration Management Plan; - Waste Management Plan; - Biodiversity Management Plan;	Insofar as relevant to their functions, SMBC, Natural England, and BAL.	- Construction Environmental Management Plan; issued to SMBC Environmental Health Officer (EHO) on the 22 May 2020. - Construction Environmental Management Plan; issued to Natural England on 10 June 2020. - Construction Environmental Management Plan; issued to BAL on 02 June 2020. - Air Quality Management Plan; issued to SMBC	- Construction Environmental Management Plan; discussed on call on 22 June 2020 and further responses received from SMBC EHO on between 22 June 2020 and 30 June 2020. Final confirmation received on 30 July 2020. - Construction Environmental Management Plan; first response received from Natural England on 03 July 2020 and final response received on 31 July 2020. - Construction Environmental Management Plan; discussed with BAL on	Submitted to the SoS on 4 September 2020.	Approved by SoS on 14 September 2020.	The approved CEMP is available on the Highways England website. The Air Quality Management Plan and Noise and Vibration Management Plan taken together satisfy the requirement to produce a ‘Dust, Noise and Nuisance Management Plan’. The Waste Management Plan, Water Management Plan and Contaminated Land Management Plan taken together satisfy the

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		<ul style="list-style-type: none"> - Soil Management Plan; - Water Management Plan; - Energy and Resource Use Management Plan; - Materials Management Plan; - Contaminated Land Management Plan; - Archaeological Management Plan; - Bird Strike Management Plan; - Crane Management Plan; - Compound Management Plan. 		<p>EHO on 22 May 2020.</p> <ul style="list-style-type: none"> - Noise and Vibration Management Plan; issued to SMBC EHO on 22 May 2020. - Waste Management Plan; no consultation required. - Biodiversity Management Plan; issued to Natural England on 10 June 2020. - Soil Management Plan; no consultation required. - Water Management Plan; no consultation required. - Energy and Resource Use Management Plan; no consultation required. - Materials Management Plan; 	<p>call on 23 June 2020 and response received on 02 July 2020.</p> <ul style="list-style-type: none"> - Air Quality Management Plan; discussed on call on 22 June 2020 and further responses received from SMBC EHO on between 22 June 2020 and 30 June 2020. Final confirmation received on 30 July 2020. - Noise and Vibration Management Plan; discussed on call on 22 June 2020 and further responses received from SMBC EHO between 22 June 2020 and 30 June 2020. Final confirmation received on 30 July 2020. - Waste Management Plan; no consultation required. - Biodiversity Management Plan; first response received from Natural England on 03 July 2020, and final response received on 31 July 2020. - Soil Management Plan; no consultation required. 			<p>requirement to produce a 'Pollution Prevention Management Plan'.</p> <p>The Biodiversity Management Plan satisfy the requirement to produce both an 'Environmental Control Plan: General Ecology' and an 'Environmental Control Plan: Invasive Species'.</p> <p>The Water Management Plan satisfy the requirement to produce a 'Surface Water Management Plan'.</p> <p>The Water Management Plan, the Materials Management Plan and the Contaminated Land Management Plan taken together satisfy the requirement to produce a 'COSHH Material, Waste Storage and</p>

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				<p>no consultation required.</p> <p>- Contaminated Land Management Plan; no consultation required.</p> <p>- Archaeological Management Plan; first draft issued to County Archaeologist on behalf of SMBC on 05 June 2020; second draft issued on 17 July 2020 and third draft issued on 07 August 2020.</p> <p>- Bird Strike Management Plan; first draft issued to BAL on 03 June 2020; second draft issued on 23 June 2020.</p> <p>- Crane Management Plan; issued to BAL on 17 July 2020.</p> <p>- Compound Management Plan; first draft issued to BAL on 17 July 2020; second draft</p>	<p>- Water Management Plan; no consultation required.</p> <p>- Energy and Resource Use Management Plan; no consultation required.</p> <p>- Materials Management Plan; no consultation required.</p> <p>- Contaminated Land Management Plan; no consultation required.</p> <p>- Archaeological Management Plan; response received on first draft on 02 July 2020; response received on second draft on 6 August 2020; response received on third draft 27 August 2020.</p> <p>- Bird Strike Management Plan; discussed on call on 23 June 2020 and response received on 02 July 2020.</p> <p>- Crane Management Plan; response received from BAL on 28 July 2020.</p> <p>- Compound Management Plan;</p>			Refueling Plan’.

