

Wiltshire Council

Cabinet

24 April 2018

Subject: A303 Amesbury to Berwick Down Road Scheme

Cabinet Member: Cllr Bridget Wayman

Key Decision: Yes

Executive Summary

Since the non-statutory public consultation, Highways England have worked in conjunction with key stakeholders to refine and develop the A303 Amesbury to Berwick Down road improvement scheme proposals.

The detailed scheme comprises a new dual, two-lane carriageway approximately 8 miles in length with the following key features:

- A bypass to the north of Winterbourne Stoke with a viaduct over the River Till valley
- Grassland habitat creation that would allow extension of the Parsonage Down National Nature Reserve
- A new junction with the A360 to the west of and outside the World Heritage Site (WHS), with the A303 passing under the junction
- A section through the WHS with a twin-bore tunnel past Stonehenge at least 1.8 miles (2.9 kilometres) long
- A new junction with the A345 at the existing Countess roundabout to the north of Amesbury, with the A303 passing over the junction
- The conversion of the existing A303 through the WHS into a route for walking, cycling and horse riding
- New 'green bridges' to connect existing habitats and allow the movement of wildlife, maintain existing agricultural access and provide crossing for existing and new bridleways and public footpaths."

A public consultation was launched by Highways England on 8th February and runs until 23rd April 2018, for public and key stakeholders to comment on their proposals and identify any areas of concern or opportunities for further improvement. This includes specific design elements such as tunnel approaches, junctions, green bridges and viaduct proposals. Highways England are also seeking comments on the preliminary environmental information provided for the scheme.

Council officers from a variety of technical specialisms have reviewed the consultation material. These responses have been collated in Appendix 1, which is intended to be submitted to Highways England as the Council's formal response to the consultation.

Subject to the successful resolution of the issues identified within Appendix 1, officers, on the whole, recommend the A303 Amesbury to Berwick Down scheme is supported. Where there is a preference in relation to options for specific junctions,

green bridge alignment or viaduct proposals, these are included under various headings within Appendix 1. However, it is necessary for further information to be made available to the Council in order for it to fully assess the proposals. It is expected for this information to be available in advance of the submission of the DCO application.

As this scheme progresses through the DCO process, the Council will have many statutory obligations governing its participation and contribution to the examination of the application. In order to ensure the Council is fully able to fulfil these obligations, delegated authority is sought to cover its main responsibilities and input. This will ensure that the Council is able to meet the tight statutory timescales associated with the DCO process.

Proposals

Members are asked to:

- Note the contents of this report
- Agree the proposed response to Highways England for this statutory public consultation
- To restate the Council's support in principle for the proposal from HE to bring about substantial improvements to the A303 at Stonehenge by building a dual carriageway and tunnel, subject to the considerations listed in Appendix 1
- Agree the proposed delegated authority provisions outlined below to enable the Council to fulfil its statutory duties with regard to the Development Consent Order (DCO) process for this road improvement scheme.

- 1) Endorses the response to Public Consultation document, as set out in Appendix 1 subject to amendment in (2), for the purpose of submission to Highways England
- 2) Authorises the Director for Highways and Transport in consultation with appropriate Cabinet Member(s) to:
 - a. Finalise the consultation documents and make any necessary minor changes in the interests of clarity and accuracy before they are submitted to Highways England as the Council's formal consultation response;
 - b. Make arrangements for any subsequent consultation responses that may be requested by Highways England; and
 - c. Respond to any queries that may arise as a result of the submission of this consultation response.
- 3) Delegated authority to be granted to Director for Highways and Transport to prepare the Local Impact Report on behalf of the Council and submit to the Planning Inspectorate in accordance with the timetable for the examination process
- 4) Delegated authority to be given to Director for Highways and Transport to make minor amendments to the Local Impact Report to rectify such matters as typographical or grammatical errors
- 5) Delegated authority to be given to the Director for Highways and Transport to formally contribute to, agree and sign a statement of common ground to be submitted to the Examining Authority of the Planning Inspectorate in accordance with the timetable for the Examination process and within the terms of the Council's Local Impact Report

