

A303 Amesbury to Berwick Down

TR010025

5.1 Consultation Report

Appendix A: Compliance checklist

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

October 2018



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Appendix A Compliance checklist

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Planning Compliance Checklist

The following checklist demonstrates how Highways England has complied with the following legislation and guidance when undertaking consultation on the A303 Stonehenge – Amesbury to Berwick Down scheme:

- Sections 42, 46, 47, 48 and 49 of the Planning Act 2008 (PA 2008)
- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
- Department for Communities and Local Government (DCLG) Planning Act 2008: Guidance on the pre-application process
- Advice Note 14 – compiling the consultation report

Reference	Requirement	Action Taken	Date Undertaken
Planning Act 2008			
Section 42	The Applicant must consult the following about the proposed application:		
Duty to consult	(a) such persons as maybe prescribed;	<p>Highways England carried out statutory consultation on the A303 Amesbury to Berwick Down scheme between 8 February 2018 and 23 April 2018. The original deadline for receipt of responses for the consultation was 6 April 2018. This deadline was subsequently extended to 23 April 2018, as detailed in section 3.9 of the Consultation Report (Application Document 5.1).</p> <p>A list of persons consulted under s42(1)(a) as part of the statutory consultation is provided at Appendix E1 of the Consultation Report. The list was compiled using the consultees listed in column 1 of the table in Schedule 1 of the APFP regulations and including all those identified by the Secretary of State in their Scoping Opinion.</p> <p>Pursuant to s42 of the PA 2008, these consultees were sent a letter to inform them of the start of the statutory consultation on 6 February 2018. Included with the letter was a consultation booklet, leaflet, response form and a copy of the s48 notice. The deadline for responses in the letter was identified as 6 April 2018.</p> <p>To promote the extension to the consultation, a letter was sent to all s42 consultees on 20 March 2018 with an updated s48 notice and leaflet. The letter provided notification that the deadline for</p>	<p>Letters issued as follows:</p> <p>Statutory consultation</p> <ul style="list-style-type: none"> 6 February 2018 with deadline for responses of 6 April 2018 <p>Statutory consultation extension</p> <ul style="list-style-type: none"> 20 March 2018 with deadline for responses of 23 April 2018 <p>Supplementary consultation</p> <ul style="list-style-type: none"> 13 July 2018 with deadline for responses of 17 August 2018 <p>In addition a letter was sent to Highways England Historical Railways Estate on 1 August 2018 with a deadline for a response of 30 August 2018</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>responses to the consultation had been moved to 23 April 2018.</p> <p>Highways England also carried out supplementary consultation on design changes emerging from statutory consultation between 17 July 2018 and 14 August 2018. Whilst this consultation was non-statutory in nature, the same persons consulted under s42(1)(a) as part of the statutory consultation were sent a letter about the supplementary consultation. This enclosed a supplementary consultation booklet, response form and copy of the consultation notice.</p> <p>On review of the prescribed consultee list it was identified that the incorrect address had been used for the s42 letter sent to Highways England Historical Railways Estate. An updated letter was sent on 1 August 2018 with a deadline of 30 August 2018 to provide a response. The letter dated 1 August 2018 was returned to sender on 14 September 2018. An alternative address was found and on 21 September a further letter was sent to the organisation alongside the consultation booklet for the statutory and supplementary consultations, s48 notice and planning notice for the supplementary consultation. The organisation was given until the 22 October 2018 to provide comments.</p>	
	(aa) the Marine Management Organisation;	The proposed development would not affect, or would be likely to affect, any of the areas specified in s42(2) of the PA 2008. Therefore the Marine Management Organisation is not a relevant consultee in respect of the scheme.	N/A

Reference	Requirement	Action Taken	Date Undertaken
	(b) each Local Authority that is within Section 43;	<p>An explanation of how local authorities have been identified is provided below:</p> <p>The application site is wholly within the administrative area of Wiltshire Council – this is therefore the “B” authority for the purposes of s43.</p> <p>The following local authorities share a boundary with Wiltshire Council and are therefore “A” authorities for the purposes of s43:</p> <ul style="list-style-type: none"> • Cotswold District Council • East Dorset District Council • Mendip District Council • New Forest District Council • New Forest National Park Authority • North Dorset District Council • South Somerset District Council • Test Valley District Council • Vale of the White Horse District Council • Bath and North East Somerset Council • Dorset County Council • Gloucestershire County Council • Hampshire County Council • Oxfordshire County Council* • Somerset County Council • South Gloucestershire Council • Swindon Borough Council • West Berkshire Council <p>As Wiltshire Council is a unitary authority there is no upper-tier county council (the “C” authority for the purposes of s43). On the basis that there is no “C” authority there are no adjacent upper-tier “D”</p>	<p>Letters issued as follows:</p> <p>Statutory consultation</p> <ul style="list-style-type: none"> • 6 February 2018 with deadline for responses of 6 April 2018 <p>Statutory consultation extension</p> <ul style="list-style-type: none"> • 20 March 2018 with deadline for responses of 23 April 2018 <p>Supplementary consultation</p> <ul style="list-style-type: none"> • 13 July 2018 with deadline for responses of 17 August 2018 <p>In addition a letter was sent to Oxfordshire County Council on 8 May 2018 with a deadline for response of 8 June 2018</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>authorities for the purposes of s43. Any adjacent county councils are included as “A” authorities.</p> <p>Pursuant to s42 of the PA 2008, these consultees were sent a letter to inform them of the start of the statutory consultation on 6 February 2018. Included with the letter was a consultation booklet, leaflet, response form and a copy of the s48 notice. The deadline for responses in the letter was identified as 6 April 2018.</p> <p>To promote the extension to the consultation, a letter was sent to these consultees on 20 March 2018 with an updated s48 notice and leaflet. The letter provided notification that the deadline for responses to the consultation had been moved to 23 April 2018.</p> <p>*On review of the s42(1)(b) list of local authorities it was identified that Oxfordshire County Council had been omitted from the mailing outlined above. A letter with relevant consultation material was subsequently sent to Oxfordshire County Council on 9 May, with a deadline for response of 8 June 2018 to provide feedback on the scheme. More detail can be found at paragraph 3.4.50 of the Consultation Report (Application Document 5.1).</p> <p>Highways England also carried out supplementary consultation on design changes emerging from statutory consultation between 17 July 2018 and 14 August 2018. Whilst this consultation was non-statutory in nature, the same persons consulted</p>	

