

**Wiltshire Council**

**Cabinet**

**11 October 2016**

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**Subject:** **A303 Amesbury to Berwick Down Road Scheme**

**Cabinet Member:** **Cllr Fleur de Rhé-Philippe**

**Key Decision:** **N**

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**Executive Summary**

The A303 Amesbury to Berwick Down road improvement scheme is being managed and undertaken by Highways England. The role of Wiltshire Council in this project is as a statutory consultee and key stakeholder.

Council officers will be involved at all stages of this process. As a key stakeholder, the Council will engage with Highways England in route assessment and preferred route identification. We will also participate in the planning and delivery of the public consultations. Additionally, there are a number of statutory activities that will be required of the Council during this period, including agreement of a Statement of Community Consultation (SOCC), a report to the Planning Inspectorate on the adequacy of the consultation and a Local Impact Report outlining the Council's views on the impacts of the scheme. Attendance at the public hearings during the examination stage will also be required along with responses to comments received from other interested parties and stakeholders during this period.

The Council's involvement in this scheme will be over an estimated 9 year period, allowing 4 years for the implementation of the scheme. The exact delivery timeframes will be confirmed once the route and construction methods have been identified.

Collaborative working arrangements between the key stakeholders are essential in ensuring the free flow of information between the parties, which will assist in the discussion and resolution of issues as they arise. In addition to the comprehensive governance arrangements established by Highways England, which include a stakeholder strategy board and 11 working groups, the Council has established organisational specific forums to manage the Council's input into the DCO process. This will be undertaken in accordance with the Council's project management methodology utilising the corporate programme office to co-ordinate all activity. These additional meetings comprise an Officer Steering Group, Stakeholder Engagement Meeting and involvement of the Amesbury Area Board.

Significant resources will be required by the Council in order to undertake the tasks outlined above and sufficiently engage in the DCO process. Whilst a proportion of these resources are able to be provided through existing

allocations, some services require additional staff and / or resources to fulfil our statutory obligations. These are estimated to cost £713,700 over four financial years.

The Council are seeking to enter into a cost recovery agreement with Highways England for the reimbursement of a proportion of these costs; however the costs associated with the examination and determination period of the DCO application will be the responsibility of the Council as stipulated by legislation. This would result in the requirement for the Council to make a financial provision; an indicative figure of £300,000 has been included in the MTFS in 2017/2018 for refinement and approval at budget setting.

Furthermore, the Council will have additional resource implications for the period post consent whilst the scheme is being delivered, if applicable. These will be identified in a future report to Cabinet.

### **Proposal(s)**

Members are asked to:

- note the contents of this report
- agree that the Council's interests will be properly represented through the proposed governance structure and
- note the inclusion of an indicative figure of £300,000 in the MTFS for refinement and approval at budget setting to enable the Council to fulfil its statutory responsibilities.

### **Reason for Proposal(s)**

Government and Highways England are planning and funding improvements to the A303 to address the congestion, economic and heritage aspects. This is a major investment in Wiltshire and will bring significant changes to the area. The current funding allocation requires a DCO application to be submitted in mid-2018 in order to start on site early 2020.

In order to meet these challenging timeframes, significant resource and input from the Council will be required as both a key stakeholder and statutory consultee.

Strong governance arrangements are also required to manage the process and ensure that all stakeholders are engaged.

**Parvis Khansari (Associate Director, Highways and Transport)**

**Wiltshire Council**

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**Purpose of Report**

1. To inform Members of the timescales associated with the Development Consent Order (DCO) process for this road scheme
2. To confirm the project governance arrangements
3. To identify the resource requirements of the Council to support the DCO process and fulfil its statutory responsibilities