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				<p>issued to SMBC on 29 July 2020.</p> <p>In addition to the above statutory consultation, the following consultation was undertaken:</p> <ul style="list-style-type: none"> - Biodiversity Management Plan issued to the Environment Agency on 23 July 2020. - All management plans issued to North Warwickshire Borough Council on 7 August 2020. 	<p>response received from SMBC on 5 August 2020; response received from BAL on 28 July 2020.</p> <p>In addition to the above responses from the statutory consultees, the following responses were received:</p> <ul style="list-style-type: none"> - The Environment Agency confirmed that it had no comments to make on the Biodiversity Management Plan on 27 July 2020. - North Warwickshire Borough Council responded to confirm it was grateful for sight of all management plans on 10 August 2020. 			
4(5)	The construction of the authorised development must be carried out in accordance with the approved CEMP.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
4(6)	A HEMP must be developed and completed by the end of construction, commissioning and handover stage of the authorised development, in accordance with the process set out in the approved CEMP.	HEMP	n/a	n/a	n/a	n/a	n/a	The HEMP will be produced towards the end of the construction phase. No approvals are required.
4(7)	The HEMP must address the matters set out in the approved CEMP that are	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.

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	relevant to the operation and maintenance of the authorised development, and must contain— (a) the environmental information needed for the future maintenance and operation of the authorised development; (b) the long-term commitments to aftercare, monitoring and maintenance activities relating to the environmental features and mitigation measures that will be required to ensure the continued long-term effectiveness of the environmental mitigation measures and the prevention of unexpected environmental impacts during the operation of the authorised development; and (c) a record of the consents, commitments and permissions resulting from liaison with statutory bodies.							
4(8)	The authorised development must be operated and maintained in accordance with the HEMP.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
Landscaping								
5(1)	No part of the authorised development is to commence until a landscaping scheme applicable to that part has been submitted to and approved in writing by the	Landscape scheme, including landscape plans and planting schedules.	SMBC; BAL (where development is within the Airport safeguarding	Submission 1 - Initial Phase Works Consultation with SMBC and BAL	Submission 1 - Initial Phase Works The first response from SMBC was received on 24 August 2020.	Submission 1 - Initial Phase Works Submitted to the SoS on 11	Submission 1 - Initial Phase Works A decision was received from the	A staged approach is to be taken to the discharge of this requirement, whereby separate and sequential

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	Secretary of State, following consultation with— (a) the relevant planning authority on matters related to its functions; and (b) where that part of the authorised development is comprised in the Airport safeguarding zone, Birmingham Airport Limited on matters relevant to the safety of aircraft taking off or landing, or flying in the vicinity of, Birmingham Airport.		zone).	<p>commenced on 4 August 2020 and concluded on 7 September 2020. Further detail is provided below.</p> <p>A meeting was held with SMBC and BAL on 4 August 2020. The minutes and presentation material were subsequently issued on 10 August 2020.</p> <p>Further updates were issued to SMBC on 20 August 2020 and 24 August 2020, as well as on 3 September 2020.</p> <p>Further updates were issued to BAL on 20 August 2020, 24 August 2020, and 3 September 2020.</p> <p>Consultation was also undertaken with Bickenhill and Marston Green Parish Council. This consultation commenced on 10 August 2020 and concluded on 3</p>	<p>The second response from SMBC was received on 28 August 2020.</p> <p>The third response from SMBC was received on 2 September 2020 which included an accompanying memorandum.</p> <p>The final response from SMBC was received on 7 September 2020.</p> <p>The first response from BAL was received on 21 August 2020.</p> <p>The second response from BAL was received on 24 August 2020.</p> <p>The third response from BAL was received on 26 August 2020.</p> <p>The final response from BAL was received on 9 September 2020.</p> <p>Consultation with Bickenhill and Marston Green Parish Council commenced on 10 August 2020 and concluded on 3 September 2020.</p>	<p>September 2020.</p> <p><u>Submission 2 – Phase 1 Works</u></p> <p>Submitted to the SoS on 13 October 2020.</p> <p><u>Submission 3 – Phase 2 Works</u></p> <p>Submitted to the SoS on 16 November 2020.</p> <p><u>Submission 4 – Phase 3 Works</u></p> <p>Submitted to the SoS on 9 April 2021.</p>	<p>SoS on 18 September 2020.</p> <p><u>Submission 2 – Phase 1 Works</u></p> <p>A decision was received from the SoS on 22 October 2020.</p> <p><u>Submission 3 – Phase 2 Works</u></p> <p>A decision was received from the SoS on 25 November 2020.</p> <p><u>Submission 4 – Phase 3 Works</u></p> <p>A decision was received from the SoS on 23 April 2021.</p>	<p>submissions will be made for defined parts of the development.</p> <p>The approved documentation for Submission 1 – Initial Phase Works is available on the Highways England Website.</p> <p>The approved documentation for Submission 2 – Phase 1 Works is available on the Highways England Website.</p> <p>The approved documentation for Submission 3 – Phase 2 Works is available on the Highways England website at the following links:</p> <ul style="list-style-type: none"> - Covering report - Environmental Masterplan - Arboricultural plans - Arboricultural Report - Series 3000

