

Question No.	Issue/Question	DCiC Response
1.1	<p>"Guillotine" provisions Articles 15(6), 19(11), 20(7), 22(6) Issue Specific Hearing 2 Issues and Questions (ISH2 I&Q) [PD-010] Q41 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027] EA response [REP3-034]</p>	<p>To date DCiC has not had any further discussions on this.</p> <p>On most articles the notice period negates the concern over the guillotine period. However, in response to the ExA Second Written Questions for Hearing 2 (Q41), DCiC identified it was not comfortable with Article 20 Discharge of Water, and questioned whether a notice period of 12 weeks (similar to Article 19) could be applied?</p>
1.4	<p>Article 3 - Disapplication of legislative provisions ISH2 I&Q [PD-010] Q44 Applicant response [REP3-026] EA response [REP3-034]</p>	<p>a) There has been general progress on discussions between DCiC and the applicant on issues that were raised by the LLFA. This has resulted in an amendment to the Flood Risk Assessment. The FRA now includes more reference to further consultation with DCiC</p> <p>c) The Lead Local Flood Authority has a duty under the Flood and Water Management Act to develop, maintain, apply and monitor a strategy to manage flood risk from surface runoff, groundwater and ordinary watercourse. The DCiC Strategy includes policies relating to inspection and maintenance of watercourses. The issue that DCiC has with the disapplication section 23 of the Land Drainage Act is that this section ensures that the LLFA can ensure that culverts are properly designed and access to watercourses is provided to allow the watercourses to be inspected and maintained. Disapplication of this section compromises DCiC ability to manage flood risk from watercourses.</p> <p>The EA has been given some protection in section 5 of the DCO. DCiC's view is that a similar protection should be in place to ensure that the LLFA can</p>

		influence the detailed design of watercourse alteration to ensure flood risk is not increased.
1.6	Article 6 – Maintenance of authorised development ISH2 I&Q [PD-010] Q46 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027]	<p>a) for the applicant to respond.</p> <p>b) DCiC & DCC met Highways England and LINKCONNEX on Friday 24th January to discuss maintenance. LINKCONNEX will set up a series of meeting with different asset managers with the LHAs to discuss responsibilities with a view to setting this out and agreeing it. However, these discussions will go beyond the DCO Hearing programme. One of the issues from the meeting is what legal format the maintenance responsibilities will be formalised. Highways England is going to provide an answer based on other DCOs.</p> <p>DCiC (LLFA) agrees that there should be a requirement for the applicant to maintain the development. This is particularly important to ensure the Flood Storage Areas are maintained in their designed condition as these structures ensure the development does not increase flood risk elsewhere. Similarly the drainage system and the associated attenuation need to be maintained in the design condition to ensure flood risk is not increased to the development or elsewhere.</p>
1.8	Streets ISH2 I&Q [PD-010] Q49, Q50, Q52, Q53. Applicant response [REP3-026] DCiC response [REP3-027]	<p>a) Subject to further advice being received.</p> <p>b) Subject to further advice being received.</p> <p>c) Subject to further advice being received.</p>
1.9	Article 11 – Street works ISH2 I&Q [PD-010] Q48 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027]	a) DCiC and the Applicant still need to discuss this issue and a meeting with LinkCONNEX is scheduled for Thursday 13 th February. It is

		<p>understood that the Applicant is seeking legal advice on the application of the Permit Scheme.</p> <p>b) This could be resolved in the TMP, by the inclusion of a process that satisfies the statutory duties of DCiC. At present this would mean statutory undertakers complying with the Derby City Council Permit Scheme, or serving notices as required by the NRSWA/TMA</p> <p>c) DCiC will wait for the Applicant's written response to this question.</p>
1.10	<p>Article 14 – Classification of roads, etc. ISH1 [PD-003] Q24 Applicant response [REP1-004]</p>	<p>No, the issue for the LHA is what assets are included in the Inventory of any de-trunked roads. The detailed 'what' is not defined under the DCO and there is a question over whether some form of legal agreement that sits outside of the DCO.</p>
1.11	<p>Article 20 – Discharge of water ISH1 [PD-003] Q30, Q31 Applicant response [REP1-004] [REP2-020] DCiC response [REP1-034] EA response [REP1-021]</p>	<p>a) The first and second points relate to main river and specific areas of the Environmental Permitting regulations which are administered by the EA and they are best placed to comment on these matters.</p> <p>With regards to point 3:- This particular requirement would have little effect in terms of protection the Lead Flood Local Authorities interest but inclusion may help clarify legal protection for Severn Trent Water.</p> <p>b) Article 20 does not make any provision for limiting the amount of water discharge to a sewer drain or watercourse. Under the NPPF the LLFA can agree acceptable discharge rates</p>
1.13	<p>Article 33 - Temporary use of land for carrying out the authorised development ISH2 I&Q [PD-010] Q55 Applicant response [REP3-026] DCiC response [REP3-027]</p>	<p>DCiC is satisfied that suitable provisions are included in the OEMP for the temporary use of land for carrying out the authorised development.</p>
1.14	<p>Article 39 - Felling or lopping of trees and removal of hedgerows</p>	<p>a)The existing vegetation and trees along the boundaries of Mackworth and</p>

	<p>ISH1 [PD-003] Q41, Q42 Applicant response [REP1-004] ISH2 I&Q [PD-010] Q55 Applicant response [REP3-026] DCiC response [REP3-027]</p>	<p>Markeaton Park provide valuable screening and separation between the open spaces and the highway as well as being visually significant and important ecologically. Removal of significant trees and the possible retention of felled timber within DCiC land should be in consultation with DCiC Arboriculture and Parks officers.</p> <p>b) Advance notice of the removal of existing trees and vegetation should be provided to the local authority at least 14 days before any works commence and for any queries from the public to be managed through direct contact with the HE consultation and liaison officer appointed for the project who would be best placed within the City Council building.</p>
<p>1.16</p>	<p>Article 50 - Appeals relating to the Control of Pollution Act 1974.</p> <p>Please provide an update on discussions.</p> <p>a) Have these provisions been agreed? b) Do the Local Authorities consider that the process and timescales are fair and reasonable? c) Are any amendments required to Article 50 or to the OEMP? d) Please summarise the outstanding matters for agreement, the next steps to be taken and whether agreement is anticipated during the Examination.</p>	<p>a) No further discussions have taken place between DCiC and HE regarding this matter.</p> <p>b) Please note previous DCiC response on this.</p> <p>c) Please note previous DCiC response on this.</p> <p>d) DCiC response to first examiners questions remains unchanged on this matter.</p>
<p>1.18</p>	<p>Requirements 1-21 Provisions for consultation and agreement ISH1 [PD-003] Q58 Applicant response [REP1-004] [REP2-020] DCC response [REP1-032] First Written Questions (FWQ) [PD-005] Q1.5 DCiC response [REP1-034]</p>	<p>a) Not for DCiC to answer</p> <p>b) The LLFA accept that consultation with the LPA is acceptable as the LPA will consult the LLFA</p>