- 6) Delegated authority to be given to Director for Highways and Transport to prepare on behalf of the Council and submit to the Planning Inspectorate:
 - a. An adequacy of consultation representation (if required)
 - b. Representations on the Environmental Statement
 - c. The relevant representation and written representations on the application
- 7) Delegated authority to be given to Director for Highways and Transport to formally respond to the Examining Authority's Inspector's questions in accordance with the timetable for the examination process during the course of the Examination and also to make comment on the submissions of other parties including the applicant
- 8) Delegated authority to be given to the Director for Highways and Transport to formally represent the views of the Council at the preliminary meeting, any topic specific hearing and subsequent requirements in accordance with the timetable for the examination process during the course of the examination, within the terms of the Council's Local Impact Report
- 9) Delegated authority to be given to the Director for Highways and Transport to add formal comments on the draft requirements (conditions) and planning obligations of the Development Consent Order
- 10) Delegated authority to be given to Director for Highways and Transport to carry out all non-statutory community benefit negotiations and to make decisions relevant to such negotiations in connection with or arising from the A303 Amesbury to Berwick Down Road Scheme
- 11) Delegated authority to be given to Director for Highways and Transport to carry out all statutory functions of the Council under the Planning Act 2008 as both Local Authority and Planning Authority in connection with the A303 Amesbury to Berwick Down Road Scheme.

Reasons for Proposals

The case for dualling the A303 between Amesbury and Berwick Down has long been established through promoting economic growth in the South West, increasing safety, improving connectivity with neighbouring regions and protecting and enhancing the environment.

Highways England have improved the scheme previously consulted on and are now seeking views on a detailed scheme in advance of its Development Consent Order (DCO) application. Whilst, there are issues which will require resolution and further information is required before the Council can fully assess the scheme, officers believe that the proposed scheme is capable of addressing the transport, economic, heritage and community issues associated with the A303.

The Council will continue to work with Highways England and other key stakeholders to further develop the scheme proposals in advance of the DCO application being submitted.

Alistair Cunningham (Corporate Director)

Wiltshire Council

Cabinet

24 April 2018

Subject: A303 Amesbury to Berwick Down Road Scheme

Cabinet Member: Cllr Bridget Wayman

Key Decision: Yes

Purpose of Report

1. To inform Members of the actions taken by Highways England since the previous report and outline the scheme, which is the subject of this public consultation.
2. To confirm the Council's response to the statutory public consultation.
3. To agree the proposed delegated authority provisions to enable the Council to fulfil its statutory duties with regard to the Development Consent Order (DCO) process for this road improvement scheme.

Relevance to the Council's Business Plan

4. Improvements along the A303 help meet the priorities of the Council's Business Plan 2017-2027, including:
 - Growing the Economy:
 - High Skilled Jobs (Employment)
 - Transport and Infrastructure (Access)
 - Strong Communities
 - Safe Communities (Protection)
 - Personal Wellbeing (Prevention)
 - Working with Our Partners:
 - Community Involvement
 - Delivering Together

Main Considerations for the Council

5. Following the non-statutory public consultation held between 12th January and 5th March 2017, Highways England, in conjunction with key stakeholders, undertook further assessment and refinement of the route options presented for consultation. This took into account the feedback received from over 9000 responses to the non-statutory consultation.
6. On 12th September 2017, the Secretary of State announced the preferred route for the scheme. This route differed from that presented during the preliminary consultation, with the key changes being the movement of the western tunnel