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				<p>September 2020.</p> <p>Consultation was also undertaken with Hampton in Arden Parish Council between 10 August 2020 and 3 September 2020.</p> <p><u>Submission 2 - Phase 1 Works</u></p> <p>Consultation with SMBC, BAL, Bickenhill and Marston Green Parish Council, and Hampton in Arden Parish Council commenced on 2 September 2020 and concluded on 6 October 2020.</p> <p>A meeting was held with SMBC, BAL, Bickenhill and Marston Green Parish Council, and Hampton in Arden Parish Council on 2 September 2020. The presentation material was subsequently issued to SMBC, BAL, Bickenhill and Marston Green</p>	<p>Consultation with Hampton in Arden Parish Council commenced on 10 August 2020 and concluded on 3 September 2020.</p> <p><u>Submission 2 – Phase 1 Works</u></p> <p>The first response from SMBC was received on 15 September 2020.</p> <p>The final response from SMBC was received on 6 October 2020.</p> <p>The first and final response from BAL was received on 24 September 2020.</p> <p>The first response from Hampton in Arden Parish Council was received on 22 September 2020.</p> <p>The final response from Hampton in Arden Parish Council was received on 25 September 2020.</p> <p>The first response from Bickenhill and Marston Green Parish Council was received on 15 September 2020.</p>			<p>Specification</p> <p>The approved documentation for Submission 4 – Phase 3 Works is available on the Highways England website at the following links:</p> <ul style="list-style-type: none"> - Covering Report - Environmental Masterplan - Series 3000 Specification - Arboricultural Report and Arboricultural Plans

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				<p>Parish Council and Hampton in Arden Parish Council on 9 September 2020.</p> <p>The full landscape package was subsequently issued to SMBC, BAL, Bickenhill and Marston Green Parish Council and Hampton in Arden Parish Council on 23 September 2020, viewable</p> <p>A response to comments from SMBC was provided on 2 October 2020. Notes of a call with SMBC were subsequently issued on 5 October 2020.</p> <p>A follow-up email requesting comments was issued to BAL on 22 September 2020.</p> <p>Follow-up emails requesting comments were also issued to Hampton in Arden Parish Council on 18 September 2020.</p>	<p>The second and third responses were received from Bickenhill and Marston Green Parish Council on 23 September 2020.</p> <p>The fourth and final response was received from Bickenhill and Marston Green Parish Council on 29 September 2020.</p> <p><u>Submission 3 – Phase 2 works</u></p> <p>The first response from SMBC was received on 28 October 2020.</p> <p>The second response from SMBC was received on 4 November 2020.</p> <p>The third and final response from SMBC was received on 6 November 2020.</p> <p>The first response from BAL was received on 27 October 2020. A second response from BAL was received on 4 November 2020. A final response was received from BAL on 9 November 2020.</p>			