	<p>Applicant response [REP2-020] ISH2 I&Q [PD-010] Q59 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027] DCC response [REP3-029]</p>	<p>c) No outstanding concerns with respect to provisions for consultation and agreement with respect to impact on LA assets.</p> <p>d) dDCiC doesn't think any Rights of Way within Derby are impacted by the scheme.</p>
1.20	<p>CEMP and Handover Environmental Management Plan (HEMP) Requirement 3 ISH1 [PD-003] Q52 Applicant response [REP1-004]</p>	
1.21	<p>HEMP</p> <p>a) Do the Local Authorities or the EA have any comments on the provisions for a Handover Environmental Management Plan in the dDCO or OEMP?</p> <p>b) Should provisions be added to Requirement 3(4) that the HEMP must:</p> <ul style="list-style-type: none"> • be substantially in accordance with the HEMP provisions included in the OEMP and CEMP; • contain a record of all the sensitive environmental features that have the potential to be affected by the operation and maintenance of the proposed development; and • incorporate the measures referred to in the ES as being incorporated in the HEMP? 	<p>a) The OEMP (3.1.3) states that the extant version of the CEMP will become the HEMP at the end of the build and will become the responsibility of the Highways England asset maintenance teams. Schedule 2 Part 1 of the DCO implies that drainage elements, including those in DCiC land, and that the environmental enhancements provided by the drainage system will be maintained under the Order, presumably at HE cost.</p> <p>On this basis, if this is confirmed then we accept the provisions.</p> <p>b) Yes it would be useful for these provisions to be included. (With respect specifically to noise and air quality, these provisions do not seem necessary in the view of the EP Team at DCiC).</p>
1.22	<p>The principle of consultation rather than agreement and details of consultation</p> <p>a) Further to the Applicant's responses, are the Local Authorities and the EA content with the principles in the dDCO and OEMP for them to be consulted on relevant discharging measures and that any agreement or approval would be given by the Secretary of State?</p>	<p>a) Yes, this is acceptable to the Lead Local Flood Authority</p> <p>It would also be helpful if the CEMP for preliminary works could contain a written landscaping scheme with method statements for all works to be undertaken. Including tree and vegetation removal.</p> <p>b) This depends on the definition – a 28 day response time is sensible, but 28</p>

		<p>days to get the whole document agreed would be unrealistic. The DCO should not restrict unreasonably the available time to scrutinise and amend the HEMP to meet the Council's requirements. The HEMP is an important document in sustaining any environmental protections/enhancements of the scheme. Although we do understand the need to keep the process moving and avoid many months of to-and-fro on completion of the scheme.</p>
1.24	<p>Preliminary works Requirements 5(1), 11(1), 13(1) ISH2 I&Q [PD-010] Q41 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027] EA response [REP3-034]</p>	<p>If preliminary works include any new and replacement planting then the CEMP for these preliminary works should contain a written landscaping scheme.</p> <p>Written details of the surface water and foul water is considered 'main works' and so the details of this need not be included in the CEMP for preliminary works.</p>
1.26	<p>Requirement 14 – Flood compensatory storage ISH1 [PD-003] Q59 Applicant response [REP1-004] DCiC response [REP1-034]</p>	<p>a) Requirement 14 refers to flood compensation from rivers, so it is right that just the climate change allowance for peak river flow is cited. Although there's no reason we can see why sub-paragraph 3 and sub-paragraph 4 reference different climate change allowances. These should both be 50%.</p> <p>However, we would recommend that the climate change allowance for peak rainfall intensity is included in Requirement 13, which relates to surface and foul water drainage. For this, the surface water should be designed with a 40% climate change allowance as per the latest EA guidance.</p> <p>DCiC would also suggest Markeaton junction is included in this requirement as some of carriageway works may interact with the floodplain of the Markeaton Brook. This may be less pronounced than the other junctions, but will need</p>

		<p>assessing nevertheless.</p> <p>b) Section 14.3.26 of Chapter 14 of the ES (Climate) (APP-052) references climate change allowances for the Kingsway and Little Eaton Junctions, however DCiC believe that the climate change allowances are a bit mixed up considering river flow allowances and rainfall intensity allowances. Both should be assessed for floodplain compensation under the river flow allowances (50%) and both should be considered using the rainfall intensity allowance (40%) when designing the drainage for the junctions. This should be amended in the ES as well as the dDCO as laid out above in our response to 1.26a.</p> <p>Also like above, we would suggest the same approach is also taken for the Markeaton junction where carriageway works related to the junction improvements may interact with the Markeaton Brook floodplain.</p>
1.27	<p>Local Highways Authority review and update on discussions ISH1 [PD-003] Q67 Applicant response [REP1-004] [REP2-020] DCC response [REP1-032] DCiC response [REP1-034] ISH2 I&Q [PD-010] Q65, Q68 Applicant response [REP3-014] [REP3-026] DCC response [REP3-029]</p>	<p>a) DCiC has been through the TRO and made comments that have been provided to the applicant.</p> <p>b) DCiC's concerns about the detailed process still stand, as set out in answer to Q8 of the questions for Issue Specific Hearing 2.</p> <p>c) See answer to 1.6(b) above. Further, discussions by e-mail and telephone have been ongoing concerning TRO's. The Applicant is considering a process for dealing with some of the detail.</p> <p>d) For the Applicant to propose.</p> <p>e) For the Applicant to answer.</p>
1.28	<p>Local Highways Authority review ISH1 [PD-003] Q69</p>	<p>a) DCiC will provide a written detailed response for the Hearing on the 19th</p>

	<p>Applicant response [REP1-004] [REP2-020] DCC response [REP1-033] DCiC response [REP1-034] ISH2 I&Q [PD-010] Q68 Applicant [REP3-026]</p>	<p>February.</p> <p>b) There are questions concerning the appropriate use of stopping-up order. For example, do you need to stop-up highway rights for a footway/cycle way across the new A38 alignment, because the section in question is still in Highway or Highway verge? This needs a discussion with the applicant to understand why this approach has been taken.</p> <p>c) For the Applicant to answer.</p>												
<p>1.33</p>	<p>Tree removal</p>	<p>From the schemes AIA document:</p> <ul style="list-style-type: none"> Numerous trees proposed to be removed provide significant public amenity value. Numerous trees within the development areas are subject to TPO and have been judged to have accrued sufficient amenity value to justify inclusion within a TPO. Appendix F shows TPO locations however there is some inaccuracy. TPO 116 has included A1 of TPO 197 within its boundary. TPO No. 590 (within the grounds of Brook Medical Centre) have been omitted. The trees within the development sheet plans that are subject to a TPO are as the table is as below: <table border="1" data-bbox="852 1536 1401 2036"> <thead> <tr> <th>Plan sheet No.</th> <th>TPO No.</th> <th>TPO type</th> <th>Impact of proposal</th> </tr> </thead> <tbody> <tr> <td>15</td> <td>197</td> <td>Area: A1 and W1</td> <td>Minor incursion into A1.</td> </tr> <tr> <td>15, small part of 14b and</td> <td>116</td> <td>Area</td> <td>Minor incursion in to west part of</td> </tr> </tbody> </table>	Plan sheet No.	TPO No.	TPO type	Impact of proposal	15	197	Area: A1 and W1	Minor incursion into A1.	15, small part of 14b and	116	Area	Minor incursion in to west part of
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18			Area.
15	590	Woodland: W1, Group: G1 and Tree: T1	None
Sheet 17 And 18	160	Woodland: W1	West part of group proposed to be removed.
Sheet 17 And 18	456	Area: A1	Incursion into the west part of the TPO
Sheet 20	293	Area: A1	None

- Numerous trees proposed to be removed have accrued sufficient amenity value to justify inclusion within a TPO. Of particular importance is T356 (Oak). This has a stem diameter recorded as 1575mm which equates to a girth of 495cm. According to Ancient and other veteran trees: further guidance and management Fig 1.3 Chart of girth in relation to age and developmental classification of trees the tree (T358) is categorized as veteran/notable.