Reference	Requirement	Action Taken	Date Undertaken
		<p>under s42(1)(b) as part of the statutory consultation were sent a letter about the supplementary consultation. This enclosed a supplementary consultation booklet, response form and copy of the consultation notice.</p>	
	(c) the Greater London Authority if the land is in Greater London; and	<p>The proposed development is not located in Greater London therefore the Greater London Authority is not a relevant consultee in respect of the scheme.</p>	Not applicable
	(d) each person who is within one or more of the categories set out in Section 44.	<p>Highways England has consulted each person in one or more s44 categories. Those identified through diligent inquiry before the statutory consultation were consulted between 08 February 2018 and 23 April 2018. Through ongoing diligent inquiry additional land interests were identified during and after this consultation period. These were each provided a minimum of 28 days to provide feedback on the scheme. Paragraphs 3.4.12 to 3.4.26 explain how Highways England identified s44 consultees, paragraphs 3.4.27 to 3.4.30 explain the diligent inquiry process, and paragraphs 3.4.31 to 3.4.52 explain how s42 consultees, including s44 consultees, were notified of the consultation.</p> <p>As part of the ongoing land referencing process and cross checking of consultees some additional statutory consultees were identified after the start date of consultation (8 February 2018). This includes a number of s44 consultees. Each additional consultee was given at least 28 days to provide a response to the scheme proposals. The additional consultees identified and notified can be</p>	<p>Highways England carried out statutory consultation between 08 February 2018 and 23 April 2018.</p> <p>Additional land interests identified post the start of statutory consultation were consulted at various times between 8 March 2018 and 21 September 2018.</p> <p>Highways England also carried out supplementary consultation, on design changes emerging from statutory consultation, between 17 July 2018 and 14 August 2018.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>found at Table 3-1 and ongoing inquiries are explained in paragraphs 3.4.40 to 3.4.52.</p> <p>All consultees under s42(1)(d) are listed in Appendix E2 of the Consultation Report (Application Document 5.1), which also sets out which names are included in the Book of Reference (Application Document 4.3). The section titled “Relationship to the Book of Reference” (starting at paragraph 3.4.53) explains how the Book of Reference and the corresponding list of those who have been consulted, has developed as the scheme design has progressed and ongoing land referencing has been undertaken.</p> <p>Paragraphs 3.4.33 to 3.4.39 explain the process that was undertaken for any parties where Highways England received return to sender documentation. Paragraph 3.4.60 explains that three parties were 'missed' from the consultation process. These parties were Category 3 parties included in the Book of Reference on a precautionary basis and in each case the occupiers of the properties were consulted. As explained in paragraph 3.4.60, these parties have received correspondence inviting them to take part in the Examination process, and to submit their comments to Highways England. As such, it is considered that no prejudice has been caused to these parties.</p> <p>For the supplementary consultation as outlined in Chapter 6 of the Consultation Report (Application Document 5.1), s44 consultees were provided with</p>	

Reference	Requirement	Action Taken	Date Undertaken
		the supplementary consultation booklet, response form and a copy of the supplementary consultation notice.	
<p>Section 45</p> <p>Timetable for consultation under Section 42</p>	<p>(1) The Applicant must, when consulting a person under Section 42, notify the person of the deadline for the receipt by the Applicant of the person's response to the consultation.</p> <p>(2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the consultation documents.</p>	<p>The letter sent to s42 consultees on 6 February 2018 (with consultation commencing on 8 February 2018) set a deadline of 6 April 2018 - a period of more than 28 days. A copy of the letter sent to consultees is in Appendix E5 of the Consultation Report (Application Document 5.1).</p> <p>The consultation was subsequently extended and letters issued on 20 March 2018 informed consultees of the extension of the deadline to 23 April. The extension was also a period of more than 28 days. A copy of the letter sent to consultees is in Appendix I6 of the Consultation Report.</p> <p>In a limited number of circumstances (e.g. their letters were returned by Royal Mail as undeliverable or they were omitted from the original mailings), some consultees were consulted outside of the main statutory consultation period outlined above.</p> <p>This is further explained in the paragraphs 3.4.33 to 3.4.52 of Chapter 3 of the Consultation Report and detailed in Appendix E6. In every case consultees were given at least 28 days to respond to consultation. Sample letters are provided in Appendix E5 of the Consultation Report. The paragraphs also explain how new parties were identified and consulted as part of the on-going development of scheme design and refinement of</p>	<p>Letters issued as follows:</p> <p>Statutory consultation</p> <ul style="list-style-type: none"> • 6 February 2018 with deadline for responses of 6 April 2018 <p>Statutory consultation extension</p> <ul style="list-style-type: none"> • 20 March 2018 with deadline for responses of 23 April 2018 <p>Supplementary consultation</p> <ul style="list-style-type: none"> • 13 July 2018 with deadline for responses of 17 August 2018 <p>Additional letters were also issued outside the consultation periods.</p>

Reference	Requirement	Action Taken	Date Undertaken
		environmental assessments, and were given the appropriate 28 day period to respond.	
<p><u>Section 46</u></p> <p>Duty to notify Secretary of State of proposed application</p>	<p>(1) The applicant must supply the Secretary of State with such information in relation to the proposed application as the Applicant would supply to the Secretary of State for the purpose of complying with section 42 if the Applicant were required by that section to consult the Secretary of State about the proposed application.</p> <p>(2) The Applicant must comply with subsection (1) on or before commencing consultation under section 42.</p>	<p>Pursuant to s46, Highways England provided notification to the Planning Inspectorate on behalf of the Secretary of State on 7 February 2018 of the proposed application and provided electronic copies of the consultation material. A copy of this notice and the Planning Inspectorate's acknowledgment of receipt on the same day is provided in Appendix E7 of the Consultation Report (Application Document 5.1).</p> <p>The information supplied to the Secretary of State was the same as that sent to the s42 consultees, namely:</p> <ul style="list-style-type: none"> • Consultation booklet • Response form • Template s42 letter • Statement of Community Consultation • Non-technical summary of the Preliminary Environmental Information Report • s47 consultation advertisement • s48 duty to publicise statutory notification 	<p>The Planning Inspectorate was notified on 7 February 2018.</p> <p>Subsequently a further letter was sent to the Inspectorate on 20 March 2018 to advise about the statutory consultation extension.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>The information was supplied on 7 February 2018 before commencement of consultation on 8 February 2018.</p> <p>On 20 March 2018 Highways England provided notification to the Secretary of State of the extension to consultation and updated consultation documentation. A copy of this notice is included in Appendix I11 of the Consultation Report (Application Document 5.1).</p>	
<p><u>Section 47</u></p> <p>Duty to consult local community</p>	<p>(1) The applicant must prepare a statement setting out how the Applicant proposes to consult, about the proposed application, people living in the vicinity of the land</p> <p>(2) Before preparing the statement, the applicant must consult each local authority that is within section 43(1) about what is to be in the statement.</p>	<p>Before commencing statutory consultation, Highways England prepared a Statement of Community Consultation (SoCC) setting out how they proposed to consult about the proposed application, people living in the vicinity of the land. The SoCC was published on 31 January 2018 and is provided at Appendix C8 of the Consultation Report (Application Document 5.1).</p> <p>Prior to the publication of the SoCC Highways England engaged and consulted with Wiltshire Council (the B authority as identified within s43(1) of the PA 2008) on the contents of the SoCC. Correspondence and drafts of the SoCC can be found in Appendix C of the Consultation Report (Application Document 5.1). Formal consultation with Wiltshire Council took place between 23 November 2017 and 22 December 2017. Correspondence relating to this consultation can be found at Appendix C5 and C6.</p>	<p>October/November 2017</p> <p>Consultation with Wiltshire Council on the SoCC took place between 23 November 2017 to 22 December 2017</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>As a result of the need to extend the statutory consultation, the SoCC was revised to include details of the new closing date and the two re-scheduled public information events. As Wiltshire Council were involved in the discussions around the extension to the statutory consultation and the re-organisation of the two information events Highways England did not re-consult on the SoCC. Wiltshire Council provided an email confirming their agreement with the extension and the re-scheduled consultation events. A copy of the revised SoCC and the email confirming Wiltshire Council's agreement with the extension are available in Appendix I8 and I9.</p>	
	<p>(3) The deadline for the receipt by the Applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.</p>	<p>The draft SoCC was issued to Wiltshire Council by letter and email on 23 November 2017 with a deadline date for comments of 22 December 2017 which is 28 days beginning with the day after the day on which Wiltshire received the consultation documents. Appendix C5 of the Consultation Report (Application Document 5.1) includes a copy of the correspondence sent to the local authority. Comments on the draft SoCC were received from Wiltshire Council on 18 December 2017.</p>	<p>Consultation with Wiltshire Council on the SoCC took place between 23 November 2017 to 22 December 2017</p> <p>Comments from Wiltshire Council were received on 18 December 2017</p>
	<p>(5) In preparing the statement, the Applicant must have regard to any response to consultation under subsection (2) that is received by the Applicant before the deadline imposed by subsection (3).</p>	<p>Appendix C7 of the Consultation Report (Application Document 5.1) shows how the responses that were received as a result of consultation on the SoCC were taken into consideration in finalising the SoCC.</p>	<p>December 2017/January 2018</p>
	<p>(6) Once the Applicant has prepared the statement, the Applicant must —</p> <p>(za) make the statement available for inspection by the public in a way that is</p>	<p>Highways England published the SoCC on its website on 31 January 2018. The SoCC was subsequently made available for inspection for the</p>	<p>The SoCC was published on 31 January 2018 and made available at deposit points from 8</p>