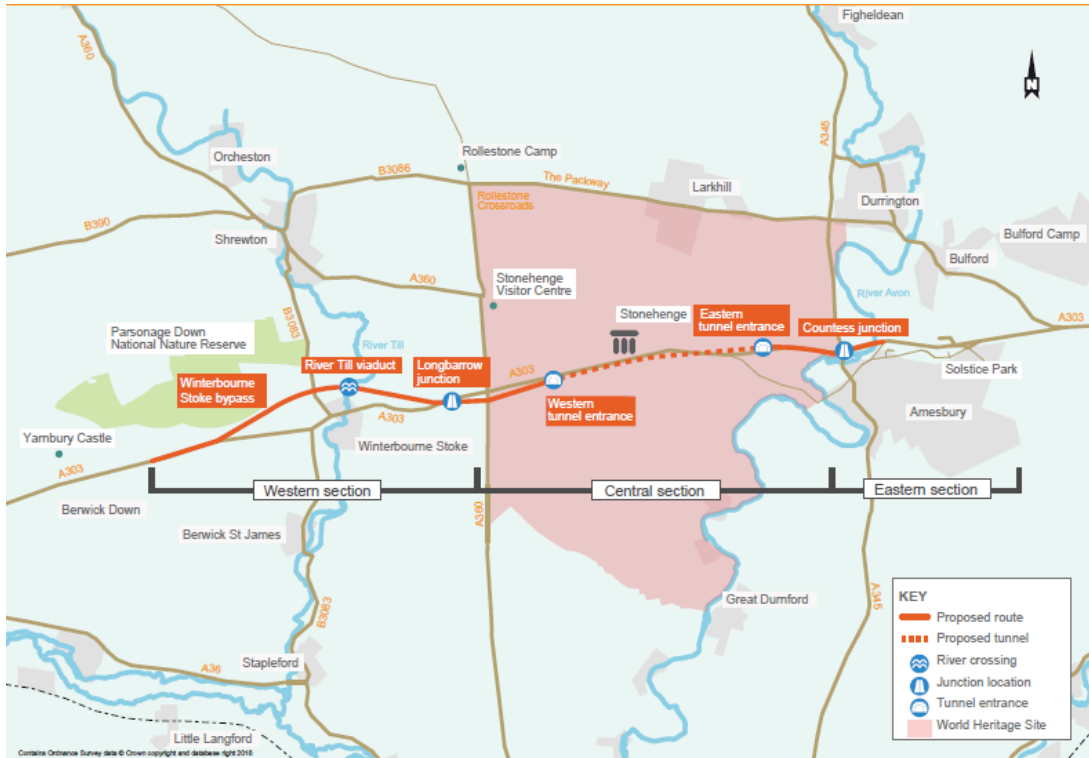
portal and route closer to the line of the existing A303 in the western part of the WHS.

7. Highways England have further developed the preferred route, and are now consulting on the detailed proposals for the scheme.
8. The statutory consultation was held between 8th February and 23rd April 2018. All consultation material was available from the Highways England website (<https://highwaysengland.citizenspace.com/he/a303-stonehenge-2018/>), with the full suite of hard copy documents available in 10 locations comprising of Council offices, libraries and leisure centres. Additionally, consultation booklets and response forms were available to collect and submit back to Highways England in a further 6 locations mainly comprising of health centres. 12 public information events were held throughout Wiltshire, including one in London. Promotional activity has appeared on national and local news television programmes, in newspapers and journals, on the radio, through social media, and in local amenity locations. Furthermore, a scheme leaflet was sent to all residences and businesses in the immediate area.
9. The road improvement scheme is approximately 8 miles (nearly 13 kilometres) in length. Highways England's consultation booklet describes the scheme being consulted on as follows:

“The proposed scheme would comprise a new dual, two-lane carriageway between Amesbury and Berwick Down with the following key features:

- A bypass to the north of Winterbourne Stoke with a viaduct over the River Till valley
- Grassland habitat creation that would allow extension of the Parsonage Down National Nature Reserve
- A new junction with the A360 to the west of and outside the World Heritage Site (WHS), with the A303 passing under the junction
- A section through the WHS with a twin-bore tunnel past Stonehenge at least 1.8 miles (2.9 kilometres) long
- A new junction with the A345 at the existing Countess roundabout to the north of Amesbury, with the A303 passing over the junction
- The conversion of the existing A303 through the WHS into a route for walking, cycling and horse riding
- New ‘green bridges’ to connect existing habitats and allow the movement of wildlife, maintain existing agricultural access and provide crossing for existing and new bridleways and public footpaths.”