Register of Requirements within schedule 2 of the M42 Junction 6 Development Consent Order 2020 – “REQUIREMENTS REGISTER”								
Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
				<p>and 22 September 2020.</p> <p>A response to comments from Bickenhill and Marston Green Parish Council was issued on 23 September 2020.</p> <p>Submission 3 – Phase 2 works</p> <p>Consultation with SMBC, BAL, Bickenhill and Marston Green Parish Council, and Hampton in Arden Parish Council on 16 October 2020 and concluded on 9 November 2020.</p> <p>A meeting was held with SMBC, BAL, Bickenhill and Marston Green Parish Council, and Hampton in Arden Parish Council on 16 October 2020. The presentation material was subsequently issued to SMBC, BAL, Bickenhill and Marston Green</p>	<p>The first response from Bickenhill and Marston Green Parish Council was received on 27 October 2020.</p> <p>The second response from Bickenhill and Marston Green Parish Council was received on 27 October 2020.</p> <p>The third and final response from Bickenhill and Marston Green Parish Council was received on 5 November 2020.</p> <p>A response from Hampton in Arden Parish Council was received on 27 October 2020.</p> <p>Responses were received from the Arden Hotel on 16 October 2020, 19 October 2020, 27 October 2020 and 9 November 2020.</p> <p>Submission 4 – Phase 3 Works</p> <p>Responses from SMBC were received on 26 March 2021, 29 March 2021, 30 March 2021 and 31 March 2021.</p>			

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				<p>Parish Council and Hampton in Arden Parish Council on 22 October 2020.</p> <p>A follow-up email was sent to SMBC on 27 October 2020.</p> <p>A further follow-up email was sent to SMBC on 4 November 2020.</p> <p>A response to final comments from SMBC was issued on 9 November 2020.</p> <p>A follow-up email was issued to BAL on 27 October 2020. A response to comments from BAL was issued on 27 October 2020. An update was issued to BAL on 4 November 2020. A response to comments from BAL was issued on 5 November 2020. Final confirmation was then sought from BAL on 9 November 2020.</p>	<p>A response from BAL was received on 31 March 2021.</p> <p>A response from Bickenhill and Marston Green Parish Council was received on 29 March 2021.</p> <p>Responses from Hampton in Arden Parish Council were received on 15 March 2021, 19 March 2021 and 26 March 2021.</p> <p>A response from Natural England was received on 19 March 2021.</p> <p>Responses from WWT were received on 15 March 2021 and 26 March 2021.</p>			

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				<p>Follow-up emails were issued to Bickenhill and Marston Green Parish Council on 27 October 2020.</p> <p>A response to a request from Bickenhill and Marston Green Parish Council was issued on 27 October 2020.</p> <p>An update was issued to Bickenhill and Marston Green Parish Council on 4 November 2020.</p> <p>A follow-up email was issued to Hampton in Arden Parish Council on 27 October 2020.</p> <p>An update email was issued to Hampton in Arden Parish Council on 4 November 2020.</p> <p>Engagement was also undertaken with the Arden Hotel between 8 October 2020 and 9</p>				

Register of Requirements within schedule 2 of the M42 Junction 6 Development Consent Order 2020 – “REQUIREMENTS REGISTER”								
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				<p>November 2020.</p> <p>An initial call was held with Arden Hotel on 8 October 2020 and a follow-up email was issued on 15 October 2020. A response to comments from Arden Hotel was then issued on 19 October 2020. An update email was then issued to Arden Hotel on 20 October 2020. A further update was issued to Arden Hotel on 4 November 2020 and a follow-up email was issued on 9 November 2020.</p> <p><u>Submission 4 – Phase 3 Works</u></p> <p>Consultation with SMBC, BAL, Bickenhill and Marston Green Parish Council, Hampton in Arden Parish Council, Natural England and the Warwickshire Wildlife Trust</p>				