The NPPF recognises veteran trees as irreplaceable.

Buffer Zones around a veteran tree should be at least 15 times the stem diameter. The buffer zone around T358 should be 23.6m. RPA's within the report indicates the correct buffer zone. The proposed route means that the RPA is

		<p>compromised. T358 is not recorded on the Ancient Tree Inventory. T358 is proposed to be removed. This will lead to a long term negative impact on an irreplaceable habitat.</p> <p>Numerous trees within Markeaton Park are recorded in the Ancient Tree Inventory. The removal of trees will result in a loss of public amenity and wildlife habitat/foraging provision. It is noted that details of numbers of trees to be planted has not been provided.</p> <p>DCiC would expect an assessment of tree loss compared to proposed trees planting and would expect to see a net gain of tree infrastructure.</p> <p>Trees planted in mitigation will take many years to replicate the amenity/wildlife provision that the existing trees provide. It was not thought expedient to make trees owned and managed by Derby City Council subject to a TPO.</p> <ul style="list-style-type: none">• RPA radius are not shown on the schedule. However referring to the plans I can confirm that veteran tree RPA's have been amended to follow guidance in Ancient and other veteran trees: further guidance and management of 15 x stem Ø as opposed to the BS5837 of 12 x stem Ø.• T280 RPA should be 31.5m.• RPA's are shown as circles irrespective of existing constraints.• Annoyingly '7' is shown as a '□' on the plans.
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		<ul style="list-style-type: none"> If permitted tree removals must comply with the tree protection measures as per Appendix E. A final Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) would need to be approved and must show the actual alignment of the Construction Exclusion Zone. The AMS must be compliant with 6.2 of the AIA with the addition of arboricultural monitoring and reporting at key events. It is important that the language of tree protection is changed from 'should' to 'will be' and 'must' unless an amendment is agreed by the project arboriculturalist.
1.37	<p>Other consents, permits, licenses and agreements</p> <p>c) With reference to the NPSNN, are the EA and DCiC "satisfied that potential releases can be adequately regulated under the pollution control framework"?</p>	<p>c) Assuming that the <i>pollution control framework</i> is merely a reference to existing pollution control legislation, then yes, one would hope and assume that it is adequate. DCiC isn't currently involved in lobbying Government to amend any existing pollution legislation due to perceived inadequacy, so it would seem inappropriate to do so here.</p>
1.38	<p>Management and mitigation plans, strategies and written schemes</p> <p>a) Are the Local Authorities and EA content with dDCO and OEMP provisions for consultation with respect to the management and mitigation plans, strategies and written schemes?</p> <p>b) Should there be a requirement for these documents to be kept up to date with any material changes during construction and for consultation to be required on each revision? If so, should that be secured in the dDCO or the OEMP?</p>	<p>a) Please see previous comments regarding consultation/agreement in respect of the CEMP. DCiC position remains unchanged on this.</p> <p>The Parks team at DCiC are content with the dDCO and OEMP provisions for consultation and have no further comments to make.</p> <p>b) Regarding the OEMP/CEMP, there should be sufficient flexibility within this to negate the need for being consulted on every material change, depending of course on what is meant specifically by 'material'. There would be concerns over resource implications for DCiC if this were to take place.</p> <p>It would be helpful for these documents</p>

		to be kept up to date with material changes during construction and for consultation on the revisions. This could be secured in the OEMP.
1.39	<p>Impact assessment and mitigation methodology</p> <p>Do the Local Authorities have any comments on the Applicant's responses, including any implications for the identification of significant impacts, or on the need for mitigation measures?</p>	<p>Please see DCiC previous responses to examiners questions and SoCG regarding agreement to impact assessment and mitigation methodology. Position remains unchanged.</p> <p>No further comments on the identification of environmental impacts and mitigation but there has been little consideration of the likely significant impact on events and activities held on Markeaton Park and the potential impact on DCiC income.</p> <p>We have no reasons to differ from the applicants assessment/response unless the inspectors think otherwise</p>
2.1	<p>Driver Stress Assessment ES Chapter 12 [APP-050] Transport Assessment Report [REP3-005] FWQ [PD-005] Q4.6, Q4.7, Q4.8, Q4.18, Q4.19, Q4.30, Q4.31 Applicant response [REP1-005] DCiC response [REP1-034] DCC response [REP1-033] Applicant response [REP2-020]</p>	<p>On Driver Stress, DCiC responded at the last Hearing that we have never seen the assessment methodology before and not sure of its value. The LHA's concern would be the impact of construction on the operation of the network, road safety and the provision that the construction phases provides for pedestrian and cycle movement through the scheme.</p>
2.2	<p>Transport modelling and queuing Adequacy of Consultation [AoC-003] DCC comments ISH2 I&Q [PD-010] Q1, Q2 Applicant response [REP3-014] DCiC response [REP3-027] DCC response [REP3-029]</p>	<p>a) Question for Derbyshire County Council</p> <p>b) Applicant to respond.</p> <p>c) Applicant to respond.</p> <p>d) LINSIG is modelling software that has been specifically designed to simulate signal Junctions. One of its key outputs are queue lengths and a measure of the operational capacity of the junction. The suggestion of using LINSIG to design the traffic management for the three junctions is a sensible approach and will not take significant resources to do this.</p>

		<p>Further, signal junctions on the local network where there are significant changes in traffic flows as a result of rerouting would also help understand the impacts of the construction phasing.</p> <p>e) Applicant to respond</p> <p>f) A full report of the construction modelling has not been submitted to the DCO Hearing. In discussions with Highways England around 2016, DCiC has seen outputs on the broad impacts of traffic changes as a result of the construction phases.</p> <p>As DCiC described in the written response to the Hearing Questions for Deadline 3, Q1, Strategic Transport Modelling is a useful tool in identifying the likely re-routing of traffic patterns as a result of the construction phasing. However, it doesn't provide the complete answer. In terms of outputs for environmental impact, the modelling is better suited to providing inputs into these assessment processes.</p>
2.3	<p>Impacts on local roads ISH2 I&Q [PD-010] Q4 Applicant response [REP3-026] DCiC response [REP3-027] DCC response [REP3-029]</p>	<p>a) Applicant to respond.</p> <p>b) Applicant to respond.</p> <p>c) Applicant to respond.</p>
2.5	<p>Traffic Management Plan Update ISH2 I&Q [PD-010] Q3 Applicant [REP3-026] DCiC [REP1-034] [REP1-035] [REP3-027] DCC [REP3-029] Breadsall Parish Council [REP3-028] Intu [REP1-044] [REP3-037]</p>	<p>Not for DCiC to respond specifically.</p> <p>a) Applicant to Respond.</p> <p>b) Applicant to respond.</p> <p>c) Applicant to respond.</p> <p>d) Applicant to respond.</p> <p>e) Applicant to respond.</p>