10. The proposal is illustrated diagrammatically below:



11. Highways England have asked the public and key stakeholders for views on the proposed scheme, including its tunnel approaches, junctions, green bridges and viaduct proposals. They are also seeking comments on the preliminary environmental information provided for the scheme.
12. Council officers from a variety of technical specialisms have reviewed the consultation material to identify any concerns or opportunities and any further information required. These have been collated in Appendix 1, which is intended to be submitted to Highways England as the Council's formal response to the consultation.
13. The Council's response addresses five key considerations, namely:
 - i) Proposal compliance with the strategy for this area of Wiltshire as set out in the Wiltshire Core Strategy and within the context of relevant National Policy Statement on infrastructure delivery and the wider planning context provided by the National Planning Policy Framework
 - ii) The technical issues raised by the proposal and what, if any, mitigation should be required as a consequence of any potential impacts
 - iii) Requirements to be applied to the Development Consent Order (DCO)
 - iv) Any 'orders' or 'agreements' which should be required to implement any changes and ensure these are included within the DCO. This should include Heads of Terms of any S106 agreement, land acquisition orders, traffic regulation orders, side roads orders, stopping up orders, temporary traffic orders and public rights of way diversion orders
 - v) Any community enhancement and / or mitigation of adverse impacts of the scheme that should be secured by way of a Community Benefit Fund or equivalent.

14. Subject to the successful resolution of the issues identified within Appendix 1, officers, on the whole, recommend the A303 Amesbury to Berwick Down scheme is supported. Where there is a preference in relation to options for specific junctions, green bridge alignment or viaduct proposals, these are included under various headings within Appendix 1.
15. However, it is necessary for further information to be made available to the Council in order for it to fully assess the proposals. It is expected for this information to be available in advance of the submission of the DCO application.

DCO Process and Delegated Authority Considerations

16. Following the conclusion of the statutory public consultation, Highways England will evaluate the responses received to further refine the detail of the scheme. This will include the preparation of a number of strategies and impact assessment reports which will accompany the DCO application.
17. The DCO application is expected to be submitted in early Autumn 2018, at which point the Planning Inspectorate / Secretary of State will have 28 days to decide whether to accept the application for examination. The Local Authority is required to report on the adequacy of community consultation within 14 days of submission. If accepted, a 3-month pre-examination phase will then commence. During this time, the draft examination timetable will be prepared, a preliminary meeting will be held and interested parties will be invited to submit relevant representations.
18. The examination phase has a statutory 6-month duration, and requirements on the Local Authority will include the preparation and submission of a Local Impact Report, Statement of Common Ground, written representations and signed planning obligation. The Council will also need to attend issue specific hearings and / or accompanied site visits, respond to questions and requests for further information by the examiner and comment on other interested parties' representations and submissions.
19. Following the conclusion of the Examination phase, the Planning Inspectorate will have 3-months to submit their recommendations to the Secretary of State, who will then have a further 3-months to make his decision. Post decision, the Council will be required to discharge requirements and monitoring, undertake any necessary enforcement action and respond to notifications relating to non-material and material change applications.
20. Compliance with the DCO requirements outlined above will present challenges for the Council and its governance procedures due to the tight timescales. Therefore, it is appropriate, in the interests of efficiency, to provide delegation to officers to amend documents for the sake of clarity and accuracy and further to take all appropriate actions to progress the process on behalf of the Council. Advice from the Planning Inspectorate strongly recommends that Councils have sufficient delegated powers in place to allow Councils to respond quickly, especially once the Examination has commenced.

