

A38 DERBY JUNCTIONS SCHEME (TR010022)

PLANNING ACT 2008: Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 Etc.

Application by Highways England for an Order Granting Development Consent for the A38 Derby Junction Project

Written Summaries of Oral Contributions at Issue Specific Hearing relating to the Draft Development Consent Order

Representation on Behalf of Derbyshire County Council as an Interested Party

Issue Specific Hearing Relating to Draft Development Consent Order

Tuesday 8 October 2019

1.1 Derbyshire County Council's Officers (Steve Buffery and Geoff Blissett) attended the Issue Specific Hearing Relating to the Draft Development Consent Order on 8th October 2019. At the hearing, Derbyshire County Council's Officers raised the following issues and concerns on the questions asked by the Panel of Inspectors:

Part 5: Public Rights of Way: Question 33

- Derbyshire County Council's officers raised concerns at the hearing regarding the lack of meaningful consultation and discussion by Highways England with Derbyshire County Council's Public Rights of Way Team to discuss the potential impacts of proposed improvements and amendments in the scheme to the Public Rights of Way network, including temporary closures and diversions, particularly relating to the Little Eaton junction improvements. Derbyshire County Council's Officers requested, therefore, that such discussion and engagement should now be instigated by Highways England. Since the hearing, however, Highways England's consultants have been in contact with the County Council's Public Rights of Way Team to discuss the details of the scheme, which is welcomed and appreciated. Further ongoing consultation and discussion would also be welcomed.

Question 58: Requirements 9: Derwent Valley Mills World Heritage Site

- Derbyshire County Council's officers expressed concern that the applicant has not engaged in any meaningful discussions with the Derwent Valley Mills World Heritage Site Partnership (DVMWHS) on the proposed Little Eaton junction improvements part of the scheme. Derbyshire County Council's officers are represented on the DVMWHS Partnership but the Partnership is a separate body from the County Council, which also includes representatives from Amber Valley Borough Council, Derby City Council and Derbyshire Dales District Council.
- The DVMWHS Partnership has responsibility for producing a DVMWHS Management Plan, which is periodically revised and could have implications for the assessment of the Little Eaton Junctions element of the scheme on the Outstanding Universal Value (OUV) of the WHS. The WHS Management Plan is currently being revised by the Partnership and is (at the time of writing) subject to current stakeholder consultation.
- Derbyshire County Council's representations on the DCO application (Pre-application, Preliminary Environmental Information Report, Section 56 Consultation and forthcoming Written Representations and Local Impact Report submissions) have been made on behalf of the County Council and may not necessarily represent those of the Partnership as a whole. These representations have raised significant concerns with the proposed design of

the Little Eaton junctions scheme and its potential adverse impacts on the OUV of the DVMWHS.

- Derbyshire County Council considers, therefore, that the applicant should now take the opportunity undertake discussion and consultation with the Partnership on the scheme as set out in the Draft DCO and accompanying Environment Statement and seek its expert advice on the potential impacts of the scheme on the OUV of the DVMWHS and how these could be satisfactorily mitigated.

Other Matters / Issues: Highways and Network Management Issues

- Under other issues not specifically set out in the Panel of Inspector's questions, Derbyshire County Council's officers requested clarification on the following points:
- Does the DCO provide the Minister of certain functions of the Local Highway Authority as respects highway affected by construction of the trunk road? In other words, would the DCO supersede the need for a Section 4 of the 1980 Highway Act between HE and local Highway Authority?
- Secondly, does the Minister intend de-trunking part of the Strategic Road Network, if so what agreement would be needed, and how would this be sought from the Local Authorities?

Steve Buffery

Team Leader Planning Policy and Monitoring

Derbyshire County Council

01 November 2019