Reference	Requirement	Action Taken	Date Undertaken											
	<p>reasonably convenient for people living in the vicinity of the land,</p>	<p>duration of the statutory consultation (8 February 2018 to 23 April 2018) at the following locations:</p> <table border="1" data-bbox="1081 339 1646 1134"> <thead> <tr> <th data-bbox="1081 339 1646 379">Deposit points</th> </tr> </thead> <tbody> <tr> <td data-bbox="1081 379 1646 459">Amesbury Library, Smithfield Street, Amesbury Salisbury, SP4 7AL</td> </tr> <tr> <td data-bbox="1081 459 1646 531">Tidworth Leisure Centre, Nadder Road, Tidworth, SP9 7QW</td> </tr> <tr> <td data-bbox="1081 531 1646 611">Salisbury Library, Market Place, Salisbury, SP1 1BL</td> </tr> <tr> <td data-bbox="1081 611 1646 691">Wiltshire Council Offices, County Hall, Bythesea Road, Trowbridge, BA14 8JN</td> </tr> <tr> <td data-bbox="1081 691 1646 762">Wilton Library, South Street, Wilton, SP2 0JS</td> </tr> <tr> <td data-bbox="1081 762 1646 834">Devizes Community Hub and Library Sheep Street, Devizes, SN10 1DL</td> </tr> <tr> <td data-bbox="1081 834 1646 914">Marlborough Library, 91 High Street, Marlborough, SN8 1HD</td> </tr> <tr> <td data-bbox="1081 914 1646 994">Warminster Library, 3 Horsehoe Walk, Warminster, BA12 9BT</td> </tr> <tr> <td data-bbox="1081 994 1646 1066">Westbury Library, Westbury House, Edward Street, BA13 3BD</td> </tr> <tr> <td data-bbox="1081 1066 1646 1134">The Wiltshire and Swindon History Centre, Cocklebury Road, Chippenham, SN15 3QN</td> </tr> </tbody> </table> <p>Details of the opening times of these venues can be found in Table 3.4 of the Consultation report (Application Document 5.1).</p>	Deposit points	Amesbury Library, Smithfield Street, Amesbury Salisbury, SP4 7AL	Tidworth Leisure Centre, Nadder Road, Tidworth, SP9 7QW	Salisbury Library, Market Place, Salisbury, SP1 1BL	Wiltshire Council Offices, County Hall, Bythesea Road, Trowbridge, BA14 8JN	Wilton Library, South Street, Wilton, SP2 0JS	Devizes Community Hub and Library Sheep Street, Devizes, SN10 1DL	Marlborough Library, 91 High Street, Marlborough, SN8 1HD	Warminster Library, 3 Horsehoe Walk, Warminster, BA12 9BT	Westbury Library, Westbury House, Edward Street, BA13 3BD	The Wiltshire and Swindon History Centre, Cocklebury Road, Chippenham, SN15 3QN	<p>February 2018 to 23 April 2018</p>
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	<p>(a) publish, in a newspaper circulating in the vicinity of the land, a notice stating where and when the statement can be inspected, and</p>	<p>Highways England considers that by making the SoCC available online and at the deposit point locations it was reasonably convenient for people living in the vicinity of the land to inspect it.</p> <p>Highways England published a notice stating where and when the SoCC could be inspected in both three national and three local newspapers. This is over and above the requirements of the PA 2008 which states this must be in a newspaper circulating in the vicinity of the land. For the statutory consultation the notice was placed in the following national and local newspapers:</p> <table border="1" data-bbox="1050 735 1686 1291"> <thead> <tr> <th data-bbox="1050 735 1261 770">Names</th> <th data-bbox="1261 735 1473 770">Week 1</th> <th data-bbox="1473 735 1686 770">Week 2</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="1050 770 1686 805">National newspapers</td> </tr> <tr> <td data-bbox="1050 805 1261 874">The Times</td> <td data-bbox="1261 805 1473 874">02 February 2018</td> <td data-bbox="1473 805 1686 874">07 February 2018</td> </tr> <tr> <td data-bbox="1050 874 1261 943">The Guardian</td> <td data-bbox="1261 874 1473 943">31 January 2018</td> <td data-bbox="1473 874 1686 943">07 February 2018</td> </tr> <tr> <td data-bbox="1050 943 1261 1011">London Gazette</td> <td data-bbox="1261 943 1473 1011">31 January 2018</td> <td data-bbox="1473 943 1686 1011">07 February 2018</td> </tr> <tr> <td colspan="3" data-bbox="1050 1011 1686 1046">Local newspapers</td> </tr> <tr> <td data-bbox="1050 1046 1261 1150">Wiltshire Gazette and Herald</td> <td data-bbox="1261 1046 1473 1150">01 February 2018</td> <td data-bbox="1473 1046 1686 1150">08 February 2018</td> </tr> <tr> <td data-bbox="1050 1150 1261 1219">Salisbury Journal</td> <td data-bbox="1261 1150 1473 1219">01 February 2018</td> <td data-bbox="1473 1150 1686 1219">08 February 2018</td> </tr> <tr> <td data-bbox="1050 1219 1261 1287">Wiltshire Times</td> <td data-bbox="1261 1219 1473 1287">n/a</td> <td data-bbox="1473 1219 1686 1287">09 February 2018</td> </tr> </tbody> </table>	Names	Week 1	Week 2	National newspapers			The Times	02 February 2018	07 February 2018	The Guardian	31 January 2018	07 February 2018	London Gazette	31 January 2018	07 February 2018	Local newspapers			Wiltshire Gazette and Herald	01 February 2018	08 February 2018	Salisbury Journal	01 February 2018	08 February 2018	Wiltshire Times	n/a	09 February 2018	<p>SoCC notices were placed on 31 January, 1 February, 2 February, 7 February, 8 February and 9 February 2018 in various national and local newspapers as described in the previous column.</p> <p>Notices regarding the revised SoCC in light of the extension to the statutory consultation were placed on 21 March, 22 March, 23 March, 29 March and 30 March 2018 in various national and local newspapers as described in the previous column.</p>
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		<p>As part of the extension to the statutory consultation Highways England revised the SoCC. Therefore notices were placed in three national and three local newspapers advising of this as follows:</p> <table border="1" data-bbox="1050 464 1686 1051"> <thead> <tr> <th data-bbox="1050 464 1263 533">Names</th> <th data-bbox="1263 464 1476 533">Week 1</th> <th data-bbox="1476 464 1686 533">Week 2 (local only)</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="1050 533 1686 568">National newspapers</td> </tr> <tr> <td data-bbox="1050 568 1263 638">The Times</td> <td data-bbox="1263 568 1476 638">21 March 2018</td> <td data-bbox="1476 568 1686 638">n/a</td> </tr> <tr> <td data-bbox="1050 638 1263 708">The Guardian</td> <td data-bbox="1263 638 1476 708">21 March 2018</td> <td data-bbox="1476 638 1686 708">n/a</td> </tr> <tr> <td data-bbox="1050 708 1263 778">London Gazette</td> <td data-bbox="1263 708 1476 778">21 March 2018</td> <td data-bbox="1476 708 1686 778">n/a</td> </tr> <tr> <td colspan="3" data-bbox="1050 778 1686 813">Local newspaper</td> </tr> <tr> <td data-bbox="1050 813 1263 916">Wiltshire Gazette and Herald</td> <td data-bbox="1263 813 1476 916">22 March 2018</td> <td data-bbox="1476 813 1686 916">29 March 2018</td> </tr> <tr> <td data-bbox="1050 916 1263 986">Salisbury Journal</td> <td data-bbox="1263 916 1476 986">22 March 2018</td> <td data-bbox="1476 916 1686 986">29 March 2018</td> </tr> <tr> <td data-bbox="1050 986 1263 1051">Wiltshire Times</td> <td data-bbox="1263 986 1476 1051">23 March 2018</td> <td data-bbox="1476 986 1686 1051">30 March 2018</td> </tr> </tbody> </table> <p>Copies of the newspaper notices for the statutory consultation are included in Appendix F1 of the Consultation Report (Application Document 5.1) and for the extension to statutory consultation in Appendix I7 of the Consultation Report.</p>	Names	Week 1	Week 2 (local only)	National newspapers			The Times	21 March 2018	n/a	The Guardian	21 March 2018	n/a	London Gazette	21 March 2018	n/a	Local newspaper			Wiltshire Gazette and Herald	22 March 2018	29 March 2018	Salisbury Journal	22 March 2018	29 March 2018	Wiltshire Times	23 March 2018	30 March 2018	
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	(b) publish the statement in such manner as may be prescribed.	As yet no publication requirements have been so prescribed. Therefore there is no test for this	N/A																											