21. A draft resolution to cover these points is therefore as follows:

- 1) Endorses the response to Public Consultation document, as set out in Appendix 1 subject to amendment in (2), for the purpose of submission to Highways England
- 2) Authorises the Director for Highways and Transport in consultation with appropriate Cabinet Member(s) to:
 - a. Finalise the consultation documents and make any necessary minor changes in the interests of clarity and accuracy before they are submitted to Highways England as the Council's formal consultation response;
 - b. Make arrangements for any subsequent consultation responses that may be requested by Highways England; and
 - c. Respond to any queries that may arise as a result of the submission of this consultation response.
- 3) Delegated authority to be granted to Director for Highways and Transport to prepare the Local Impact Report on behalf of the Council and submit to the Planning Inspectorate in accordance with the timetable for the examination process
- 4) Delegated authority to be given to Director for Highways and Transport to make minor amendments to the Local Impact Report to rectify such matters as typographical or grammatical errors
- 5) Delegated authority to be given to the Director for Highways and Transport to formally contribute to, agree and sign a statement of common ground to be submitted to the Examining Authority of the Planning Inspectorate in accordance with the timetable for the Examination process and within the terms of the Council's Local Impact Report
- 6) Delegated authority to be given to Director for Highways and Transport to prepare on behalf of the Council and submit to the Planning Inspectorate:
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- 9) Delegated authority to be given to the Director for Highways and Transport to add formal comments on the draft requirements (conditions) and planning obligations of the Development Consent Order

- 10) Delegated authority to be given to Director for Highways and Transport to carry out all non-statutory community benefit negotiations and to make decisions relevant to such negotiations in connection with or arising from the A303 Amesbury to Berwick Down Road Scheme
 - 11) Delegated authority to be given to Director for Highways and Transport to carry out all statutory functions of the Council under the Planning Act 2008 as both Local Authority and Planning Authority in connection with the A303 Amesbury to Berwick Down Road Scheme.
22. Whilst a number of the authorities sought above, relate to activities to be conducted many months from now, the Planning Inspectorate recommends that delegated authority is sought early on in the DCO process to ensure appropriate governance arrangements are in place to comply with the DCO timescales. This is because it is recognised that Local Authority committee structures and the associated timeframes to take reports through them are unlikely to comply with the DCO statutory requirements placed upon them.

Background

23. Dualling the A303 and A358 is a nationally significant infrastructure project (NSIP) as defined by the Planning Act 2008 (the Planning Act).
24. This NSIP will be promoted by Highways England under the requirements of the Planning Act to secure a Development Consent Order (DCO) to allow work to begin. This process will involve detailed engagement with the general public, local communities and stakeholders.
25. The DCO process and the role of Local Authorities within this process was the subject of a previous Cabinet report on 15 March 2016 ([Cabinet Papers Item 39](#)).
26. The timetable for the development of this road improvement scheme, the Council's involvement and governance arrangements established to fully engage and manage this project, and the estimated resource implications for the various professional areas were detailed in a Cabinet report considered on 11 October 2016 ([Cabinet Papers Item 118](#)).
27. The route options appraisal methodology and outcome selected by Highways England to take to public consultation, along with the Council's response to the non-statutory consultation was contained within a previous Cabinet report on 14 March 2017 ([Cabinet Papers Item 35](#)).

Overview and Scrutiny Engagement

28. Due to the timescales of the Consultation, the Environment Select Committee was unable to view the report at their 13 March 2018 meeting. Thus, the Committee resolved at 13 March for a Briefing Note to be circulated to the Committee on the matter, where the Committee would then present their views

on the item to the Chairman; in order for them to be reflected in the final Cabinet report on the item.