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				<p>(WWT) commenced on 18 February 2021 and concluded on 31 March 2021.</p> <p>A meeting was held with SMBC, BAL, Bickenhill and Marston Green Parish Council, Hampton in Arden Parish Council, Natural England and WWT on 18 February 2021. The presentation and meeting minutes (refer appendices) were subsequently issued on 2 March 2021.</p> <p>An update (refer appendices) to the proposals presented on 18 February 2021 was issued to SMBC, BAL, Bickenhill and Marston Green Parish Council, Hampton in Arden Parish Council, Natural England and WWT on 19 March 2021.</p> <p>Responses to comments from</p>				

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				SMBC were issued on 26 March 2021, 29 March 2021 and 30 March 2021.				
5(2)	The landscaping scheme must reflect the mitigation measures set out in the REAC and must be based on the proposed landscape planting strategy (figure 8.3) and the illustrative environmental masterplan (figure 8.8) annexed to the environmental statement (application document TR010027/APP/6.1).	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required. The REAC can be found at Chapter 3 of the OEMP. The landscape planting strategy (figure 8.3) can be found on the Infrastructure Planning website. The illustrative environmental masterplan (figure 8.8) can be found on the Infrastructure Planning website..
5(3)	The landscaping scheme prepared under sub-paragraph (1) must include details of— (a) location, number, species mix, size and planting density of any proposed planting; (b) cultivation, importing of materials and other operations to ensure plant establishment; (c) existing trees to be retained, with measures for their protection during the construction period;	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.

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	(d) proposed finished ground levels; and (e) implementation timetables for all landscaping works.							
5(4)	All landscaping works must be carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
5(5)	Any tree or shrub planted as part of the landscaping scheme that, within a period of 5 years after planting, is removed, dies or becomes in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless the Secretary of State, following consultation with the relevant planning authority on matters related to its function, gives consent to a variation.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required at this stage.
Contaminated land and groundwater								
6(1)	In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development which was not previously identified in the environmental statement, it must be reported as soon as reasonably practicable to the	n/a	n/a	n/a	n/a	n/a	n/a	If contaminated land or groundwater not previously identified within the Environmental Statement is encountered, it will be reported to the SoS, SMBC and the

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	Secretary of State, the relevant planning authority and the Environment Agency, and the undertaker must complete a risk assessment of the contamination in consultation with the relevant planning authority and the Environment Agency.							Environment Agency, and a risk assessment will be completed.
6(2)	Where the undertaker determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function and the Environment Agency.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals currently required as remediation is not envisaged at this stage. If required, approval will be sought from the SoS following consultation with SMBC and the Environment Agency. A description of any remediation required will be provided here in due course.
6(3)	Remediation must be carried out in accordance with the approved scheme.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
Protected species								
7(1)	In the event that any protected species which were not previously identified in the environmental statement or nesting birds are found at any time when carrying out the authorised development the undertaker must cease the	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required. Licences will be obtained from Natural England under the Protection of Badgers Act 1992 and The

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	relevant parts of the relevant works and report it immediately to the Ecological Clerk of Works (ECoW).							Conservation of Habitats and Species Regulations 2017 for badgers, bats and Great Crested Newts.
7(2)	The relevant parts of the relevant works must not recommence until a written scheme of protection and mitigation measures (including their design and management) has been submitted to and approved in writing by the Secretary of State after consultation with Natural England.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals currently anticipated. Detail of any approvals sought will be included here in due course.
7(3)	The written scheme must provide for the implementation of appropriate measures to avoid harm to breeding birds and their nests under the supervision of the ECOW.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
7(4)	The undertaker must implement the written scheme prepared under sub-paragraph (2) immediately and construction in the area specified in the written scheme must not recommence until any necessary licences are obtained to enable mitigation measures to be implemented.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals currently anticipated.
Surface and foul water drainage								
8(1)	No part of the authorised development is to commence until for that part written details	Surface and foul water drainage scheme, including	SMBC.	<u>Submission 1 – Initial Phase Works</u>	<u>Submission 1 – Initial Phase Works</u>	<u>Submission 1 – Initial Phase Works</u>	<u>Submission 1 – Initial Phase Works</u>	A staged approach was taken to the discharge of this