Reference	Requirement	Action Taken	Date Undertaken
		section of the PA 2008. Notwithstanding this, as set out above, Highways England has published the SoCC in such a way as is over and above the minimum requirements.	
	(7) The Applicant must carry out consultation in accordance with the proposals set out in the statement.	Highways England has undertaken consultation in accordance with the proposals set out in the SoCC and revised SoCC, with the exception of a commitment to advertise the consultation in the Stonehenge Trader. Table 3-8 of the Consultation Report (Application Document 5.1) outlines how Highways England has complied with the commitments set out the SoCC. Section 3.8 goes on to explain that not meeting the commitment to advertise in the Stonehenge Trader did not result in any geographical area within the consultation zone being excluded from the publicity of the consultation, nor cause any prejudice to consultees. Appendix C11 is a letter from Wiltshire Council which indicates their view that when taking the full range of promotional activities carried out by Highways England into account, the overall penetration for community awareness of the statutory consultation was sufficient.	8 February 2018 to 23 April 2018
Section 48 Duty to Publicise	(1) The applicant must publicise the proposed application in the prescribed manner.	The Applicant publicised the proposed application in accordance with the requirements of s48 of the Planning Act 2008 and Regulation 4 of the APFP Regulations as outlined in the tables below. Copies of all newspaper notices are included in Appendix F1 and I7 of the Consultation Report (Application Document 5.1).	Notices ran in the relevant publications from 31 January 2018 for the start of the statutory consultation and from 22 March 2018 to advise of the extension to the statutory consultation.
	(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which	The s48 notice was published in local newspapers circulating in the vicinity of the site as follows for the original consultation period:	Notices ran in the relevant publications from 1 February 2018 for the start of the statutory

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<p>Section 49</p> <p>Duty to take account of responses to consultation and publicity</p>	<p>(1) Subsection (2) applies where the applicant—</p> <p>(a) has complied with sections 42, 47 and 48, and</p> <p>(b) proposes to go ahead with making an application for an order granting development consent (whether or not in the same terms as the proposed application).</p>	Highways England has had regard to relevant responses received during the statutory consultation period. Chapter 4 of the Consultation Report (Application Document 5.1) provides a summary of matters raised by consultees. Chapter 5, of the Consultation Report (Application Document 5.1) describes how regard has been had to these responses in accordance with s49 of the PA 2008. Appendix K of the Consultation Report (Application	October 2018										

Reference	Requirement	Action Taken	Date Undertaken
	<p>(2) The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses.</p> <p>(3) In subsection (2) “relevant response” means—</p> <p>(a) a response from a person consulted under section 42 that is received by the applicant before the deadline imposed by section 45 in that person’s case,</p> <p>(b) a response to consultation under section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or</p> <p>(c) a response to publicity under section 48 that is received by the applicant before the deadline imposed in accordance with section 48(2) in relation to that publicity.</p>	<p>Document 5.1) provides a breakdown of who raised each matter.</p>	
<p>The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009</p>			
<p><u>Reg 3</u> Prescribed consultees</p>	<p>The persons prescribed for the purposes of section 42(a) (duty to consult) are those listed in column 1 of the table in Schedule 1 to these Regulations, who must be consulted in the circumstances specified in</p>	<p>As described earlier in this checklist in relation to s42(1)(a) of the PA 2008, a list of persons consulted under s42(1)(a) as part of the statutory consultation is provided at Appendix E1 of the Consultation Report. The list was compiled with reference to the consultees listed in column 1 of</p>	<p>Letters issued as follows:</p> <p>Statutory consultation</p> <ul style="list-style-type: none"> • 6 February 2018 with deadline for

Reference	Requirement	Action Taken	Date Undertaken
	relation to each such person in column 2 of that table.	the table in Schedule 1 of the APFP regulations and included all those identified by the Secretary of State in the Scoping Opinion.	<p>responses of 6 April 2018</p> <p>Statutory consultation extension</p> <ul style="list-style-type: none"> 20 March 2018 with deadline for responses of 23 April 2018 <p>Supplementary consultation</p> <ul style="list-style-type: none"> 13 July 2018 with deadline for responses of 17 August 2018 <p>Letters were sent to Highways England Historical Railways Estate pursuant to s42(1)(a) on 1 August 2018 (deadline for response 30 August 2018) and 21 September 2018 (deadline 22 October 2018) .</p>
Reg 4	(2) The applicant must publish a notice, which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application	Highways England publicised the proposed application in accordance with the requirements of s48 of the Planning Act 2008 and Regulation 4 of the APFP Regulations as outlined in the tables below. Copies of all newspaper notices are included in Appendix F1 of the Consultation Report (Application Document 5.1).	S48 notices were published from 31 January 2018 as described below.