29. Members raised that it was important for local communities to remain at the heart of the proposals and for assurance to be given that traffic could continue to move smoothly. Clarification was sought on whether the state of the development of the proposal was sufficiently mature, as the Council was currently awaiting the results of archaeological surveys and concern was raised around the proposal to place parking restrictions on Amesbury, due to the movement of large agricultural machinery. Members also highlighted that it was important for Cabinet to assess the financial risk to the Council and recommended that Cabinet prohibit the use of 4x4 and other mechanically propelled vehicles on the section of the A303 (to be grassed over) that passes by the stones of Stonehenge.
30. There was support of the proposals surrounding delegated decision-making; the Committee felt that as the topic is complex and requires considerable attention it is felt right and proper that the Director(s) and the Cabinet Member(s) should have delegated authority to oversee the matter. It was also pointed out that, despite the fact that this section of road relates to the south of the county, Wiltshire as a whole stood to benefit from the proposed work.
31. The Chairman advised the Committee that they should note the draft Cabinet report and continue to make individual representations to the Cabinet Member, ahead of the Cabinet meeting.
32. In addition to the ESC engagement detailed above, regular Stakeholder Engagement Meetings are being held to ensure that local Members are involved in the development of this road scheme.
33. Presentations are also being delivered at the relevant Area Board meetings in Amesbury, Mere and Warminster when requested by the Chair.
34. Furthermore, the Community Area Managers are employing the model used in the Army Rebasing Programme for communication and engagement. The Community Area Manager for Amesbury is co-ordinating all activity with the other Community Area Manager's across Wiltshire.

Safeguarding Implications

35. None

Public Health and Public Protection Implications

36. A key outcome of the scheme is to improve safety along the corridor. By creating an "expressway" dual carriageway, which is designed to high safety standards, it will increase capacity on the route, which will reduce the accident prevalence.

37. Furthermore, there are a number of issues which will need to be addressed to minimise the impact that the construction and operational phases of the scheme may have on the local area in terms of environmental health. This would include noise and vibration, air quality, dust control and light nuisance. Council officers are actively working with Highways England to minimise and mitigate any adverse effects arising from this road improvement scheme. However, further detail is required to fully assess any proposed mitigating measures to minimise the impact of the scheme.
38. Officers will continue to work with Highways England to ensure this detailed information is available prior to the submission of the DCO application and have identified a number of pre-commencement, construction and operational planning conditions within the statutory consultation response to ensure this happens.

Procurement Implications

39. None

Equalities Impact of the Proposal

40. Council officers reviewed the draft Statement of Community Consultation prepared by Highways England, and provided feedback in advance of its publication on 31 January 2018 to ensure the consultation is adequately promoted within local communities, including any identified hard to reach groups.
41. Whilst some analysis of the social impact has been undertaken to date, a full equality impact assessment will be undertaken by Highways England as part of the DCO process.
42. Equality impact considerations will also be referenced within the Council's report on the adequacy of the consultation, which is required to be submitted to the Planning Inspectorate following DCO submission.

Environmental and Climate Change Considerations

43. As a signatory to the World Heritage Site (WHS) Management Plan (2015) and a member of the WHS Partnership Panel, the Council and its partners have a responsibility to protect the outstanding universal value of the site and any decisions relating to this will be monitored by UNESCO. A third mission by ICOMOS / UNESCO was held between 5-7 March 2018.
44. Highways England have prepared a Preliminary Environmental Information Report as part of its consultation documentation, which has been reviewed and an assessment of the implications for heritage, archaeology, landscape and ecology relating to the proposed route is included as part of Appendix 1. However, further information, as identified within Appendix 1, is required in order for the Council to fully assess the implications and as such we will

continue to work with Highways England and other key stakeholders to undertake this.

45. Whilst it is anticipated that the scheme will provide benefits through improved traffic flows, thereby reducing delays and a consequential reduction in noise and excessive fuel consumption and emissions associated with slow moving or stationary traffic, further information is required to confirm this. The detailed traffic modelling for Wiltshire's local road network which is being prepared by Highways England, will be crucial in this regard.

