

**DPI/U1430/18/21 (TWA/18/APP/02)**  
**TRANSPORT AND WORKS ACT 1992**  
**APPLICATION BY ROTHER VALLEY RAILWAY LIMITED**

**PROPOSED ROTHER VALLEY RAILWAY (BODIAM TO ROBERTSBRIDGE JUNCTION) ORDER**

**HIGHWAYS ENGLAND RESPONSE TO CLOSING SUBMISSION OF SIR PETER HENDY ON BEHALF OF NETWORK RAIL (INQ/133)**

1. Sir Peter Hendy states:

“the Highways Agency, Highways England’s predecessor body, was content to sign off the proposal in principle”

The Highways Agency did not object to the proposal in principle and that is also the current position of Highways England. The current Departures application and the Protective Provisions will determine whether Highways England is able to ‘sign off’ the proposal.

2. Sir Peter Hendy also states:

“I know of another scheme in North West England that has a strong case which will involve a similar crossing of a single carriageway Highways England road. That scheme will likely be supported by Government so I am sure Highways England will want to perfect the departures submission on the RVR as it will form the basis of another future case on the A5.”

Detailed guidance for DMRB Departures is set out in a HE document ‘Departures Manual’. Relevant extracts are appended below

Para 8.8 states:

**Departure proposed for more than one known location (bulk departure)**

8.8 Bulk departures shall only be used where.

- 1) the same non-compliant design feature or method is proposed for use at more than one location, and;
- 2) each location shares the same geometrical, environmental, operational or usage parameters that influence the safety or benefit case.

And:

8.9 The bulk departure record shall include the location of every instance where the non-compliant feature is proposed.

The Departure submitted by the applicant is not a bulk departure and does not cover any location other than the crossing of the A21 proposed in the Draft Order.

Any proposed level crossing of the SRN at another location will need to be the subject of a separate Departure application, which will be considered on the merits of that particular case.

Highways England  
4 August 2021



# Departures Manual

Revision 1

## **Summary**

This manual describes the process for handling and approving departures from standards and requirements.

## **Feedback and Enquiries**

Users of this document are encouraged to raise any enquiries and/or provide feedback on the content and usage of this document to the dedicated Highways England team. The email address for all enquiries and feedback is: [departures@highwaysengland.co.uk](mailto:departures@highwaysengland.co.uk)

**This is a controlled document.**

## 8. Related departures and departures that apply at more than one location

**NOTE** *[DRAFTING NOTE] Implementation of this section will develop through planned enhancements to DAS and the Departures Manual will be revised accordingly. The objective will be to eliminate as much duplication and waste as possible, whilst retaining audit and search functionality.*

### Interacting departures that need to be appraised collectively (linked departures)

8.1 Separate applications shall be submitted for linked departures.

**NOTE 1** *Linked departures are independent departures which interact to collectively form a safety or benefit case.*

**NOTE 2** *If one linked departure is rejected, the justification for the other linked departures is undermined and therefore none of the linked departures can be implemented.*

8.2 To clarify the interacting nature of the departure, the final paragraph of the departure summary of each linked departure shall state "Linked with [DAS Record ID(s)]" and referenced in the "Associated departures" field of the application form.

**NOTE** *Future DAS functionality is planned to make this link more intelligent for reporting purposes.*

8.3 A strategy document that gives a technical justification and details the benefits, risks and impacts of the overall design shall be attached to the application with location- or requirement-specific considerations detailed within the individual applications.

8.4 For linked departures to be appraised collectively, the applications shall be submitted at the same time.

8.5 The Technical Specialist shall undertake the technical appraisal for the departure taking account of any related departures and the overall design presented in the strategy document.

8.5.1 Where the related departures are within the same discipline, each should be assigned to the same Technical Specialist for technical appraisal.

8.6 The Technical Specialist may state, as a condition, that approval of an application is subject to all interdependent departures referenced within the holistic assessment being approved.

### Departures where requirements are interdependent

8.7 Where, by nature of the interdependency of requirements, a departure from one requirement will necessarily result in a departure from another, only one departure application shall be submitted against the requirement considered to be primary and interdependent requirements listed in the "secondary requirement" part of the application form.

### Departure proposed for more than one known location (bulk departure)

8.8 Bulk departures shall only be used where.

- 1) the same non-compliant design feature or method is proposed for use at more than one location, and;
- 2) each location shares the same geometrical, environmental, operational or usage parameters that influence the safety or benefit case.

8.8.1 The Designer may contact the Technical Specialist to discuss the applicability of a bulk departure prior to developing the application.

8.9 The bulk departure record shall include the location of every instance where the non-compliant feature is proposed.

8.10 A single recommendation and determination shall be made for a bulk departure that covers all instances listed in the application.