

**From:** [Steven Buffery \(Economy Transport and Environment\)](#)  
**To:** [A38 Derby Junctions](#)  
**Subject:** RE: TR010022 - A38 Derby Junctions highway improvement scheme  
**Date:** 12 May 2020 17:34:29  
**Attachments:** [Response to Further Written Questions DCC.pdf](#)

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Dear Project Team.

**The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 13 & 14**

**Application by Highways England for an Order Granting Development Consent for the A38 Derby Junctions project**

Thank you for your email. In accordance with the requests in your letter, please find attached Derbyshire County Council's response to the Examining Authority's Further Written Questions.

I also write to confirm that Derbyshire County Council will participate in the hearing sessions as requested by the Examining Authority on the topic matters set out below.

- 1: Transport networks and traffic;
- 9: Climate Change;
- 10: Other policy and factual matters; and
- 11: Draft Development Consent Order.

At the time of writing, it is anticipated that my colleague, Geoff Blissett and I will participate in the hearing sessions. Our details are as follows:

Name: Steve Buffery

Interested Party Ref no: 20022826

Email address: [steven.buffery@derbyshire.gov.uk](mailto:steven.buffery@derbyshire.gov.uk)

Tel: 01629 539808

Organisation: Derbyshire County Council

Hearings: Topics 1, 9, 10 and 11 as necessary.

Availability during week commencing 1<sup>st</sup> June 2020:

1<sup>st</sup>: 11.30am – 4.00pm

2<sup>nd</sup>: 1.00pm to 5.00pm

3<sup>rd</sup>: all day am or pm

4<sup>th</sup>: Not available

5<sup>th</sup>: all day am or pm.

Name: Geoff Blissett

Interested Party Ref no: 20022826

Email address: [Geoff.Blissett@derbyshire.gov.uk](mailto:Geoff.Blissett@derbyshire.gov.uk)

Tel: 01629 538646

Organisation: Derbyshire County Council

Hearings: Topics 1, 9, 10 and 11 as necessary.

Kind Regards

Steve

**Steve Buffery | Team Leader**

Policy and Monitoring

Economy, Transport and Environment | Derbyshire County Council

County Hall, Matlock, Derbyshire, DE4 3AG

01629 539808

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**From:** A38 Derby Junctions [mailto:A38DerbyJunctions@planninginspectorate.gov.uk]

**Sent:** 05 May 2020 13:45

**To:** Steven Buffery (Economy Transport and Environment) <Steven.Buffery@derbyshire.gov.uk>

**Subject:** TR010022 - A38 Derby Junctions highway improvement scheme

Dear Sir/ Madam

**The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 13 & 14**

**Application by Highways England for an Order Granting Development Consent for the A38 Derby Junctions project**

Your Reference:20022826

Please find below a link to the Examining Authority's letter notifying of Hearings, outline arrangements for Hearings, request for notification of a wish to speak at Hearings and further written questions.

<http://infrastructure.planninginspectorate.gov.uk/document/TR010022-001298>

Yours faithfully

A38 Derby Junctions Project Team

Email: [A38DerbyJunctions@planninginspectorate.gov.uk](mailto:A38DerbyJunctions@planninginspectorate.gov.uk)

Telephone: 0303 444 5000

Web: <https://infrastructure.planninginspectorate.gov.uk>

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**Application by Highways England for an Order Granting Development Consent for the A38 Derby Junctions Scheme**

**The Examining Authority's Request for Further Written Information Issued on 5<sup>th</sup> May 2020**

**Response on Behalf of Derbyshire County Council**

**Little Eaton Junction Improvements**

**(Located within the Administrative Area of Derbyshire)**

Question No.	Question	DCC Response
<b>Section 1</b>	<b>Part 1 -The Draft DCO</b>	
	<b>Preliminary</b>	
1.1	Article 3 – Disapplication of Permit Schemes	<p>b) As noted at the hearing session on February 18<sup>th</sup> 2020, Derbyshire County Council understands that the disapplication of Local Highway Authority Street Works Permitting Schemes appears to be common practice in other DCO applications processes.</p> <p>In the context of the above, Derbyshire County Council re-iterated its concerns in its answer to the Panel’s Further Written Questions issued on 19<sup>th</sup> March that it is important that Highways England consults closely, effectively and in a timely manner with Derbyshire County Council’s Network Management Officers on any works that are carried out to streets by the applicant (that would otherwise subject to DCC’s Permit Scheme) so that the Authority is fully aware of the works that are scheduled to place and by whom, so that the Authority can manage and respond to any enquiries made by local residents affected by the works.</p> <p>In the context of the concerns raised above, Derbyshire County Council has reviewed the applicant’s Traffic Management Plan particularly</p>