Risk Assessment

46. It is anticipated that engagement in this project will be controversial and it is likely that there will be conflicting views amongst the service areas involved and by Members. The Council will be required to formulate a corporate position on many of the issues considered and it is anticipated that this will be set by Cabinet following recommendations from officers.
47. Whilst these proposals are being further refined, the Council may need to reserve judgement on some matters until further information is available in order for the Council to make a fully informed decision on certain key aspects.

Risks that may arise if the proposed decision and related work is not taken

48. The DCO submission may be delayed which may jeopardise the current central government funding agreement.

Risk that may arise if the proposed decision is taken and actions that will be taken to manage these risks

49. The Council will continue to work closely with Highways England and other key stakeholders to manage the inputs required for the DCO submission.
50. The Council will have a number of opportunities within the DCO acceptance and examination process to inform the Planning Inspectorate on its views of the scheme and Highways England's engagement and work to date. This will include the statement on adequacy of community consultation, written representations, the statement of common ground and the local impact report. The Council will also attend any issue specific hearings as required.
51. The development of this scheme and the associated DCO process will be quite resource intensive for the Council and therefore additional resource will be allocated / secured as necessary utilising the previously agreed funding from Cabinet.
52. Members will be regularly updated and agreement sought at each of the key stages of the DCO process, subject to any delegated authority awarded to officers to ensure statutory timescales are met.

Financial Implications

53. A budget of £300,000 has been built into the Highways Budget to cover additional resource requirements for this programme. This is a recurring budget until 2019/2020.
54. The Council will have additional resource implications for the period post consent while the scheme is being delivered, if applicable. These will be identified in a future report to Cabinet.
55. Future financial implications in terms of maintenance and running costs as a result of the de-trunking of the A303 as part of the DCO process would need to be assessed and understood as part of the DCO process.

Legal Implications

56. It is Highways England who will be the lead body in any application for a DCO. The role of the Council within this process is as a statutory consultee (and one of the principal consultees).
57. We are at the statutory public consultation stage and it is important that the Council identify any issues that may need to be considered by the planning inspectorate to ensure that the “one stop” application process for nationally significant infrastructure is sound.
58. As well as providing the Council’s response to the public consultation documentation the Council will be obliged to provide a Local Impact Report and provide a report on the adequacy of public consultation.
59. As a result of the responses to the public consultation and the on-going assessments it is likely that further information will become available to the Council in order for it to fully assess the proposals. Therefore the Council should retain the ability to refine its position once the additional information becomes available including any associated developments necessary to ensure the effective delivery of the project.
60. This report identifies the process going forward and proposes delegations to ensure that the Council can meet the DCO process time-lines.

Options Considered

61. None

Conclusions

62. The case for dualling the A303 between Amesbury and Berwick Down has long been established through promoting economic growth in the South West, increasing safety, improving connectivity with neighbouring regions and protecting and enhancing the environment.

63. Following assessment of the proposals by Council officers, it is recommended that support is given to Highways England to further develop the detailed scheme and address the identified issues contained in Appendix 1. However, the Council must retain the ability to refine its position once the additional information required to fully assess the scheme is available.
64. In anticipation of this scheme being taken through the Development Consent Order (DCO) process, delegated authority is sought to ensure that the Council is able to fulfil its statutory obligations with respect to this road improvement scheme.
65. Members are asked to:
- Note the contents of this report
 - Agree the proposed response to Highways England for this statutory public consultation
 - To restate the Council's support in principle for the proposal from HE to bring about substantial improvements to the A303 at Stonehenge by building a dual carriageway and tunnel, subject to the considerations listed in Appendix 1
 - Agree the proposed delegated authority provisions outlined in paragraph 21 to enable the Council to fulfil its statutory duties with regard to the Development Consent Order (DCO) process for this road improvement scheme.

Alistair Cunningham (Corporate Director)

Date of report: 6th April 2018

Appendices

Appendix 1 – Wiltshire Council Statutory Consultation Response to Highways England for A303 Amesbury to Berwick Down (Stonehenge) Road Improvement Scheme

Background Papers

The following documents have been relied on in the preparation of this report:
None