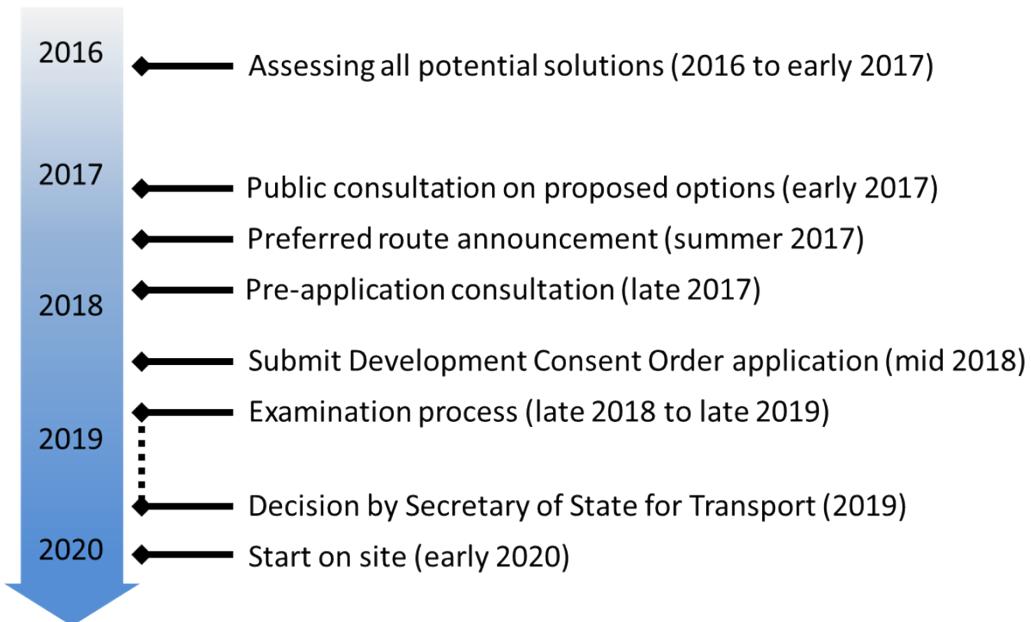
**Relevance to the Council's Business Plan**

4. Improvements along the A303 help meet the priorities of the Council's Business Plan, including:
  - Outcome 1 – Wiltshire has a thriving and growing local economy
  - Outcome 2 – People in Wiltshire work together to solve problems locally and participate in decisions that affect them
  - Outcome 3 – Everyone in Wiltshire lives in a high quality environment
  - Outcomes 6 – People are as protected from harm as possible and feel safe

**Main Considerations for the Council**

5. The Amesbury to Berwick Down road improvement scheme is being managed and undertaken by Highways England. The role of Wiltshire Council in this project is as a statutory consultee and key stakeholder.
6. The principle objectives of the scheme have been defined in Highways England's Client Scheme Requirements as:
  - Cultural Heritage: to contribute to the conservation and enhancement of the World Heritage Site by improving access both within and to the site.
  - Environment and Community: to contribute to the enhancement of the historic landscape within the World Heritage Site (WHS), to improve biodiversity along the route and to provide a positive legacy to communities adjoining the road.

- Economic Growth: in combination with other schemes on the route, to enable growth in jobs and housing by providing a free flowing and reliable connection between the East and South West peninsula.
  - Transport: to create a high quality route that resolves current and predicted traffic problems and contributes towards the creation of an expressway between London and the South West.
7. Since the previous report to Cabinet on 15 March 2016, further detail has emerged regarding the proposed timeline for the DCO process and submission. Please see the timeline below.



8. The timeline has been generated considering the requirement to start on site by April 2020 to fall in-line with the current Roads Investment Strategy period. It is acknowledged that it is a challenging timeframe, with many elements of the timescale fixed as a result of the DCO process.
9. Council officers will be involved at all stages of this process. As a key stakeholder, we will engage with Highways England in route assessment and preferred route identification. We will also participate in the planning and delivery of the public consultations.
10. Additionally, there are a number of statutory activities that will be required of the Council during this period, including the agreement of a Statement of Community Consultation (SOCC) which will form part of the eventual submission, and a report to the Planning Inspectorate on the adequacy of the consultation which should be received within 2 weeks of the DCO submission. Wiltshire Council will also be required to submit a Local Impact Report to the Planning Inspectorate setting out how we see the impacts of the scheme. Furthermore, a Statement of Common Ground will be prepared by Highways England with each key stakeholder.

- 11. Council officers will be required to attend some (or all) of the public hearings and also respond to comments received from other interested parties and stakeholders during this period.
- 12. The Council will need to consider its position on a number of aspects including; impacts on our own transport network, local communities, economic impacts, environmental / heritage impacts, land ownership etc. The Council's obligations as a signatory to the WHS Management Plan will also need to be considered. There are significant potential conflicts that could arise that may need to be reconciled by the Council including tensions, contrasting local and wider County issues, economy vs. environmental or community needs.
- 13. The Council's involvement in this scheme will be over an estimated 9 year period, allowing 4 years for the implementation of the scheme. The exact delivery timeframes will be confirmed once the route and construction methods have been identified.