		<p>f) Applicant to respond.</p> <p>g) Applicant to respond.</p> <p>h) Applicant to respond.</p>
2.6	<p>Council resources Applicant [REP2-020] DCiC [REP1-034] [REP1-035] [REP3-027] OEMP [REP3-003]</p>	<p>a) DCiC will be the first port of call for daily complaints, possible solutions and updates from customers, residents and councillors regarding the A38 improvement work. It makes logistical sense to host the applicant's relevant point of contact with the Highway Authority to enable face to face discussions and prompt responses rather than having to transmit the concerns.</p> <p>Administration, consideration and resolution/action needs to be quickly administered to the changing demands as the scheme progresses. The applicant's representative needs to 'feel' the concerns and take fully informed action rather than being remote from the immediacy of the concerns raised. This resource is required before construction starts to enable the concerns of communities in the immediate area of the A38 to be addressed as soon as possible, and to begin engagement on travel behaviour change.</p> <p>b) Applicant to respond.</p>
2.8	<p>Impacts on local roads Applicant [REP2-020] ISH2 I&Q [PD-010] Q5 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027] DCC response [REP3-029]</p>	<p>a) Applicant to respond</p> <p>b) It is unlikely that changes to the local road network and signal junction timings will be able to provide sufficient mitigation. The key issue is capacity on links particularly on the inner ring road and the major routes (A61, A6, A52) entering and leaving the city. This is an expected consequence of disruption to local traffic, and does not</p>

		<p>include any traffic diverted from the A38 corridor.</p> <p>The local road network currently operates at capacity during peak periods and is vulnerable to severe congestion when events create minor capacity losses. There will be sustained periods of severe congestion as a result of construction and mitigation measures will probably rely on travel behaviour change rather than technical changes.</p> <p>c) For the Applicant to respond. However, it should be noted that the A14 Cambridge to Huntingdon DCO included a monitoring and mitigation agreement, set out in a separate legal document to deal with wider impacts of the scheme outside of the DCO.</p> <p>d) For applicant to respond.</p>
2.9	<p>Increased journey times on Mansfield Road FWQ 4.36 [PD-005] Applicant response [REP1-005] [REP2-020] [REP3-022] DCiC response [REP1-034]</p>	<p>a/b) The applicant has made minor change to Transport Assessment, which is the change in journey time reported in the assessment. The applicant has identified that the 11 minute journey time value was a typo error and should have been a couple of minutes. DCiC don't have any comment on this other than accept that it was a typo.</p>
2.10	<p>Junction layouts ISH2 I&Q [PD-010] Q6 Applicant response [REP3-026] DCiC response [REP3-027]</p>	<p>a) DCiC has undertaken a survey of the turning movements at Ford Lane/A6 and manually calculated forecast changes in traffic patterns and growth. As such DCiC has identified that a scheme is required, however, we still have concerns about the need to fully signalise the junction. DCiC has discussed this with the Applicant and it has been agreed to look at alternative options.</p> <p>The applicant has approached DCiC as Highway Authority on the principle of the</p>

		<p>current proposed layout. DCiC doesn't have an issue with the principle of the access layout and is currently looking through the proposals to provide more detailed comments.</p> <p>b) For applicant to respond.</p> <p>c) For applicant to respond.</p> <p>d) For applicant to respond.</p> <p>e) For applicant to respond.</p> <p>f) For applicant to respond.</p>
2.13	<p>Impacts on public transport during construction NPSNN Paragraph 5.205 DCiC [REP1-034] ISH2 I&Q [PD-010] Q11 Applicant response [REP3-026] DCiC response [REP3-027] Royal Derby Hospital [REP3-041] David Clasby [REP3-032]</p>	<p>a) For applicant to respond.</p> <p>b) For applicant to respond.</p> <p>c) For applicant to respond.</p> <p>d) DCiC setup a meeting that was held in January 2020. This was attended by bus operators, transport users groups, DCiC, Hospital, Intu, University and direct representatives from BAM and Highways England.</p>
2.14	<p>Support to public transport NPSNN Paragraph 5.205 ISH2 I&Q [PD-010] Q11</p>	<p>a) For applicant to respond.</p> <p>b) For applicant to respond.</p>
3.1	<p>Air Quality - Changes in pollution concentration and LA105</p>	<p>Although DCiC haven't been specifically asked to comment on this, we would wish to offer the following.</p> <p>Given the uncertainties that still surround the potential for exceedance of EU Limit Values (namely annual average NO₂ concentrations) caused by increased emissions during construction phases in particular, DCiC is of the opinion that further assessment of this particular aspect under the updated DMRB LA105 Guidance would be beneficial.</p>

		<p>Until the release of LA105 in November 2019, there was no recognised method for reconciling infrastructure scheme contributions with national PCM compliance modelling outputs. Whilst the work that has been done within the ES is considered to be logical and reasonably robust, the LA105 Guidance does appear to provide additional clarity on a consistent method for application in these circumstances. Furthermore, following the updated Guidance appears to provide less reason to dispute the conclusions.</p> <p>DCiC does however note that the examiners clarified that the updated Guidance was not relevant to the current examination and therefore could not now be applied. That being the case, then DCiC is satisfied that the assessment work is agreed as a best guess in the circumstances.</p>
3.2	<p>Construction Dust and Emissions</p> <p>Is DCiC now satisfied with the Applicant's air quality assessment methodology for construction; and assessment of no significant air quality impacts during construction?</p>	<p>See previous DCiC response and SoCG. Position unchanged. Concerns refer to outstanding detail in CEMP, not disagreement with assessment methodology, however with reference to EU Limit Value assessment and use of LA105 Guidance, see comments above in answer to question 3.1.</p>
3.4	<p>Operational vehicle emissions - Methodology and impacts</p> <p>Is DCiC now satisfied with the Applicant's:</p> <ul style="list-style-type: none"> • air quality assessment methodology for operation; and • assessment of no significant air quality impacts during operation? 	<p>With respect to the 'completed scheme' emissions and methodology, please see previous DCiC responses, SoCG and comments in 3.1 above regarding the application of LA105 Guidance.</p>
3.5	<p>Statutory compliance and other matters - EU compliance</p> <p>Is DCiC now satisfied with the Applicant's:</p> <ul style="list-style-type: none"> • air quality modelling methodology for assessment with respect to the European Union Directive for all 	<p>See response to 3.1 above and also previous response to examiners questions following ISH2. Position unchanged.</p> <p>In summary, the assessment work done so far provides reasonable levels of confidence, but use of the updated LA105</p>

	<p>receptors;</p> <ul style="list-style-type: none"> • assessment that it does not expect that any area which is currently reported as being compliant with the Air Quality Directive will become non-compliant; and • assessment that the Proposed Development will not affect the ability of any non-compliant area to achieve compliance within the most recent timescales reported to the European Commission? 	<p>Guidance is advised.</p> <p>In any case, modelling is only ever a 'best guess', so it is not possible to say that the Proposed Development will not affect the ability of any non-compliant area to achieve compliance.</p>
3.6	<p>Spondon Air Quality Management Area</p> <p>Is DCiC satisfied with the Applicant's assessment that air quality effects of the proposed development on the Air Quality Management Area in Spondon would be insignificant?</p>	<p>See previous responses and SoCG. Assessment methodology has been agreed by DCiC and this is what the modelling suggests.</p>
3.8	<p>Mitigation and NO₂ monitoring</p> <p>Please could DCiC provide a written response to the following matters included under item 20 of the ExA's issues and questions for Issue Specific Hearing 2 [PD-010]:</p> <p>a) Should NO₂ monitoring be required of the Applicant during construction and, if so, where?</p> <p>b) Whether the OEMP provisions for communication and liaison with DCiC in respect to NO₂ in Stafford Street are clear and adequate?</p> <p>c) Whether DCiC or the Secretary of State should have the power to require action for changes to be made to the construction arrangements where monitoring suggests that the existing situation could be putting compliance with the EU AQD at risk; and whether DCiC would have other suitable options available to it?</p> <p>d) Whether mitigation measures are clear, adequate and secured appropriately by Requirement 3 and the OEMP?</p>	<p>a) Already clarified in response to ISH2 questions.</p> <p>b) OEMP already agreed in SoCG.</p> <p>c) This is unlikely to be practical. Firstly, DEFRA are responsible for assessing compliance with the EU Directives, not the LA or HE. Subsequently, there are only two ways of assessing compliance; firstly through use of the national PCM model (undertaken by DEFRA) and secondly, using monitoring (applying the automatic monitoring reference method).</p> <p>In terms of modelling, this is really a question for the SoS for DEFRA to see if they feel there may be benefit in undertaking more detailed compliance modelling than the modelling that has already been provided by HE?</p> <p>In terms of monitoring, there are currently no reference method monitoring stations within relevant locations in Derby, albeit one is planned for Stafford</p>