Register of Requirements within schedule 2 of the M42 Junction 6 Development Consent Order 2020 – “REQUIREMENTS REGISTER”								
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	of the surface and foul water drainage system, reflecting the mitigation measures set out in the REAC and drainage strategy report including means of pollution control, have been submitted and approved in writing by the Secretary of State following consultation with the relevant planning authority on matters related to its function.	written details and accompanying plans as required.		<p>Consultation with SMBC began on 2 September 2020 and concluded on 22 October 2020.</p> <p>The draft report was issued for comment by SMBC on 16 September 2020.</p> <p>A call was held with SMBC on 23 September 2020 and notes were subsequently issued on 28 September 2020.</p> <p>A response to comments from SMBC was issued on 5 October 2020, with related follow-up emails issued on 8, 12 and 22 October 2020.</p> <p>A further call was held with SMBC on 14 October 2020 and follow-up emails were issued on 15 October 2020. A further call with SMBC was then held on 19 October 2020 and a</p>	<p>The first response from SMBC was received on 21 September 2020.</p> <p>The second response from SMBC was received on 2 October 2020.</p> <p>The third response from SMBC was received on 15 October 2020.</p> <p>The fourth and final response from SMBC was received on 19 October 2020.</p> <p>The first response from BAL was received on 24 September 2020.</p> <p>The second and final response from BAL was received on 6 October 2020.</p> <p><u>Submission 2 – Scheme-Wide, excluding Initial Phase Works</u></p> <p>The first response from SMBC was received on 2 October 2020.</p> <p>The second response from SMBC was received on 8 October 2020.</p>	<p>Submitted to the SoS on 27 October 2020.</p> <p><u>Submission 2 – Scheme-Wide, excluding Initial Phase Works</u></p> <p>Submitted to the SoS on 27 October 2020.</p>	<p>A decision was received from the SoS on 10 November 2020.</p> <p><u>Submission 2 – Scheme-Wide, excluding Initial Phase Works</u></p> <p>A decision was received from the SoS on 10 November 2020.</p>	<p>requirement, whereby a submission was made for an Initial Phase of Works, followed by a submission for the remainder of the Scheme.</p> <p>The approved documentation for Submission 1 – Initial Phase Works is available on the Highway England website.</p> <p>The approved documentation for Submission 2 – Scheme-Wide, excluding Initial Phase Works is available on the Highways England website.</p>

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				<p>follow-up email was subsequently issued.</p> <p>Consultation with BAL began on 2 September 2020 and concluded on 22 October 2020.</p> <p>The draft report was issued for comment by BAL on 2 September 2020.</p> <p>A follow-up email was issued to BAL on 18 September 2020.</p> <p>Further follow-up emails were issued to BAL on 24 September 2020 and 6 October 2020.</p> <p>A response to comments from BAL was issued on 22 October 2020.</p> <p><u>Submission 2 – Scheme-Wide, excluding Initial Phase Works</u></p> <p>Consultation with SMBC began on 23</p>	<p>The third response from SMBC was received on 12 October 2020.</p> <p>The fourth response from SMBC was received on 12 October 2020.</p> <p>The fifth response from SMBC was received on 14 October 2020.</p> <p>The sixth response was SMBC was received on 15 October 2020.</p> <p>The seventh response from SMBC was received on 19 October 2020.</p> <p>The final response from SMBC was received on 26 October 2020.</p> <p>The first response from BAL was received on 24 September 2020.</p> <p>The final response from BAL was received on 6 October 2020.</p>			

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				<p>September 2020 and concluded on 26 October 2020.</p> <p>The draft report was issued to SMBC for comment on 23 September 2020.</p> <p>A follow-up email was issued to SMBC on 29 September 2020.</p> <p>A response to comments from SMBC was issued on 5 October 2020, with related follow-up emails subsequently issued on 8, 12 and 22 October 2020.</p> <p>A follow-up email was issued to SMBC on 8 October 2020. A response to comments from SMBC was issued on 9 October 2020.</p> <p>A further response to comments from SMBC was issued on 12 October 2020. A response to comments from SMBC was then</p>				