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	<p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p>	<p>The s48 notice was published in three local newspapers circulating in the vicinity of the site as follows for the original consultation period:</p> <table border="1" data-bbox="1043 379 1686 646"> <thead> <tr> <th>Names</th> <th>Week 1</th> <th>Week 2</th> </tr> </thead> <tbody> <tr> <td>Wiltshire Gazette and Herald</td> <td>01 February 2018</td> <td>08 February 2018</td> </tr> <tr> <td>Salisbury Journal</td> <td>01 February 2018</td> <td>08 February 2018</td> </tr> <tr> <td>Wiltshire Times</td> <td>n/a</td> <td>09 February 2018</td> </tr> </tbody> </table> <p>The s48 notice was re-published in local newspapers circulating in the vicinity of the site as follows for the extended consultation period:</p> <table border="1" data-bbox="1043 807 1686 1074"> <thead> <tr> <th>Names</th> <th>Week 1</th> <th>Week 2</th> </tr> </thead> <tbody> <tr> <td>Wiltshire Gazette and Herald</td> <td>22 March 2018</td> <td>29 March 2018</td> </tr> <tr> <td>Salisbury Journal</td> <td>22 March 2018</td> <td>29 March 2018</td> </tr> <tr> <td>Wiltshire Times</td> <td>23 March 2018</td> <td>30 March 2018</td> </tr> </tbody> </table>	Names	Week 1	Week 2	Wiltshire Gazette and Herald	01 February 2018	08 February 2018	Salisbury Journal	01 February 2018	08 February 2018	Wiltshire Times	n/a	09 February 2018	Names	Week 1	Week 2	Wiltshire Gazette and Herald	22 March 2018	29 March 2018	Salisbury Journal	22 March 2018	29 March 2018	Wiltshire Times	23 March 2018	30 March 2018	<p>Notices ran in the relevant publications from 1 February 2018 for the start of the statutory consultation and from 22 March 2018 to advise of the extension to the statutory consultation.</p>
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	<p>(3) The matters which the notice must include are:</p> <p>(a) the name and address of the applicant;</p> <p>(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;</p> <p>(c) a statement as to whether the application is EIA development;</p> <p>d) a summary of the main proposals, specifying the location or route of the proposed development;</p> <p>(e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;</p> <p>(f) the latest date on which those documents, plans and maps will be available for inspection being date not earlier than the deadline in subparagraph (l));</p> <p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p> <p>(h) details of how to respond to the publicity; and</p>	A copy of the s48 notice is included at Appendix F1 of the Consultation Report (Application Document 5.1). It includes those matters listed in paragraph 3 of Regulation 4.	Notices pursuant to s48 and including the matters raised in Regulation 4(3) of the APFP Regulations ran in various publications from 31 January 2018 to 9 February 2018 for the statutory consultation and from 21 March 2018 to 30 March 2018 for the extension to the statutory consultation.

Reference	Requirement	Action Taken	Date Undertaken
	(I) a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published.		
The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017			
<p><u>Reg 8</u></p> <p>Procedure for establishing whether environmental impact assessment is required</p>	<p>(1) A person who proposes to make an application for an order granting development consent must, before carrying out consultation under section 42 (duty to consult) either—</p> <p>(a) ask the Secretary of State to adopt a screening opinion in respect of the development to which the application relates; or</p> <p>(b) notify the Secretary of State in writing that the person proposes to provide an environmental statement in respect of that development.</p> <p>(3) A request or notification under paragraph (1) must be accompanied by—</p> <p>(a) a plan sufficient to identify the land;</p> <p>(b) (i) a description of the physical characteristics of the whole development and, where relevant, of demolition works;</p> <p>(ii) a description of the location of the development, with particular regard to the</p>	<p>On 20 October 2017, and by means of a letter to the Planning Inspectorate, Highways England notified the Secretary of State under Regulation 8(1)(b) of the EIA Regulations that an Environmental Statement would be prepared and submitted alongside the application for development consent. This notification can be found in Appendix E10 of the Consultation Report (Application Document 5.1).</p> <p>In this context, and in accordance with Regulation 8(3) of the EIA Regulations, an EIA Scoping Report was submitted to the Planning Inspectorate on 20 October 2017 and provided a plan to identify the land and a Scoping Report which included:</p> <ul style="list-style-type: none"> • a description of the physical characteristics of the whole development and, where relevant, of demolition works; a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected; a description of the aspects of the environment likely to be significantly affected by the development; and • an explanation of the likely significant effects of the development on the environment resulting from (i) the expected residues and emissions and the production of waste, where relevant; 	20 October 2017

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	<p>environmental sensitivity of geographical areas likely to be affected;</p> <p>(c) a description of the aspects of the environment likely to be significantly affected by the development; and</p> <p>(d) to the extent the information is available, a description of any likely significant effects of the development on the environment resulting from—</p> <p>(i) the expected residues and emissions and the production of waste, where relevant; and</p> <p>(ii) the use of natural resources, in particular soil, land, water and biodiversity.</p>	<p>and (ii) the use of natural resources, in particular soil, land, water and biodiversity.</p> <p>This information is provided in Chapter 7 of the Consultation Report.</p>	
<p>Reg 12</p> <p>Consultation statement requirements</p>	<p>The consultation statement prepared under section 47 (duty to consult local community) must set out —</p> <p>(a) whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and</p> <p>(b) if that development is EIA development, how the applicant intends to publicise and</p>	<p>Appendix C8 of the Consultation Report (Application Document 5.1) provides a copy of the published SoCC. Page 4 of the SoCC defines this project as requiring Environmental Impact Assessment.</p> <p>That section of the SoCC then goes on to explain that an Environmental Statement (ES) will be produced and submitted as part of the DCO application, and explains that a Preliminary Environmental Information (PEI) report will be produced and will form part of the consultation</p>	<p>The SoCC was published on 31 January 2018</p>