		<p>Sections 1.1.7, 3.1.7, 5.7.1-4 and 6.3.2-5 regarding proposals for ongoing consultation with the County Council as Local Highway Authority with respect to the disapplication of the County Council's Permit Scheme and is satisfied with the extensive provisions for consultation with the authority that have been set out and identified as the TMP is updated and revised. In particular, it is noted and welcomed that in Section 5.7.4, the TMP indicates that:</p> <p><i>'Subsequent versions of this Traffic Management Plan would describe the interactions with stakeholders and the sponsors of any other schemes and describe how these would be addressed. HE, and its Contractor, will collaborate through the Local HAUC (Highways and Utility Committee) coordination meeting. This group has been established for approximately 20 years and is a joint group with Highways England's East Midlands Asset Delivery (EMAD) team, DCC, DCiC and the local statutory Undertakers'.</i></p> <p>And in Section 6.3.4 that:</p> <p><i>'There will be occasions when a proposed operation on a traffic sensitive street will fall both within and outside of the DCO's area. In these cases, there will need to be close coordination between the relevant Local Highway</i></p>
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		<p><i>Authority and Highways England's Contractor. The process for maintaining this close coordination will need to be agreed between the relevant organisations. It is suggested that this process is documented in a subsequent version of this TMP'.</i></p> <p>c) Yes it is agreed that Section 6.3.2 of the TMP should read: 'the <u>DCC</u> Permit Scheme'.</p>
	<b>Part 2 - Principal Powers</b>	
1.2	Article 6 – Maintenance of authorised development	<p>b) DCC would re-affirm its previous comments that from a highways and drainage perspective, the County Council is largely in agreement with Highways England, in that many of the issues around maintenance of both existing and future assets are a matter for the detailed design process. Discussion with Highways England about this has been positive and the Local Highways and Lead Local Flood Authority are keen to ensure continued engagement with Highways England during the detailed design of the emerging scheme(s) and their construction.</p> <p>Details regarding future maintenance liabilities do not appear to be explicitly set out in the OEMP. For clarity and certainty, it would be beneficial to the County Council if the OEMP did set out a process of how final maintenance and repair liabilities will be identified by the applicant in consultation with the County Council.</p>

<b>Section 2</b>	<b>Transport Networks and Traffic</b>	
2.7	Ford Lane Bridge	<p>a) Derbyshire County Council has reviewed the measures set out in MW – TRA12 in the OEMP and considers that this is an accurate reflection of the discussions that have taken place between the applicant (and their consultants) and Derbyshire County Council and the agreed way forward between the parties to resolve the weight restriction issue on Ford Lane Bridge and potential subsequent maintenance liabilities. Any outstanding concerns (such as agreement of commuted sums) can be addressed through further dialog between the parties, if necessary outside the examination process.</p> <p>b) Update to be provided by applicant.</p>
<b>Section 3</b>	<b>Climate Change</b>	
3.3.	Climate Change and Net Zero Carbon by 2050	<p>d) Yes Derbyshire County Council considers that the locally allocated carbon budgets for Derbyshire are consistent with the UK Government’s net zero target.</p> <p>The UK Government has committed to deliver on the Paris Agreement by vigorously achieving its carbon budget and pursuing a target to reduce greenhouse gas emissions to ‘net zero’ by 2050, ending the UK’s contribution to global warming within 31 years. This was enshrined in law in June 2019 through amendments to the 2050 greenhouse gas emissions reduction target in the Climate Change Act 2008 from at</p>



least 80% to at least 100%, otherwise known as 'net zero'.

Derbyshire's carbon budgets and trajectories

The UK carbon budget has been further apportioned to local authority areas, particularly for County Council areas. The recommended budgets reflect the actual emissions from industry and commerce, transport and domestic sectors with a suggested periodic reduction. Each local authority area has been allocated a carbon budget based on 'grandfathering'. A grandfathering approach allocates carbon budgets based on recent emissions data (from 2011-2016). Budgets reflect a local area's particular profile and are consistent with each area's ability to make a fair contribution to the Paris Agreement. The carbon budget for each local authority area is then divided further into carbon budgets for five year periods in-line with the UK carbon budget periods. This allocation produces a carbon emissions pathway or trajectory for each area for the period 2018-2100.

The recommended carbon budget for Derbyshire is set out below. Derby City will have its own carbon budget. The County has a maximum cumulative carbon budget of 51.2 million tonnes of CO2 for the period 2018-2100. Budgets periods are aligned with the budget periods in the Climate Change Act and then specific targets are set out for each district and borough council area and aggregated for the County as a whole.

		<p>Carbon Budgets for Derbyshire County:</p> <p>2018 to 2022: 27.3 million tonnes CO2  2023 to 2027: 12.9 million tonnes CO2  2028 to 2032: 5.9 million tonnes CO2  2033 to 2037: 2.7 million tonnes CO2  2038 to 2042: 1.2 million tonnes CO2  2043 to 2047: 0.6 million tonnes CO2  2048 to 2100: 0.5 million tonnes CO2</p> <p>Derbyshire County Council has been working closely with its local authority partners (8 district and borough councils) to address the impacts of climate change and to reduce greenhouse gas emissions which are consistent with the allocated carbon budgets for Derbyshire and to reduce carbon emissions to net zero by 2050. To this end the Derbyshire local authorities published the Derbyshire Environment and Climate Change Framework in October 2019, which committed all the local authority partners to seek to achieve these targets. The Framework sets out 7 key themes, one of which is 'Travel', to deliver the climate change objectives and a range of strategies and action plans that will help deliver these objectives, including the Derbyshire Local Transport Plan 3 under the Travel theme.</p>
3.5	Climate Change and Carbon Footprint	<p>a) Derbyshire County Council has reviewed the contents of the applicant's OEMP particularly in respect of air quality and climate change and its proposed measures for mitigation and considers that the proposed measures appear to be appropriate,</p>

		<p>comprehensive and based on best practice to ensure that the carbon footprint of the scheme would not be necessarily high.</p> <p>Whilst the setting of carbon footprint targets in the OEMP is laudable, it could be argued that the OEMP will only have a very limited impact on carbon emissions in its own right, since in the wider scheme of things, establishing behavioural change in the travel patterns on the part of the travelling public as a consequence of the completion of the scheme, will be likely to have the biggest impact on CO2 emissions.</p>
3.6	Support for other transport modes	<p>b) Although the scheme does not specifically include a park and ride scheme, however currently, traffic on the County Council's roads approaching the SRN, including public transport, is subject to delay particularly during peak times. Such delays can be considerable. The scheme(s) will clearly reduce severance and provide substantial benefits in terms of a reduction in delay for all road users. It is anticipated therefore that this will encourage more of a sustainable form of travel for pedestrians and cyclists and make public transport more attractive to both users and operators.</p>