

**From:** [Bill Booker](#)  
**To:** [A38 Derby Junctions](#)  
**Cc:** [Simon Cope \(simon.cope@eurogarages.com\)](#); [Tim Hancock](#); [Wilson, Andy](#); [Rob Green](#)  
**Subject:** A38 Derby Junctions Schemes  
**Date:** 26 March 2020 08:42:32

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Dear Sirs,

Following the postponement of the Hearing on 19<sup>th</sup> March we have, as requested, prepared an update for the Inspector in relation to the issues raised by Euro garages Ltd (EGL). This note has been prepared with input from Mr Tim Hancock and also Mr Simon Cope from EGL. The outstanding issues raised are summarised below under the following headings:

1. A52 access junction
2. A38 Ingress to the site
3. A38 Egress from the site
4. Advance Warning Signage

1. A52 Access Junction

1. We are able to accept that the proposed A52 access can be built within either highway or within the existing right of way land. **This point is now resolved.**
2. We are now been informed by the Applicant that Derby City Council, as highway authority for the A52 and the access, does not oppose the principle of the signalised A52 access. However, it is far from clear whether Derby City Council have reviewed and appreciated the detailed implications of this design particularly in light of the Safety Audit review prepared for EGL as well as the potential ongoing maintenance costs of this design.
3. SCP has reviewed the work from McDonalds consultant in relation to the capacity of the A52 junction and would agree that based upon the analysis that the junction 'just about works'. There is a concern regarding queues on the egress arm from the site onto the A52 but given the standard methodology which uses a mean maximum queue length the junction would function. This does, of course, mean that the queues will exceed those predicted for half the cycle time. However, it should be borne in mind that the egress onto the A38 will be available if there is a perceived capacity problem onto the A52.
4. The Safety Audit review, commissioned by EGL has been prepared by a suitably qualified Auditor who is totally independent of the design process and casts serious doubt about the detail of the proposed access into EGL land in terms of the sub standard nature of the left turn radius into the site and the associated risks of misjudgement and the like together with concerns in relation to the non motorised users of the junction. The Safety Audit review included an appraisal of the RSA extract provided by the Applicant and it is important to note that the information provided by the Applicant was very limited and did not fully consider the potential safety implications of the proposed A52 junction. It is recommended that the Applicant be requested to verify, in writing, that the proposed junction is considered to be suitable and safe for all users of the junction.
5. It should also be noted that the approach to the A52 junction undertaken by the applicant is clearly different to the approach taken in respect of the A38 ingress where a Technical Note (TN) was produced by the Applicant to justify the 'no support for an

ingress off the A38'. The contents of the TN are noted together with the degree of concern in relation to the designer potentially being required to 'justify the engineering decisions in front of a Coroner's Court' and a potential liability being placed upon highways England. This approach is clearly at odds with approach being taken in respect of the A52 junction. It is difficult to understand the differential approach being taken between the two accesses.

6. It is important to remember that the A52 ingress will be the only ingress to the site (ie for EGL and McDonalds) and will carry a significant amount of traffic on a daily basis including HGV's to both sites and the full oil tanker to supply EGL. The 3.5m radii is well below the normally accepted radii at a junction onto an A classified road and in order to access EGL site there is a need to perform a U turn manoeuvre. As such the manoeuvre into the EGL will need to be conducted precisely and at a very slow speed which could be at odds with other vehicles accelerating away from the stop lines at the junctions. It is also questionable whether the tightness of the left turn will be perceived by drivers at a sufficiently early stage in the manoeuvre to order to avoid the need for sudden braking which would be to the detriment of highway safety on the A52. Does the Applicant have any plans to provide any warning signs on the A52 to warn of the tight nature of the turn into the site?.
7. It is however not possible to agree the layout of the A52 junction because all the evidence points towards there being safety issues at the junction in the future. **The safety concerns associated with the A52 access are still unresolved.**

## 2. A38 Ingress

1. It is noted that the Applicant will not support retention of an ingress into the overall site from the A38. The in principle objection raised by Highways England to the ingress is noted.
2. The consequences of removal of the ingress from the A38 have not however been addressed because the right of way currently enjoyed by EGL will be frustrated. Additionally, the scheme includes locating additional parking spaces for McDonalds onto the right of way. **This point needs to be tidied up by the Applicant.**
3. The McDonalds delivery / refuse manoeuvres will no longer be able to take place from the A38 and will have to pass through the existing car park using the sub standard A52 access. The swept path of the delivery vehicle illustrates that the vehicle will need to pass onto EGL land in order to make the manoeuvre. No allowance for this new right has been made in the DCO. It is not considered appropriate to rely upon McDonalds and EGL to have to come to an arrangement on this matter. **This point needs to be clarified by the Applicant.**

## 3. A38 Egress

1. We have just received confirmation that the A38 egress proposed by the Applicant is acceptable to the regulatory arm of the HE. It is assumed that the applicant will submit the email to the Inspector and on that basis **this point is now resolved**

## 4. Advanced Warning Signage

1. We have submitted a note concerning signage to the applicant and await a response from the Applicant . There does appear to be a disconnect between the Applicant and the regulatory parts of HE and therefore approval of the requested signage cannot be taken for granted. **This is still an outstanding issue.**

In summary, progress has been made where possible to reduce the outstanding issues and these can be reflected in a revision to the SoCG. However, there remains a material concern in respect of the safety aspects associated with the A52 access and includes the lack of agreement to date of the provision of advance warning signage of the trunk road. A definitive written response on this point is still required from the Applicant.

The above provides a summary of the issues previously discussed and trust that this clarifies the position of EGL on this matter.

Regards  
Bill Booker  
Consultant  
On behalf of

**S | C | P**



Transportation Planning : Infrastructure Design

Colwyn Chambers • 19 York Street • Manchester • M2 3BA

Tel: 0161 8324400

Mob:

Email: [bill.booker@scptransport.co.uk](mailto:bill.booker@scptransport.co.uk)

Web: [www.scptransport.co.uk](http://www.scptransport.co.uk)

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