Reference	Requirement	Action Taken	Date Undertaken
	consult on the preliminary environmental information.	material available at information events and deposit points. This preliminary environmental information report was developed in order to allow consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development).	
Reg 13 Pre-application publicity under section 48 (duty to publicise)	Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the Applicant in accordance with regulation 11(1)(c).	A copy of the s48 notice was sent to all the consultation bodies identified by PINS pursuant to Regulation 11(1)(a). Paragraph seven of the letter sent to consultation bodies references the enclosure of the s48 notice. A sample copy of the letter enclosing the notice can be found at Appendix E5 of the Consultation Report (Application Document 5.1). As set out in Appendix E8 PINS had confirmed to Highways England that it had not identified any Regulation 11(1)(c) bodies.	6 February 2018
Department for Communities and Local Government Guidance¹			
Paragraph 24	The requirements of the Planning Act and associated Regulations form the framework for the pre-application consultation process. The Government recognises that major infrastructure projects and the communities and environment in which they are located will vary considerably. A 'one-size-fits-all' approach is not, therefore, appropriate.	Highways England's pre-application consultation on the scheme has been proportionate, thorough and effective. As outlined at paragraph 2.2.2 of the Consultation Report (Application Document 5.1), from the outset Highways England's approach to engagement and consultation has been based on the following principles:	January 2017 to August 2018, during which 156 days of consultation happened.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418009/150326_Pre-Application_Guidance.pdf. Note that DCLG is now the now Ministry of Homes Communities and Local Government https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418009/150326_Pre-Application_Guidance.pdf. Note that DCLG is now the now Ministry of Homes Communities and Local Government

Reference	Requirement	Action Taken	Date Undertaken
	<p>Instead, applicants, who are best placed to understand the detail of their specific project, and the relevant local authorities, who have a unique knowledge of their local communities, should as far as possible work together to develop plans for consultation. The aim should be to ensure that consultation is appropriate to the scale and nature of the project and where its impacts will be experienced.</p>	<p>a) early and ongoing engagement to inform and influence scheme development b) seeking an appropriate level of feedback at each development stage in an iterative process and ensuring that comments received were taken into consideration c) building long-term relationships with stakeholders throughout the development stages of the scheme to better understand their views d) where possible and practicable, ensuring concerns were addressed e) ensuring appropriate statutory consultation was undertaken in accordance with requirements of the PA 2008 and associated guidance.</p>	
<p><u>Paragraph 25</u></p>	<p>Consultation should be thorough, effective and proportionate. Some applicants may have their own distinct approaches to consultation, perhaps drawing on their own or relevant sector experience, for example if there are industry protocols that can be adapted. Larger, more complex applications are likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response.</p> <p>Many proposals will require detailed technical input, especially regarding impacts, so sufficient time will need to be allowed for this. Consultation should also be sufficiently flexible to respond to the needs and requirements of consultees, for example where a consultee has indicated that they would prefer to be consulted via email only, this should be accommodated as far as possible.</p>	<p>The key milestones in this approach from a consultation perspective have been, non-statutory consultation on options (undertaken in early 2017 for a period of 54 days), the announcement of a preferred route (in September 2017), and statutory consultation (undertaken in early 2018 for a period of 74 days). In addition Highways England also undertook a supplementary consultation on changes following statutory consultation (in July and August 2018 for a period of 28 days). Given the local, national and international interest in the scheme, the time periods given for consultation (total 156 days) are considered proportionate to the proposed scheme.</p> <p>Each stage of consultation has provided an increasing level of detail, allowing for technical input to be provided by consultees at the appropriate point. The first stage of non-statutory consultation sought feedback on route options for the scheme,</p>	

Reference	Requirement	Action Taken	Date Undertaken
		<p>clearly outlining which options had been considered and discounted, and which were options being consulted on. A report on the non-statutory consultation is provided at https://highwaysengland.citizenspace.com/cip/a303-stonehenge/results/report-on-consultation---volume-1.pdf, and the relevant consultation booklet is at Appendix B1 of the Consultation Report (Application Document 5.1). The consultation took place at an early stage of scheme development and provided 54 days for people to view the consultation information and provide feedback. This feedback was then used in the further assessment of the scheme that informed the choice of preferred route as reported in the Scheme Assessment Report at https://highwaysengland.citizenspace.com/cip/a303-stonehenge/results/sar-volume-1.pdf .</p> <p>The statutory consultation then sought feedback on the design of the preferred route including details such as the treatment of the tunnel portals and approaches, the location, purpose and layout of junctions and other infrastructure, provisions for walkers, cyclists and horse riders, environmental impacts and proposed mitigation. As part of this consultation Highways England went over and above the statutory minimum in terms of giving time for consultees to provide responses (a total of 74 days when the minimum is 28 days) and publicising the consultation (notices were placed in two national newspapers for a period of two weeks when the minimum is one national newspaper for one week). Where possible requests from consultees were accommodated, for example for</p>	

Reference	Requirement	Action Taken	Date Undertaken
		<p>hard to reach groups (see Appendix H3 of the Consultation Report (Application Document 5.1). The subsequent supplementary consultation which, took place for a period of 28 days, followed the statutory consultation and is an example of where the scheme design has developed on the back of the consultation process.</p> <p>This iterative approach to scheme development and consultation, and stepped level of detail, combined with engagement outside of consultation periods, demonstrates that Highways England has undertaken thorough pre-application consultation. Highways England engaged with the relevant local authority, Wiltshire Council, as part of all the consultations and, in respect of the statutory consultation, also engaged and consulted the Council on the development of a SoCC. The feedback provided by Wiltshire Council as part of this process has helped to shape the consultations undertaken, and ensure that it has been effective in reaching people potentially impacted or interested in the scheme. Wherever practicable Highways England has tried to accommodate the specific needs of consultees regarding the method of communication on the consultation.</p> <p>The above demonstrates the thoroughness of the consultation activity undertaken on the scheme during its development prior to the DCO application, and its proportionality in relation to the development stage of the scheme and the feedback being sought at the time. Consultation periods have allowed ample time for responses to be made, and full technical inputs have also been secured through</p>	

Reference	Requirement	Action Taken	Date Undertaken
		<p>engagement with relevant stakeholders throughout the scheme's development, as explained in Chapters 2 & 7 of the report and in Appendix B5, including outside the periods of consultation.</p> <p>The effectiveness of the statutory consultation has been demonstrated by the numbers and spread of consultation responses, with nearly 5,000 responses being received from people not just within the consultation zone (shown on Figure 3.1 in Chapter 3 of the report), but spread far more widely, as shown by Figure 4.4 in Chapter 4 of the report. The effectiveness has also been demonstrated by how the consultation feedback has informed the continuing design of the scheme, as summarised in Chapter 5, section 5.19.</p>	
<u>Paragraph 26</u>	<p>The Planning Act requires certain bodies and groups of people to be consulted at the pre-application stage, but allows for flexibility in the precise form that consultation may take depending on local circumstances and the needs of the project itself. Sections 42 – 44 of the Planning Act and Regulations set out details of who should be consulted, including local authorities, the Marine Management Organisation (where appropriate), other statutory bodies, and persons having an interest in the land to be developed. Section 47 in the Planning Act sets out the applicant's statutory duty to consult local communities. In addition, applicants may also wish to strengthen their case by seeking the views of other people who are</p>	<p>Highways England has identified and consulted with parties prescribed by section 42, 43 and 44 of the PA 2008, as well as the local community as prescribed in s47 of the PA2008 and defined in the SoCC. Details of how Highways England consulted in accordance with each of these sections of the PA 2008 are set out in Chapter 3 of the Consultation Report (Application Document 5.1). While the Planning Inspectorate confirmed in a letter dated 30 November 2017 with the Scoping Opinion that no parties had been identified under regulation 11(1)(c), Highways England sought the views of a range of groups which were not statutory consultees, but were identified as having potential interest in the scheme. Details of the groups and individuals consulted during statutory consultation are provided in Appendix H1 to H4 of the Consultation Report.</p>	<p>Statutory consultation took place between 8 February and 23 April 2018.</p>

