

From: [REDACTED]
To: [A38 Derby Junctions](#)
Subject: Response to Your Request for Further Information dated 21 April 2020
Date: 27 April 2020 12:10:40

Good Morning

I received your latest email on the 21 April concerning representations regarding the application by Highways England for Development Consent for the A38 Derby Junctions Project.

I have, as you will be aware, made representations to you previously during the current inspection process. My issues are related to the proposed acquisition of my property to facilitate the scheme. The challenge I continue to face is mainly one of limited or poor communication with Highways England and I am disappointed to have to again say that despite some interaction with Highways England immediately prior to the last round of public hearings I have had no further information from them and they have not responded to my requests for information.

It has been my understanding that in order for an order to be made giving Highways England compulsory purchase powers that they must be able to demonstrate that they have made reasonable endeavours to acquire property by negotiation. I have had numerous difficulties progressing discussions with Highways England concerning the options to acquire my property and to assist me to relocate my business. Eventually in February, after waiting for more than 5 months for them to gain internal approval for a specific business case relating to my property, I received an offer of settlement from Highways England that took account not only of my residential status but also the impact on my business. I welcomed the offer and have attempted to learn more about the precise details of the offer but with limited success and in some part this is possibly due to their approach regarding professional fees. I am afraid that it feels again as though Highways England are trying to rely upon compulsory purchase powers rather than showing a commitment to engaging with me.

I wrote to Highways England three weeks ago to ask for updated information on timescales associated with the scheme and to date, despite chasing, I haven't had any response. I need to know how the delay to the enquiry will impact on the project and how that will then translate into Highways England either requiring my property by negotiation or through compulsory powers. If I don't receive a response from Highways England to the questions I have raised with them then I would like the opportunity to make further representations to you and to take part in a future hearing, however that may be facilitated.

Regards

David Gartside

