



## Meeting note

<b>File reference</b>	TR010022
<b>Status</b>	<b>Final</b>
<b>Author</b>	Kate Mignano
<b>Date</b>	24 February 2017
<b>Meeting with</b>	<b>A38 Derby Junctions</b>
<b>Venue</b>	Teleconference
<b>Attendees</b>	<b>Highways England</b> Karen Molloy Katy Leach Andrew Pembroke Simon Betts <b>The Planning Inspectorate</b> Tom Carpen Richard Hunt Emre Williams Kate Mignano
<b>Meeting objectives</b>	Project Update
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given:

The Planning Inspectorate advised on its openness policy, explaining that any advice given would be recorded and placed on the Planning Inspectorate website under section 51 of the Planning Act 2008 (as amended) (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. It was noted that the key purpose of the meeting was to update on project team members and provide a brief overview of activities since the last conference call.

### Project Update

Due to a number of changes of Inspectorate and Highways England (HE) project teams, HE gave an overview of the scheme including the individual aspects of each junction as well as consultation and environmental work completed so far. HE confirmed the scheme is currently at stage 3 (development phase) of their internal

process. Scoping is expected to take place in Q2 of 2017 following the preferred route announcement, shortly after this HE will start the statutory consultation process.

There is draft Agreement in Principle between HE and Network Rail in relation to the railway bridge at Little Eaton junction. HE is working with Network Rail on a Statement of Common Ground (SoCG) which should be completed prior to submission of the application. HE will provide details of further SoCG's with other statutory parties as they are developed.

### **Environmental Impact Assessment**

HE confirmed that discussions with statutory consultees are ongoing. Ecological mitigation and exchange land has been agreed in principal with Derby City Council. Comments from the Environment Agency regarding flood risk are expected imminently.

The Inspectorate was interested to understand the proposed mitigation in relation to the site and red line boundary. HE will provide the detail of this, including the proposed land exchange and red line boundary within the Scoping Report.

HE updated the Inspectorate with regards to on-going survey work including wintering birds and bats.

### **Scheme Program**

HE will submit a Scoping in Q2 2017. Statutory consultation is planned to take place following the Preferred Route Announcement, with draft documents being submitted 2 – 3 months prior to formal submission of the application which is expected early 2018.

### **Draft Documents**

The Inspectorate highlighted the value of adding a draft document review into the pre-application timetable, although it is not a statutory requirement. There was particular interest in which chapters of the Environmental Statement (ES) could be reviewed as part of this process. The Inspectorate advised that comments could be provided on the EIA approach and methodology, but not on a full draft ES. The Inspectorate stated that any Habitat Regulations Assessment (HRA) would be reviewed as part of the draft document review process. The Inspectorate advised HE that it would require approximately three weeks' notice prior to the submission of draft documents and to allow circa three months for review. However the review can be completed more quickly, dependent on the number and complexity of documents submitted. The Inspectorate confirmed section 51 advice may be issued and published following the review; however the draft documents submitted by the developer would not be published as part of this process.

### **Legislative changes**

It was noted that the Infrastructure Planning (EIA) Regulations 2017 will come into force on 16 May 2017. HE stated the A38 Derby Junction scheme will take account of the amended regulations.

It was also noted The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 have been amended and came into force in February 2017. Relevant legislation

and amendments are available to view on the Planning Inspectorate website at the following link: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/legislation/>