Reference	Requirement	Action Taken	Date Undertaken
	not statutory consultees, but who may be significantly affected by the project.		
<u>Paragraph 27</u>	<p>The Planning Act and Regulations set out the statutory consultees and prescribed people who must be consulted during the pre-application process. Many statutory consultees are responsible for consent regimes where, under Section 120 of the Planning Act, decisions on those consents can be included within the decision on a Development Consent Order. Where an applicant proposes to include non-planning consents within their Development Consent Order, the bodies that would normally be responsible for granting these consents should make every effort to facilitate this. They should only object to the inclusion of such non-planning consents with good reason, and after careful consideration of reasonable alternatives. It is therefore important that such bodies are consulted at an early stage. In addition, there will be a range of national and other interest groups who could make an important contribution during consultation. Applicants are therefore encouraged to consult widely on project proposals.</p>	<p>Statutory consultees such as the Environment Agency, Natural England and Historic England who are responsible for consent regimes under s120 of the PA 2008 were engaged with early in the development of the scheme. These bodies were included in the non-statutory public consultation set out in Chapter 2 of this report, and continued to be engaged in the period between this and the statutory consultation as set out in Table 7-1 of the Consultation Report (Application Document 5.1) and in relevant chapters of the Environmental Statement (Application Document 6.1). Appendix B5 of the Consultation Report also outlines how these bodies were included in the working groups established as part of the scheme development. Relevant statutory bodies were subsequently consulted during statutory consultation under s42 of the PA 2008 as set out in Chapter 3, see paragraphs 3.4.31 to 3.4.52. In addition, Highways England sought the views of a range of groups which were not statutory consultees, but were deemed to have a potential interest. Lists of these consultees can be found in Appendices H1 to H3 of the Consultation Report (Application Document 5.1).</p>	

Reference	Requirement	Action Taken	Date Undertaken
<p><u>Paragraph 29</u></p>	<p>Applicants will often need detailed technical input from expert bodies to assist with identifying and mitigating the social, environmental, design and economic impacts of projects, and other important matters. Technical expert input will often be needed in advance of formal compliance with the pre-application requirements. Early engagement with these bodies can help avoid unnecessary delays and the costs of having to make changes at later stages of the process. It is equally important that statutory consultees respond to a request for technical input in a timely manner. Applicants are therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.</p>	<p>Highways England has engaged bodies with technical information on the impacts of the scheme throughout its development. This includes through working groups, the Strategic Stakeholder Board, the Heritage Monitoring and Advisory Group, Scientific Committee, bilateral meetings and issue specific meetings (such as on public rights of way). The membership, and meeting frequency and purpose of these groups can be found in Appendix B5 of the Consultation Report (Application Document 5.1). These meetings demonstrate that Highways England has consulted with these bodies from an early stage in order to identify potential impacts and establish possible mitigation of the social, environmental, design and economic impacts of the scheme.</p> <p>This engagement is summarised in the Consultation Report as follows: paragraphs 2.4.9 to 2.4.23 with regard to engagement prior to the non-statutory consultation, section 2.7 for engagement following the preferred route announcement, section 3.10 and 3.11 for engagement around the statutory consultation, and Table 7-1 for engagement generally with environmental bodies.</p> <p>In addition, the Applicant engaged with UNESCO/ICOMOS as part of three missions to consider the scheme. These are summarised at paragraphs 2.4.3 to 2.4.8 (first mission), 2.5.25 to 2.5.31 (second mission), and section 3.10 (third mission).</p> <p>This demonstrates Highways England's commitment to continuing engagement with</p>	