		<p>Street in the near future. Even with monitoring data, one could only draw conclusions about annual average concentrations (which is what the most at risk EU Limit Values are based on) following compilation of several months-worth of monitoring data, by which time it may be too late to affect the annual average for that year in any case. Whilst it may be technically possible to keep a watching brief and adapt to early indications of change, there are so many confounding variables that affect monitoring data that drawing the assumption that construction traffic was causing the effects is rather fraught.</p> <p>In addition, the implications for making any amendments to scheme construction due to AQ concerns would need to be considered in light of many other conflicting and significant issues.</p> <p>In the view of DCiC the most sensible approach would be to plan construction works in such a way as to minimise air quality impacts 'as far as practically possible' from the outset, whilst accepting that in the unlikely event of a breach caused by the construction of the scheme, this would only be 'temporary' and working towards a goal of longer-term improved air quality conditions that the completed scheme is expected to provide.</p> <p>d) OEMP already agreed in SoCG.</p>
<p>4.3</p>	<p>Construction noise, vibration and working hours - Significance and exceedance of SOAEL</p> <p>a) Do DCiC and EBC (still) consider any exceedance of SOAEL to be significant?</p> <p>b) The Applicant proposes that any assessment carried out later, when</p>	<p>a) DCiC still believes that exceedance of the SOAEL should be avoided where possible. The CEMP should be designed with this aim in mind.</p> <p>b) Again, DCiC believes that exceedance of the SOAEL should be avoided where possible.</p>

	<p>more detailed information would be available, would consider exceedance of SOAEL for up to 10 days (or 10 evenings, weekends or nights) in any 15 to be not significant. Is the Applicant's approach expected to lead to more impacts that DCiC and/or EBC would consider significant than are identified in the ES?</p>	<p>The aim of the CEMP will be to employ the concept of 'Best Practical Means' in order to minimise noise as far as possible. This concept does not involve designing construction works and noise mitigation around 'maximum allowances', it looks at it the other way around i.e. how can noise be minimised.</p> <p>Potential exceedance of the SOAEL is merely a tool used within the ES to consider potential impacts of the scheme based on worst-case assumptions. In practice, the scheme will be designed to avoid all exceedances of the SOAEL where possible.</p> <p>On this basis, highlighting what is deemed significant or not at the final design stage should make no practical difference to the resultant noise impacts that may occur.</p>
<p>4.4</p>	<p>BPM and consistency with the ES</p> <p>a) Does the Applicant consider that the construction contractor is likely to have enough flexibility to ensure that its' detailed design and construction proposals would not give rise to any materially new or materially worse adverse noise or vibration effects in comparison with those reported in the ES?</p> <p>b) In order to preserve the validity of the impact assessment and the basis of any decision regarding development consent, the ExA is considering a dDCO or OEMP requirement for the construction contractor to explicitly demonstrate that its' detailed design and construction proposals would not give rise to any materially new or materially worse adverse noise or vibration effects in comparison with those reported in the ES, and for this to be subject to review by the Local Authorities and the Applicant</p>	<p>Although DCiC is noted in the 'question to' section, these questions appear to be aimed at the applicant?</p>

	and approval by the Secretary of State? Please could the Applicant comment?	
4.8	<p>Cumulative impact assessment</p> <p>Is DCiC content with the Applicant's consideration of construction and any other traffic from the other developments in its' noise and vibration assessment?</p>	Noise and vibration assessment already agreed by DCiC in SoCG.
5.1	<p>Flood risk modelling Relevant Representation (RR) by DCiC [RR-003] Applicant's Response to FWQ [REP1-005] Applicant's response to ISH2 [REP3-026]</p>	<p>a)The LLFA has recently received the new flood risk assessment that we understand will be submitted by deadline 4. It addresses many of the issues that were raised with the hydraulic modelling for this area. However the document is still under consideration.</p> <p>b)The LLFA has recently received the revised flood risk for this junction that we understand will be submitted by deadline 4. The FRA now includes an assessment of a saturated ground which better helps assess high ground water in this catchment. However our view is that including tree planting in the Mackworth Park area could help dewater the catchment and provide benefit at little cost. Requirement 14 now includes the correct allowance for climate change for the rainfall runoff method used in the Kingsway hydraulic model and is acceptable</p>
5.2	<p>Ownership of flood storage facilities Applicant's response to ISH2 [REP3-026] DCiC's response to ISH2 [REP3-027]</p>	DCiC view is that the ownership of the flood storage areas should reside with the applicant, as they protect the applicant's asset and also ensure flood risk is not increased to others.
5.3	<p>Surface water discharges Applicant's response to ISH2 [REP3-026] DCiC's response to ISH2 [REP3-027] DCC's response to ISH2 [REP3-029]</p>	a)The applicants drawing, Drainage General Arrangement 7, does not indicate a petrol interceptor at this location. However it is now accepted that the text of the drainage strategy does include this facility. DCiC's view is that where there are no vegetative treatment stages, generally an interceptor should be

		<p>included at the majority of the outfalls.</p> <p>b) there may be confusion with the Mill Pond and Markeaton Lake. It is understood that the no outfalls discharge directly to Markeaton Lake. However the Mill ponds form part of the Markeaton Lake reservoir complex and as such both siltation control and discharge control are very important here. See answers to 3a and 3c</p> <p>c) See answers to 5.3a, 5.3b and 5.4</p>
5.4	<p>Water Quality Applicant's Response to FWQ [REP1-005] RR by the EA [RR-005]</p>	<p>d) The issue with not having more clarity on discharge rates is that it does not give clarity to the detailed design. The DCO requires that the development be brought forward in line with the outline Environmental Management Plan that indicates that many outfalls will discharge at existing discharge rates. It is not clear if DCiC asks for a discharge rate to be reduced under Requirement 12 whether this would conflict with the outline Environmental Management Plan. DCiC suggests that this be discussed further at the meeting on 19th February.</p>
5.5	<p>Use of Sustainable Drainage Systems Applicant's response to ISH2 [REP3-026] DCiC's response to ISH2 [REP3-027]</p>	<p>Section 5.102 of the NPSNN states that "The Secretary of State should expect that reasonable steps have been taken that avoid, limit or reduce the flood risk to the proposed infrastructure and to others". Discharging water at existing discharge rate does not appear to comply with this requirement.</p> <p>The Non-Statutory Technical Standards for Sustainable Drainage state in section S3 "For developments that were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1in1</p>