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				<p>issued on 14 October 2020.</p> <p>A call was held with SMBC on 14 October 2020, with a follow-up email issued on 15 October 2020.</p> <p>A further call was held with SMBC on 15 October 2020, with a follow-up email subsequently issued on 19 October 2020.</p> <p>The final response to SMBC comments was issued on 26 October 2020.</p> <p>Consultation started with BAL on 23 September 2020 and concluded on 22 October 2020.</p> <p>The draft report was issued to BAL for comment on 23 September 2020. A response to comments from BAL was issued on 24 September 2020. A follow-up email was issued to BAL on 6</p>				

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				October 2020. A final response to comments from BAL was issued on 22 October 2020.				
8(2)	The surface and foul water drainage system must be constructed in accordance with the approved details, unless otherwise agreed in writing by the Secretary of State following consultation with— (a) the relevant planning authority on matters related to its function; and (b) where the part of the authorised development to which the approved details relate is within the Airport safeguarding zone, Birmingham Airport Limited.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are anticipated at this stage. Details of any changes to approved details, and any associated consultation, will be included here if required in due course.
8(3)	The Secretary of State may only agree to amendments to the approved details under subparagraph (2) if the Secretary of State is satisfied that— (a) the amendments would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement; or (b) in a case where Birmingham Airport Limited has been consulted under sub-paragraph (2)(b), the	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are anticipated at this stage. Details of any changes to approved details, and any associated consultation, will be included here if required in due course.

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	amendments would not adversely affect the safety of aircraft taking off or landing at, or flying in the vicinity of, Birmingham Airport.							
Archaeological remains								
9(1)	No part of the authorised development is to commence until for that part a written scheme for the investigation of areas of potential archaeological interest has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function.	Overarching Archaeological Written Scheme of Investigation	Warwickshire County Council Archaeologist.	<p>Consultation with the County Archaeologist commenced on 10 August 2020 and concluded on 30 September 2020.</p> <p>The draft report was issued for comment on 10 August 2020.</p> <p>A follow-up email was issued on 24 August 2020.</p> <p>A response to comments from the County Archaeologist was issued on 8 September 2020.</p> <p>A response to comments from the County Archaeologist was issued on 16 September 2020.</p> <p>A response to comments from the County</p>	<p>The first response from the County Archaeologist was received on 28 August 2020. The second response from the County Archaeologist was received on 15 September 2020.</p> <p>The third response from the County Archaeologist was received on 16 September 2020.</p> <p>The final response from the County Archaeologist was received on 30 September 2020.</p>	Submitted to the SoS on 9 October 2020.	A decision was received from the SoS on 22 October 2020.	<p>An Overarching Written Scheme of Investigation was produced for implementation scheme-wide.</p> <p>A copy of the application material as approved by the SoS is available on the Highways England website.</p>

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				Archaeologist was issued on 21 September 2020. A follow-up email was issued on 29 September 2020.				
9(2)	The authorised development must be carried out in accordance with the scheme referred to in sub-paragraph (1).	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
Traffic management								
10(1)	No part of the authorised development is to commence until a traffic management plan for that part has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function and the Royal Mail.	Scheme-wide Traffic Management Plan	SMBC; the Royal Mail.	The Traffic Management Plan was issued to SMBC for comment on 28 July 2020. A follow-up email was then sent on 19 August 2020, with further follow-up emails sent on 1 September and 2 September 2020. The Traffic Management Plan was issued to the Royal Mail for comment on 28 July 2020. A follow-up email was then sent on 19 August 2020, with a further follow-up email sent on 20 August 2020.	The first response from SMBC was received on 19 August 2020. The second response from SMBC was received on 2 September 2020. A final response from SMBC was received on 7 September 2020. Responses from the Royal Mail were received on 20 August 2020.	The Traffic Management Plan was submitted to the SoS on 10 September 2020.	The Traffic Management Plan was approved by the SoS on 14 September 2020.	The Traffic Management Plan applies scheme-wide and, therefore, fully discharges Requirement 10. The approved Traffic Management Plan is available on the Highways England website.
10(2)	The authorised development must be constructed in	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.

