

**A38 Derby Junctions**  
**TR010022**

**8.120 Statement on the Protective  
Provisions for the Statutory Undertakers**

Planning Act 2008

Rule 8 (1)(k)

The Infrastructure Planning (Examination Procedure) Rules 2010

Volume 8

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Infrastructure Planning

Planning Act 2008

The Infrastructure Planning  
(Examination Procedure) Rules 2010

**A38 Derby Junctions  
Development Consent Order 202[ ]**

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<b>Regulation Number</b>	Rule 8(1)(k)
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01	25 June 2020	Deadline 15 Submission

Update to the Examining Authority - Deadline 15

Statement on the Protective Provisions for statutory undertakers

Statutory Undertaker	Status of PPs	Outstanding issues	Position/Comment
Environment Agency	Agreed	None	Please see [REP6-017] confirming the Environment Agency's position on this.
Western Power Distribution	Agreed	None	<p>WPD is content with the PPs in the DCO. Highways England has agreed to enter into a side agreement with WPD and the wording of this document is agreed between the parties.</p> <p>Both WPD and Highways England have signed the agreement and at D15 (25 June 2020) the parties are simply arranging completion of the document. Highways England expects that this agreement will be completed before the close of the Examination and Highways England will confirm this to the ExA once it has been completed.</p>
Severn Trent Water	Agreed	None	<p>STW is content with the PPs in the DCO. Highways England has agreed to enter into a side agreement with STW and the wording of this document is agreed between the parties.</p> <p>Highways England has signed its version of this agreement and STW's version is due to be signed shortly. Once this has been done the agreement will be completed. Highways England expects that this agreement will be completed before the close of the Examination and</p>

			Highways England will confirm this to the ExA once it has been completed.
Cadent Gas	Not agreed	As documented by Cadent and Highways England in their respective submissions to the Examination	<p>Highways England has provided detailed submissions on the points which are not agreed between the parties. See [REP13-006, item 6] and [REP14-023]. Highways England considers that the Secretary of State's decision on the M42, made in May 2020, supports Highways England's position in this respect.</p> <p>Cadent provided a summary of its position at D9: see Cadent's Position Statement [REP9-032].</p>
Network Rail	Agreed	None	<p>All agreements between Network Rail and Highways England are progressing and, with the protective provisions in the DCO agreed, both parties are progressing the Framework Agreement which Highways England expects will be completed before the close of the Examination. Highways England will confirm this to the ExA once it has been completed.</p> <p>The Bridge Agreement and Deed of Easement are progressing too though as the Framework Agreement provides that Highways England will enter into them, the parties have been focussed on completing the Framework Agreement as a matter of priority.</p>