		<p>year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practical to the greenfield runoff rate from the development for the same rainfall event but should never exceed the existing discharge from the development prior to redevelopment.” The 30% reduction in discharge is DCiC’s suggestion of a reasonable compromise.</p>
6.3	<p>Enhancement and the use of Biodiversity Metric Assessment DCiC response to FWQ [REP1-034] EBC response to FWQ [REP1-051] Applicant response to ISH2 [REP3-026]</p>	<p>Derbyshire Wildlife Trust are best placed to respond to this. DCiC has forwarded this question to them for their informed response.</p>
10.5	<p>Temporary Possession (TP) of land and maintenance of environmental features in Markeaton Park and Mackworth Park DCiC [REP1-034] Applicant [REP2-020] CAH1 Actions [EV-006] 5, 25 Applicant response [REP3-014] [REP3-025]</p>	<p>a)The DCiC Parks team are satisfied that the amount of land that would be subject to TP in Mackworth Park and Markeaton Park is justified and proportionate now that specific environmental mitigation measures for which the land is required have been identified.</p> <p>b)The Parks team is not satisfied that the potential effects on open space and events in the parks has been adequately assessed and mitigated. No consultation has taken place on this specific issue and there is no process in place for the assessment of income lost as a result of the scheme works.</p> <p>c)The Parks team is satisfied with the proposals for permanent emergency egress from Markeaton Park.</p> <p>Apart from the above, the Parks team is happy with the necessary mitigation secured subject to further discussions at detailed design stage.</p>
10.8	<p>Ashbourne Road and Sutton Close gardens and access alternatives A38 alignment options and Queensway properties CAH1 Actions [EV-006] 8, 27 Applicant response [REP3-014]</p>	<p>From the large scale plans that have been provided, it is not clear whether the road shown directly feeds into the drives of 255 Ashbourne Road. The road is currently a private drive for access to a</p>

	[REP3-023] [REP3-025]	small number of houses and therefore DCiC will not be adopting it. We have highlighted this in comments on the scheme to Highways England.
10.10	Part 1 and Section 10 claims for injurious affection CAH1 Actions [EV-006] 8 Applicant response [REP3-014] [REP3-025]	DCiC considers it is inevitable that the volume of traffic will increase following completion of the Scheme. In view of this, it is assumed that in order to provide a baseline from which assessments can be made, and hence any potential mitigation works which may be incorporated, e.g. bunds, initial measurements in relation to noise, fumes, vibration etc., will be carried out prior to works commencing on site. This would also then assist with any potential compensation claims which may be received.
10.17	Replacement land CAH1 Actions [EV-006] 15, 19, 31 Applicant response [REP3-014] [REP3-025] DCiC response [REP3-027]	DCiC has no further comments to make to the further responses provided by the Applicant.
10.18	Markeaton Park 'Mundy covenant' CAH1 Actions [EV-006] 23, 24 Applicant response [REP3-025] DCiC response [REP3-027]	Please find attached a copy of the said conveyance. Our assessment is such that we do not consider that the proposed works contravene the covenant, since there is no intention to construct buildings upon the land in question. We would however advise the applicant to seek their own legal representation in this regard.
10.20	Trigger mechanisms CAH1 Actions [EV-006] 30 Applicant response [REP3-025]	As a baseline requirement, we would expect a trigger mechanism to be introduced which provides a minimum notice period of 28 days, and more preferably 44 days.



This Conveyance

is made the [redacted] day of [redacted] 19[redacted]

One thousand nine hundred and thirty [redacted] BETWEEN THE REVEREND PREBENDARY WILLIAM GILCHRIST CLARK-MAXWELL of Markeaton Hall in the County of Derby (hereinafter called "the Vendor") of the one part and THE MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF DERBY (hereinafter called "the Corporation") of the other part WHEREAS the Vendor is seised in fee simple in possession free from incumbrances of the property hereinafter described and has agreed to sell the same to the Corporation for a like estate subject as hereinafter mentioned for the sum of Nineteen Thousand Four Hundred and Sixty-Six Pounds NOW THIS DEED WITNESSETH as follows:—



1. IN pursuance of the said agreement and in consideration of the said sum of NINETEEN THOUSAND FOUR HUNDRED AND SIXTY-SIX POUNDS now paid by the Corporation to the Vendor (the receipt whereof the Vendor hereby acknowledges) the Vendor AS BENEFICIAL OWNER HEREBY CONVEYS unto the Corporation FIRST ALL THAT the property known as Markeaton Park near Derby aforesaid containing 170.250 acres or thereabouts which said property is more particularly described in the first part of the First Schedule hereto and is delineated and edged pink on the plan drawn hereon EXCEPTING AND RESERVING to the Vendor in fee simple (a) a right of drainage from Hill Farm Ashbourne Road as heretofore existing until an alternative system is provided by the Corporation at their own expense (b) a right of way from Markeaton Lane to Robinsons Cottage as heretofore existing (c) the manor or reputed manors or lordships of Markeaton and Mackworth in the said County of Derby and all rights (if any) appertaining thereto (d) the advowson donation and next and perpetual right of patronage and presentation of and to the Vicarage and Parish Church of Mackworth SECONDLY ALL THAT piece or parcel of land brook and watercourse containing 14.668 acres or thereabouts more particularly described in the second part of the First Schedule hereto and delineated and edged green on the said plan EXCEPTING AND RESERVING to the Vendor in fee simple (a) a right of access from the proposed new arterial road when constructed to other land of the Vendor at the two points on the eastwardly side of the proposed new road marked "A" and "B" on the said plan (b) the manor or reputed manors or lordships of Markeaton and Mackworth in the said County of Derby and all rights (if any) appertaining thereto (c) the advowson donation and next and perpetual right of patronage and presentation of and to the Vicarage and Parish Church of Mackworth TO HOLD the same unto the Corporation in fee simple absolutely SUBJECT to and with the benefit of the existing leases and tenancies and to:—(a) A Conveyance dated the Eighth day of November One thousand nine hundred and eleven and made between Emily Maria Georgiana Mundy of the first part the said Emily Maria Georgiana Mundy and Godfrey Mosley of the second part and Moore Eady and Muroote Goode Limited of the third part and (b) A Conveyance dated the Twenty-ninth day of May One thousand nine hundred and three and made between the said Emily Maria Georgiana Mundy of the first part the said Emily Maria Georgiana Mundy and the said Godfrey Mosley of the second part and King, Howman & Company Limited of the third part AND SUBJECT ALSO to the provisions of the Derby Town Planning Scheme so far as the same affects the property hereby conveyed

2. FOR the benefit of the remaining portions of the Markeaton Estate belonging to the Vendor or the part thereof for the time being remaining unsold and so as to bind the property hereby conveyed the Corporation HEREBY COVENANT with the Vendor that the Corporation and the persons deriving title under them will henceforth and at all times hereafter observe and perform all and singular the restrictions stipulations and conditions set out in the Second Schedule hereto

3. AND the Vendor HEREBY ACKNOWLEDGES the right of the Corporation to production of the documents retained by the Vendor set out in the Third Schedule hereto and to delivery of copies thereof and hereby undertakes for the safe custody thereof

IN WITNESS whereof the Vendor has hereunto set his hand and seal and the Corporation have caused their Common Seal to be hereunto affixed the day and year first before written

FIRST SCHEDULE.

FIRST PART.

(Edged pink on plan.)

Ordinance Numbers.	Area in acres.	Tenant.	Description.
182 (pt)	.042	In hand	Brook
159	2.152	"	Woodland
167	.401	"	"
158	2.847	"	"
183	2.072	"	"
Carried forward		"	"

FIRST SCHEDULE (FIRST PART) continued.