#### Governance

- 14. Collaborative working arrangements between the key stakeholders are essential in ensuring the free flow of information between the parties, which will assist in the discussion and resolution of issues as they arise.
- 15. Highways England has established a governance structure to manage the inputs and outputs for this project, which includes a Stakeholder Strategy Board and 11 working groups. An overview of these governance arrangements is attached at Appendix 1.
- 16. In addition to the Highways England meetings and groups, the Council has established organisation specific forums to manage the Council's input into the DCO process. This will be undertaken in accordance with the Council's project management methodology utilising the corporate programme office to co-ordinate all activity.
- 17. An Officer Steering Group has responsibility for the planning and day-to-day delivery of the Council's statutory requirements relating to the DCO process for this scheme. It meets on a bi-monthly basis and includes representatives from highways and transport, legal services, archaeology, finance, planning, landscape and ecology, economic development, community engagement, communications and the corporate programme office. This group will report to the Council's Corporate Leadership Team and Cabinet.
- 18. Additionally, Local Member input will be facilitated through a Stakeholder Engagement meeting, which will be held quarterly and supplemented with written update and briefing reports as appropriate. This is a cross party group.
- 19. The Amesbury Area Board will also be engaged throughout this project, with regular briefings and updates provided. Representatives of the Area Board will work closely with Highways England to ensure that views of the

local community are incorporated into the process. The Area Board will also play an important role in ensuring the local community are involved in the two public consultations.

### Resource Implications

20. As demonstrated above and through Appendix 1, the resource implications on the Council to fully engage in this process and discharge our statutory responsibilities will be significant and will be incurred over a potential 9 year period.
21. Resources will be required in the current pre-planning stage, at the DCO submission and examination stage, and if approved, once the scheme starts on site up until the point the scheme is complete.
22. It is anticipated that the level of resources required by the individual service areas will fluctuate depending on the particular stage of the project.
23. Officers have been in discussion with Cambridgeshire County Council regarding their experience of the DCO process on the A14 Cambridge to Huntingdon scheme and have received information on the level of resources employed for this scheme. This information has been used by officers to help estimate those that will be required for the A303 Amesbury to Berwick Down scheme.
24. In some instances on previous projects, Highways England has entered into agreements with key stakeholders to reimburse partners for costs incurred over and above normal activities that were associated with their involvement in that particular scheme.
25. These arrangements, if agreed, would only be able to compensate organisations for resources utilised prior to the DCO submission or after the DCO approval was granted in order to ensure that no undue influence was placed upon the organisation during the decision making stages.
26. Officers are currently in discussion with Highways England with a view to enter into a cost recovery agreement for this project.
27. Significant resources will be required by the Council in order to undertake the tasks outlined above and sufficiently engage in the DCO process. Whilst a proportion of these resources are able to be provided through existing allocations, some services require additional staff and / or resources to fulfil our statutory obligations.
28. These resource implications are currently unfunded but provision has been made for an indicative figure of £300,000 within the Medium Term Financial Plan for sufficient resources to be allocated to ensure that the Council can deliver its statutory responsibilities with respect to this scheme.

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29. Furthermore, the Council will have additional resource implications for the period post consent whilst the scheme is being delivered, if applicable. These will be identified in a future report to Cabinet.

## **Background**

30. Dualling the A303 and A358 is a nationally significant infrastructure project (NSIP) as defined by the Planning Act 2008.
31. 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.
32. The DCO process and the role of Local Authorities within this process was the subject of a previous Cabinet report on 15 March 2016.

## **Overview and Scrutiny Engagement**

33. Whilst no specific Overview and Scrutiny activity has been undertaken to date, a quarterly Stakeholder Engagement Meeting has been established to ensure that local Members are involved in the development of this road scheme.

Attendees of this meeting include: Cllr Fleur de Rhe-Philipe (Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property), Cllr Philip Whitehead (Cabinet Member for Highways and Transport), Cllr Stuart Wheeler (Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services), Cllr Mike Hewitt (Bourne and Woodford Valley), Cllr John Smale (Bulford, Allington and Figheldean), Cllr Ian West (Till and Wylye Valley), Cllr Fred Westmoreland (Amesbury West), Cllr Graham Wright (Durrington and Larkhill) and Cllr Jamie Capp (Amesbury East). The meeting is supported by officers from highways and transport, community engagement and the corporate programme office.