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	accordance with the traffic management plan referred to in sub-paragraph (1).							
Amendments to approved details								
11	With respect to any requirement which requires the authorised development to be carried out in accordance with the details or schemes approved under this Schedule, the approved details or schemes are taken to include any amendments that may subsequently be approved in writing by the Secretary of State.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
Fencing								
12	Any permanent and temporary fencing and other means of enclosure for the authorised development must be constructed and installed in accordance with the Manual of Contract Documents for Highway Works except where any departures from that manual are agreed in writing by the Secretary of State in connection with the authorised development.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are currently anticipated. Any departures from the Manual of Contract Documents for Highway Works and associated approvals from the SoS will be detailed here in due course.
Bickenhill Meadows SSSI								
13(1)	No part of the authorised development that affects Bickenhill Meadows SSSI is to commence until a detailed Bickenhill Meadows SSSI Monitoring Management Plan has been submitted to and approved in writing by the	Bickenhill Meadows SSSI Monitoring and Management Plan	SMBC; Natural England.	The draft Monitoring and Management Plan was issued for comment by the SSSI Steering Group on 26 October 2020. The Steering Group	The first response from SMBC was received on 27 November 2020. The second response from SMBC was received on 6 January 2021.	The Bickenhill Meadows SSSI Monitoring and Management Plan was submitted to the SoS on 14 January 2021.	The Bickenhill Meadows SSSI Monitoring and Management Plan was approved by the SoS on 28 January 2021.	The approved Bickenhill Monitoring and Management Plan is available on the Highways England website.

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	Secretary of State, following consultation with the relevant planning authority and Natural England on matters related to its function.			includes the following stakeholders: <ul style="list-style-type: none"> Natural England SMBC BAL Warwickshire Wildlife Trust 	The first response from Natural England was received on 30 November 2020. The second response from Natural England was received on 4 January 2021. In addition to the statutory consultees, BAL and Warwickshire Wildlife Trust were also consulted. A response from BAL was received on 2 December 2020. A response from Warwickshire Wildlife Trust was received on 12 November 2020.			
13(2)	The detailed Bickenhill Meadows SSSI Monitoring Management Plan must set out— (a) the requirements for the overarching biological and hydrological monitoring programme, (b) details of the establishment and role of the SSSI Monitoring Steering Group, and (c) details of trigger points and action measures which must be taken in the event that the trigger points are met or exceeded.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
13(3)	Monitoring of Bickenhill	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are

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	Meadows SSSI must be carried out in accordance with the detailed Bickenhill Meadows SSSI Monitoring Management Plan.							required.
13(4)	Work No. 76 can only be carried out if it has been determined, in accordance with the Bickenhill Meadows SSSI Monitoring Management Plan, that the passive solution to mitigate the loss of surface water catchment area has failed.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
Relocation of Work No. 35 underground storage tank and access								
14(1)	Notwithstanding the details shown on any Certified Plan listed in Schedule 13 of this Order, no part of the realignment of Catherine-de-Barnes Lane is to commence until an amended scheme for the underground storage tank and associated access (Work No.35) is submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function and the occupiers of those properties affected by the change.	Written details of proposed amendments to Work No.35 and accompanying plans.	SMBC; any affected property owners/ occupiers.	<p>The draft Requirement 14 application report was issued to SMBC on 18 January 2021. Changes were made in response to SMBC comments on 19 January 2021 and 20 January 2021.</p> <p>One resident would be affected by the proposals set out within the Requirement 14 application report. Consultation with this resident took place via phone calls between 26 January and 10</p>	<p>The first response from SMBC was received on 19 January 2021. The second response from SMBC was received on 20 January 2021.</p> <p>A response from the affected resident was received on 11 February 2021.</p>	An application was made to the SoS for the discharge of Requirement 14 in full on 17 February 2021.	SoS approval under Requirement 14 was received on 4 March 2021.	The approved Requirement 14 report is available on the Highways England website.

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				February 2021.				
14(2)	Unless otherwise agreed in writing by the Secretary of State, the amended scheme must provide for the relocation of the underground storage tank and access from the northern to the southern side of St Peter’s Lane.	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.
14(3)	The authorised development must be carried out in accordance with the approved scheme referred to in subparagraph (1).	n/a	n/a	n/a	n/a	n/a	n/a	No approvals are required.