Ordinance Numbers.	Area in acres.	Tenant.	Description.
Brought forward			
186	11.082	W. P. Cope	Pasture
196	1.344	In hand	Woodland
187	.328	"	"
185	.270	"	Brook
188 (pt)	8.800	Derby Corporation	Allotments
155	.761	In hand	Woodland
189	4.500	Derby Corporation	Allotments
111 (pt)	.390	In hand	Brookcourse
195	.308	"	"
194	.825	"	Woodland
193	.415	{ H. Wibberley C. N. Sutton Leases Markeaton Golf Club }	Cottages and Gardens.
220	.405	W. P. Cope	Pasture
186a	.350	In hand	Path
197	3.789	"	Brook
198	.895	"	Island
218 f	2.237	"	Pasture
221	.458	"	Pt. Park
218c	24.634	"	Pasture
222	.360	"	Woodland
218o	1.999	"	Pasture
218d	.528	"	Drive
* 223	.408	"	Lodge etc. *
< 224	3.104	W. P. Cope	Pt. Park
225a	.248	A. H. Mycock	Cottage
218a	26.879	W. P. Cope	Pasture
219	.373	"	Water
218b	10.470	"	Pasture
225	1.876	In hand	Woodland
200	.091	"	Brook
218	19.801	A. H. Mycock	Pasture
204a pt.	.180	In hand	Path
204	2.126	W. Jesson	Pasture
203	.564	In hand	Grounds
207 pt.	3.030	"	"
209	2.060	Ronald Bryer	Pasture
217	15.147	"	"
216 pt.	1.170	In hand	Woodland
68 pt.	.025	"	"
1 pt.	.130	"	"
4 pt.	.034	"	Brook
2 pt.	.370	"	Wood
3 pt.	1.510	W. P. Cope	Pasture
7 pt.	.720	"	"
7a pt.	.040	In hand	Path
12 pt.	.430	"	Brook
9	.010	"	Woodland
10 pt.	.470	"	Pt. Park
10a pt.	.760	"	"
106 pt.	1.864	"	"
105 pt.	1.590	"	Wood
115 pt.	.550	C. Smith	Pasture
107 pt.	2.075	W. Williamson	"
108 pt.	.260	In hand	Wood
109	.027	"	Drive
110	.017	"	Lodge
216 pt.	.024	R. Bryer	Occupation Road
156 pt.	.030	Belper R. D. C.	Footpath

Total 170.250

SECOND PART.
(Edged green on plan).

68 pt.	.150	In hand	Woodland
1 pt.	.300	"	"
Carried forward			

FIRST SCHEDULE (SECOND PART) *continued.*

Ordinance Numbers.	Area in acres.	Tenant.	Description.
Brought forward			
4 pt.	.070	In hand	Brook
2 pt.	.610	"	Wood
3 pt.	2.720	W. P. Cope	Pasture
7 pt.	2.410	"	"
7a pt.	.086	In hand	Path
12 pt.	.685	"	Brook
8 pt.	.145	"	Island
11 pt.	.160	"	Woodland
10 pt.	.580	"	Pt. Park
10a pt.	1.090	"	"
108 pt.	.050	"	"
105 pt.	.720	"	Woodland
104 pt.	1.180	C. Smith	Pasture
115 pt.	2.970	"	"
107 pt.	.862	W. Williamson	"
114 pt.	.220	In hand	Woodland
108 pt.	.155	"	"
13 pt.	.120	Brookside Lawn Tennis Club (Lease)	Pasture

Total 14.668

SECOND SCHEDULE.

FIRST PART.

(Relating to the property first described.)

1 EXCEPT as herein otherwise provided the property firstly hereinbefore conveyed shall not be used for any purpose other than a Park or open space and places of recreation for the benefit of the Public and for their recreation and no buildings shall be erected or used in the Park other than buildings for or in connection with the purposes of education recreation or horticulture

2. NOTWITHSTANDING anything hereinbefore contained

(1) The Corporation may at their discretion sell or otherwise dispose of

(a) land to the depth of one hundred and fifty feet on the westerly side of the said proposed Town Planning Road

(b) any part of the land which fronts on to Kedleston Road to the depth of one hundred and fifty feet for residential purposes or they may themselves build houses thereon

(2) The restrictions mentioned in Paragraph 1 of this part of this Schedule shall not be applicable to the fields numbered 209, 208 and 217 on the plan drawn hereon so long as the Corporation or any public or local authority is the owner and occupier of the same and for the purposes of this clause it shall be deemed to be the owner and occupier thereof so long as no other person or corporation has acquired any interest greater than an annual tenancy in the said fields or any part thereof

SECOND PART.

(Relating to the Property secondly described).

THE Vendor and his successors in title shall not be liable in respect of any part of the cost of the making of the said proposed Town Planning Road so far as it is coextensive with the land hereby conveyed

THIRD PART.

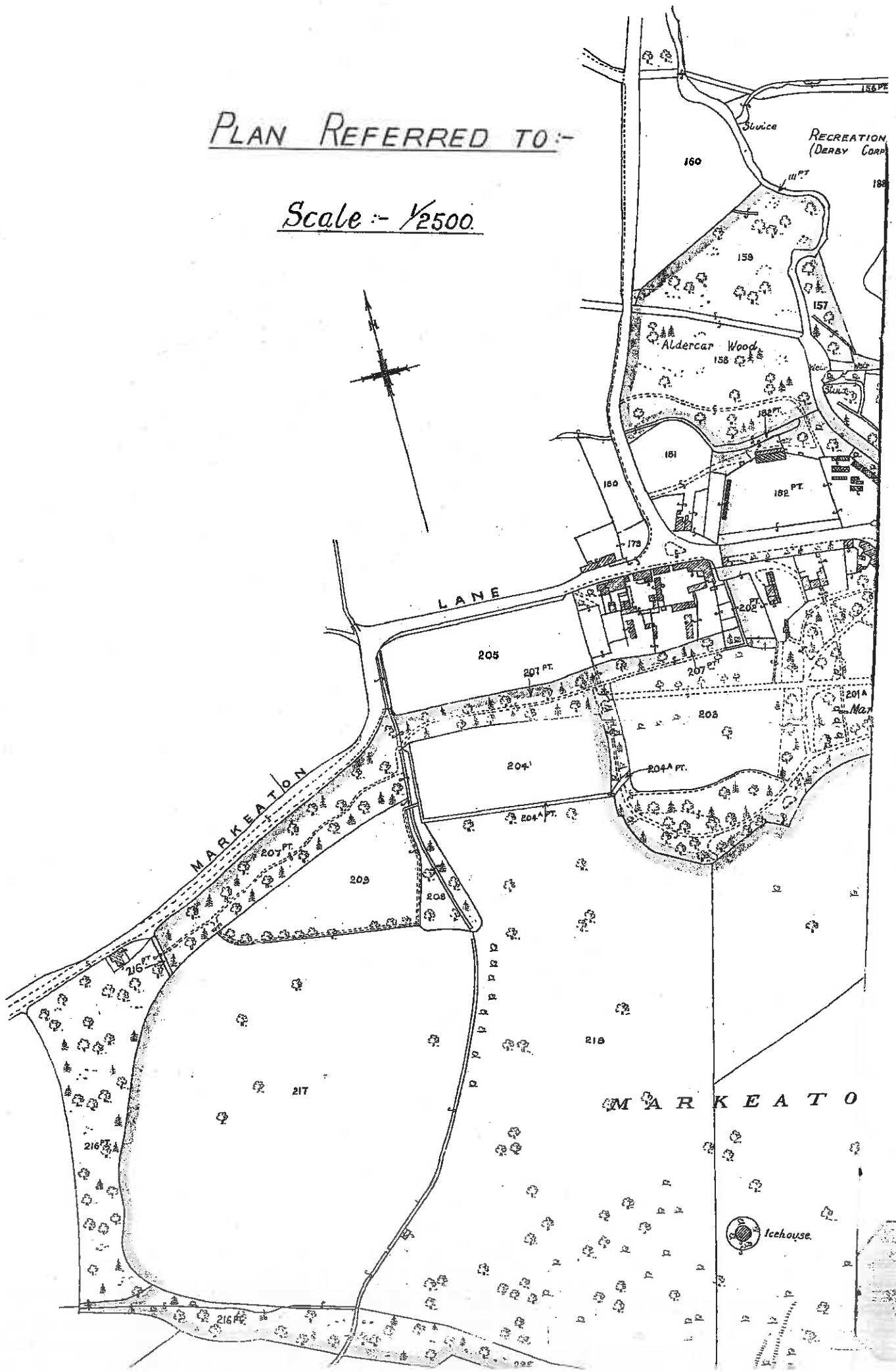
(Relating to all the property).