34. Following the most recent meeting, consultants appointed by Highways England delivered a presentation at the Amesbury Area Board meeting on 28 July 2016 outlining the DCO process, the proposed timetable and the two public consultation events.

## **Safeguarding Implications**

35. None

## **Public Health Implications**

36. The condition and operation of roads, byways, footpaths and related infrastructure can have serious safety implications. A key outcome of the scheme is to improve safety along the corridor.

37. Highways England will also be supplying comprehensive assessments of air quality and noise implications – the Council will respond accordingly.

### **Procurement Implications**

38. None

### **Equalities Impact of the Proposal**

39. A full assessment will be undertaken by Highways England as part of the DCO process.
40. The Council's Equality and Diversity officers will review these documents and ensure that the relevant identified groups have been adequately engaged through the preliminary and statutory consultations and all impacts have been acknowledged with appropriate mitigating actions provided.
41. Equality Impact considerations will also be referenced within the Council's report on the appropriateness of the consultation, which is required to be submitted to the Planning Inspectorate following the DCO submission.

### **Environmental and Climate Change Considerations**

42. The scheme has significant implications for heritage, archaeology and ecology, all of which will need to be properly explored through the DCO process. As a signatory to the World Heritage Site (WHS) Management 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.
43. The scheme will provide benefits in improved traffic flows, reduced delays and a consequential reduction in noise and excessive fuel consumption and emissions associated with slow moving or stationary traffic.

### **Risk Assessment**

44. As highlighted previously, the resource implications for the Council to fully engage in this scheme and discharge its statutory responsibilities are anticipated to be high. Additional resources may need to be allocated or priorities reconsidered to address this.
45. 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.
46. Due to the likely controversy surrounding this road scheme, the Council's governance arrangements must be robust in order to be able to respond to information requests submitted through Freedom of Information or Environmental Information Requests legislation. Officers are working

closely with colleagues from legal and information governance to devise this framework and this has been the subject of recent briefing papers for both officers and Councillors involved.

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

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

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

48. There is a risk that the financial implications for the Council ultimately prove to exceed the predictions set out in this report
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. Members will be regularly updated and agreement sought at each of the key stages of the DCO process.

### **Financial Implications**

51. An indicative figure of £300,000 has been included in 2017/2018 in the MTFS for refinement and approval at budget setting. As described in the report certain resource expenditure may be able to be recovered from Highways England subject to the agreement of an appropriate Memorandum of Understanding between the parties. Further work is required to confirm this.
52. Appendix 2 shows an initial assessment of the additional resource requirements for this programme before any potential recovery of costs from Highways England.
53. The Council will have additional resource implications for the period post consent whilst the scheme is being delivered, if applicable. These will be identified in a future report to Cabinet.

### **Legal Implications**

54. The legal and associated governance implications relating to the proposed scheme will require on-going review and management as the scheme progresses. The scheme will involve complex property, highway, planning and commercial law issues in the context of the governing statutory framework. These will be addressed on an on-going basis with significant forward planning required to ensure timely consideration of developing issues. There is a particular uncertainty regarding potential legal property work because this will not be able to anticipated accurately until the preferred route has been identified and title searches have been carried out on any land that may be affected.

### **Options Considered**

55. None

## **Conclusions**

56. Government and Highways England are planning and funding improvements to the A303 to address the congestion, economic and heritage aspects. The current funding allocation requires a DCO application to be submitted in mid-2018 in order to start on site early 2020.
57. In order to meet these challenging timeframes, significant resource and input from the Council will be required as both a key stakeholder and statutory consultee.
58. Strong governance arrangements are also required to manage the process and ensure that all stakeholders are engaged.
59. Members are asked to:
- note the contents of this report
  - agree that the Council's interests will be properly represented through the proposed governance structure and
  - note the inclusion of £300,000 in the MTFS subject to refinement and approval at budget setting to enable the Council to fulfil its statutory responsibilities.

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### **Parvis Khansari (Associate Director, Highways and Transport)**

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3/10/16

## **Appendices**

- Appendix 1 – Governance Overview  
Appendix 2 – Financial Implications

## **Background Papers**

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