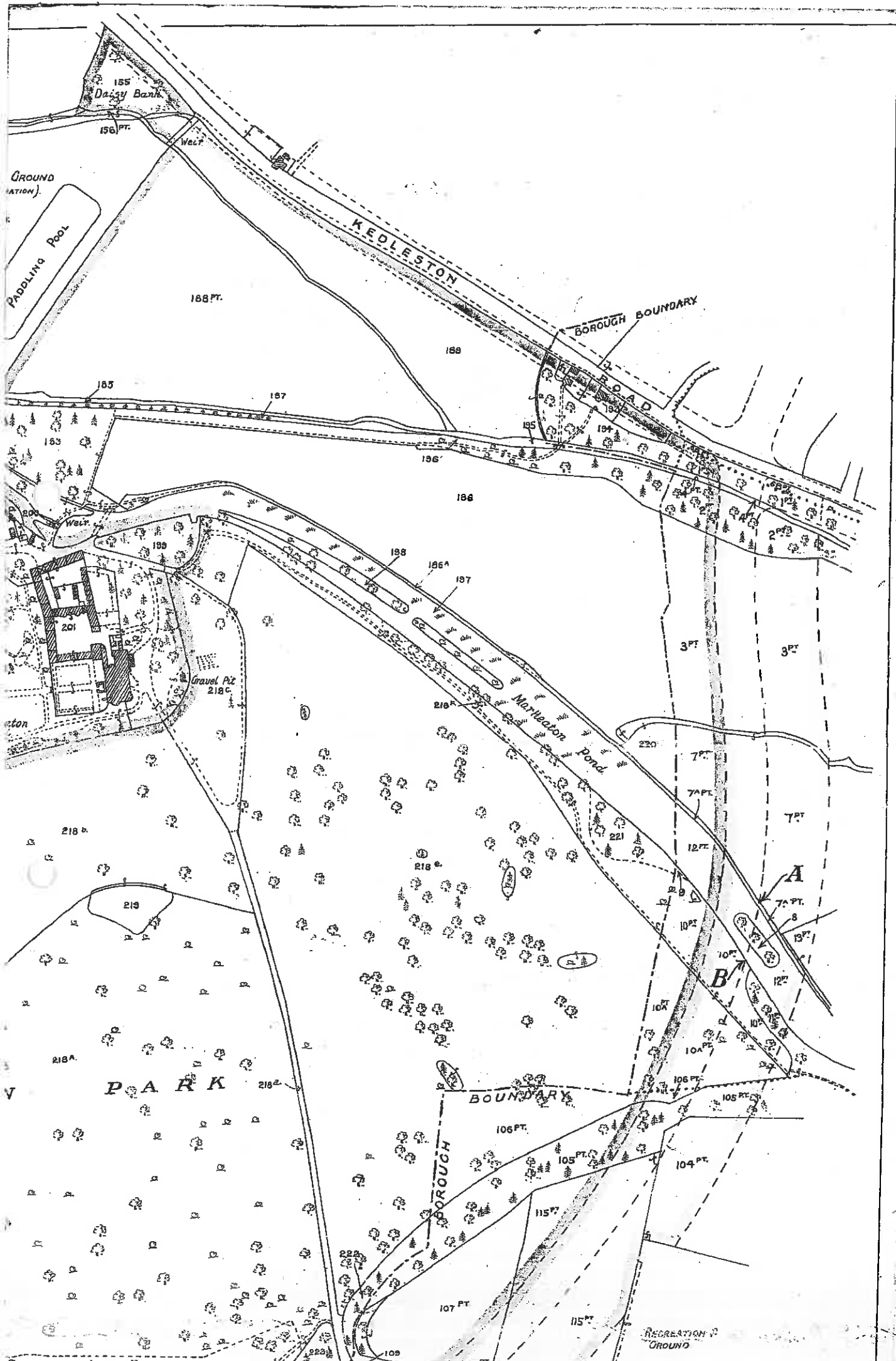
1. THE Corporation shall at their own expense erect on the eastwardly side of the Town Planning Road site (edged green on the plan) a sufficiently high fence to prevent trespassing on the adjoining property of the Vendor and they shall for ever hereafter keep it in good and substantial repair and also all other boundary walls hedges and fences surrounding all the property sold where it adjoins other property of the Vendor

2. THE Corporation will in no way alter or permit to be altered the existing level of the water in the Markeaton Brook and will not allow any weir or weirs to be damaged or unnecessarily interfered with

PLAN REFERRED TO:-

Scale :- 1/2500.





GROUND
ATION).

PADDLING POOL

155
Daisy Bank

156 FT.

168 FT.

KEDLESTON

BOROUGH BOUNDARY

MARTLESTON ROAD

185

187

188

183

196

186

199

198

186A

197

3 FT.

3 FT.

Gravel Pit
218 C

Martleston Pond

7 FT.

7 FT.

7 FT.

12 FT.

218 b

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PARK

BOROUGH BOUNDARY

106 FT.

105 FT.

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RECREATION GROUND

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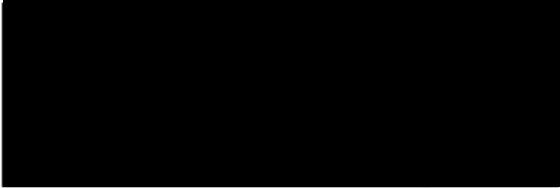
THIRD SCHEDULE.

1926 November 18th.—VESTING DEED of this date made between Emily Maria Georgina Mundy and Godfrey Mosley of the one part and the said Emily Maria Georgina Mundy of the other part

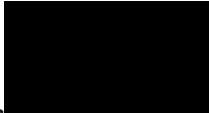
1930 March 19th.—PROBATE of the WILL of the said Emily Maria Georgina Mundy

1930 June 2nd.—ASSENT of this date made between the Vendor and Harriet Alice Gilchrist Clark-Maxwell of the one part and the Vendor of the other part

SIGNED SEALED AND DELIVERED
by the said William Gilchrist
Clark-Maxwell in the presence
of



SEALED with the Common Seal
of the within-named Mayor
Aldermen and Burgesses of
the Borough of Derby by
Order and direction of the
Council of the said Borough



TOWNS CLERK.



Dated [REDACTED] 1980.

THE REVEREND PREBENDARY WILLIAM
GLOVERST CLARK-MAXWELL

TO

THE MAYOR ALDERMEN AND
BURGESSES OF THE BOROUGH
OF DERBY.

Combeance

of Markeaton Park etc. in the Borough of Derby.