Reference	Requirement	Action Taken	Date Undertaken
		<p>technical consultees throughout the development of the scheme.</p>	
<p><u>Paragraph 35</u></p>	<p>The applicant has a duty under section 47 of the Planning Act to prepare a Statement of Community Consultation, and then to conduct its consultation in line with that statement. Before doing so, the applicant must consult on their Statement of Community Consultation with each local authority in whose area the proposed development is situated. This may require consultation with a number of different local authorities, particularly for long, linear projects. In this situation, the local authorities in question should, as far as practicable, co-ordinate their responses to the applicant. This will ensure that the consultation proposals set out in the Statement are coherent, effective, and work across local authority boundaries.</p>	<p>Before commencing statutory consultation, Highways England prepared a Statement of Community Consultation (SoCC) setting out how they proposed to consult about on the scheme with people living in the vicinity of the land. The SoCC was published on 31 January 2018 and is provided at Appendix C8 of the Consultation Report (Application Document 5.1).</p> <p>Prior to the publication of the SoCC Highways England engaged and consulted with Wiltshire Council (the B authority as identified within s43(1) of the PA 2008) on the contents of the SoCC. Correspondence and drafts of the SoCC can be found in Appendix C of the Consultation Report. Formal consultation with Wiltshire Council took place between 23 November 2017 and 22 December 2017. Correspondence relating to this consultation can be found at Appendices C5 and C6.</p> <p>Section 3.8 of the Consultation Report outlines how Highways England has undertaken consultation in compliance with the commitments in the SoCC, and explains that where this did not take place it did not prejudice the effectiveness of the consultation. Appendix C11 is a letter from Wiltshire Council which indicates their view that when taking the full range of promotional activities carried out by Highways England into account, the overall</p>	<p>The initial meeting was held on 18 October 2017.</p> <p>The draft SoCC was submitted to Wiltshire Council on 23 November 2017, and subsequent feedback from the council was received on 18 December 2017.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>penetration for community awareness of the statutory consultation was sufficient.</p> <p>As a result of the need to extend the statutory consultation, the SoCC was revised to include details of the new closing date and the two re-scheduled public information events. As Wiltshire Council were involved in the discussions around the extension to the statutory consultation and the re-organisation of the two information events Highways England did not re-consult on the SoCC. Wiltshire Council provided an email confirming their agreement with the extension and the re-scheduled consultation events. A copy of the revised SoCC and the email confirming Wiltshire Council's agreement with the extension are available in Appendices I8 and I9.</p>	
<p><u>Paragraph 36</u></p>	<p>Even where it is intended that a development would take place within a single local authority area, it is possible that its impacts could be significantly wider than just that local authority's area - for example if the development was located close to a neighbouring authority. Where an applicant decides to consult people living in a wider area who could be affected by the project (e.g. through visual or environmental impacts, or through increased traffic flow), that intention should be reflected in the Statement of Community Consultation.</p>	<p>Early discussions were held with Wiltshire Council in relation to the statutory consultation zone.</p> <p>The consultation zone for the non-statutory consultation in 2017 was determined on the basis of the options selection process undertaken at the time. The result was an area extending 3.1 miles (5 kilometres) from the A303 and World Heritage Site with small extensions to ensure that whole villages and distinct groups of houses were included, rather than the consultation zone boundary running through the middle of a community.</p> <p>Wiltshire Council confirmed that it was content that the consultation zone for the statutory consultation should be a minimum of what was used for the non-statutory consultation with any case for change</p>	<p>Early discussions with Wiltshire Council took place between 17 October 2017 and 22 November 2017. The draft SoCC was submitted to Wiltshire Council on 23 November 2017, and feedback was provided by the Council on 18 December 2017.</p> <p>Following non-statutory consultation in 2017, the consultation zone was extended for the 2018 statutory consultation.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>being related to the design and/or early environmental assessments.</p> <p>As a result, the consultation zone was extended by approximately 0.6 miles (1 kilometre) to the north from the most northerly edge of the indicative compound and 0.6 miles (1 kilometre) to the east of Solstice Park This was considered to be reasonable and proportionate in the circumstances and beneficial to capture the views of parties in the local community who could potentially be affected by the scheme. A copy of the consultation zone can be found appended to the SoCC at Appendix C8 of the Consultation Report (Application Document 5.1).</p> <p>Given that the consultation zone was wholly within Wiltshire Council it was not deemed necessary to consult adjacent local authorities on the SoCC.</p>	<p>The new consultation zone can be found in Chapter 3.</p>
<p><u>Paragraph 37</u></p>	<p>In its role as a consultee on the Statement of Community Consultation, the local authority should focus on how the applicant should consult people in its area. The comments that a local authority provides on the Statement of Community Consultation are separate from any views that authority may have on the merits of the proposals. They are also distinct from 'adequacy of consultation' responses. The Planning Act requires local authorities to respond to the applicant's consultation on their proposed Statement of Community Consultation within 28 days of receipt of the request. However, prior to submitting their draft Statement of Community Consultation applicants may wish to seek to resolve any</p>	<p>Prior to the publication of the SoCC Highways England engaged and consulted with Wiltshire Council (the B authority as identified within s43(1) of the PA 2008) on the contents of the SoCC. Correspondence and drafts of the SoCC can be found in Appendix C of the Consultation Report (Application Document 5.1).</p> <p>Appendix C7 shows the evolution of these discussions as it charts original comments from Wiltshire Council on a draft SoCC sent prior to the formal consultation with Wiltshire Council, as well as comments received as part of the formal consultation with Wiltshire Council on the SoCC (which took place between 23 November 2017 and 22 December 2017). It also explains how Highways</p>	<p>Early discussions with Wiltshire Council took place between 17 October 2017 and 22 November 2017. The draft SoCC was submitted to Wiltshire Council on 23 November 2017, and feedback was provided by the Council on 18 December 2017.</p>

Reference	Requirement	Action Taken	Date Undertaken
	disagreements or clarifications about the public consultation design. An applicant is therefore likely to need to engage in discussions with local authorities over a longer period than the minimum requirements set out in the Act.	England had regard to these discussions in finalising the SoCC.	
<u>Paragraph 38</u>	The role of the local authority in such discussions should be to provide expertise about the make-up of its area, including whether people in the area might have particular needs or requirements, whether the authority has identified any groups as difficult to reach and what techniques might be appropriate to overcome barriers to communication. The local authority should also provide advice on the appropriateness of the applicant's suggested consultation techniques and methods. The local authority's aim in such discussions should be to ensure that the people affected by the development can take part in a thorough, accessible and effective consultation exercise about the proposed project.	This early engagement helped to resolve disagreements or clarifications about the public consultation design. It also informed the establishment of the consultation zone, as described above. The discussions also assisted Highways England in developing a list of hard to reach groups to include in the consultation. Details of these groups can be found at Appendix H3 of the Consultation Report.	
<u>Paragraph 39</u>	<p>Topics for consideration at such pre-consultation discussions might include:</p> <ul style="list-style-type: none"> • the size and coverage of the proposed consultation exercise (including, where appropriate, consultation which goes wider than one local authority area); • the appropriateness of various consultation techniques, including electronic-based ones; 	All of the issues outlined in paragraph 39 were covered in discussions with Wiltshire Council on the SoCC and were subsequently reflected in the correspondence in Appendix C and in particular the schedule at Appendix C7 of the Consultation Report (Application Document 5.1).	Early discussions with Wiltshire Council took place between 17 October 2017 and 22 November 2017. The draft SoCC was submitted to Wiltshire Council on 23 November 2017, and feedback was provided by the Council on 18 December 2017.

Reference	Requirement	Action Taken	Date Undertaken
	<ul style="list-style-type: none"> the design and format of consultation materials; issues which could be covered in consultation materials; suggestions for places/timings of public events as part of the consultation; local bodies and representative groups who should be consulted; and timescales for consultation. 		
<u>Paragraph 41</u>	Where a local authority raises an issue or concern on the Statement of Community Consultation which the applicant feels unable to address, the applicant is advised to explain in their consultation report their course of action to the Secretary of State when they submit their application.	A schedule of comments received by Wiltshire Council on the SoCC, and a description of where subsequent amendments were made is provided in Appendix C7 of the Consultation Report (Application Document 5.1).	Early discussions with Wiltshire Council took place between 17 October 2017 and 22 November 2017. The draft SoCC was submitted to Wiltshire Council on 23 November 2017, and feedback was provided by the Council on 18 December 2017.
<u>Paragraph 42</u>	Where a local authority decides that it does not wish to respond to a consultation request on the Statement of Community Consultation, the applicant should make reasonable efforts to ensure that all affected communities are consulted. If the applicant is unsure how to proceed, they are encouraged to seek advice from the Inspectorate. However, it is for the applicant to satisfy themselves that their consultation plan allows for as full public involvement as is appropriate for their project and, once satisfied, to proceed with	<p>The host authority – Wiltshire Council – responded to the draft SoCC on 18 December 2017 and provided feedback which was then used to develop the final SoCC. The relevant correspondence is provided at Appendix C5 and C6</p> <p>In all respects, as outlined in the response to s42 of the PA 2008, Highways England has made reasonable endeavours to consult with all those who might have a legitimate interest or might be affected by a proposed development.</p>	Wiltshire Council responded to the SoCC consultation on 18 December 2017.

Reference	Requirement	Action Taken	Date Undertaken
	the consultation. Provided that applicants can satisfy themselves that they have made reasonable endeavours to consult with all those who might have a legitimate interest or might be affected by a proposed development, it would be unlikely that their application would be rejected on grounds if inadequate public consultation.		
<u>Paragraph 43</u>	Local authorities are also themselves statutory consultees for any proposed major infrastructure project which is in or adjacent to their area. Applicants should engage with them as early as possible to ensure that the impacts of the development on the local area are understood and considered prior to the application being submitted to the Secretary of State.	Highways England has undertaken substantial engagement with the host local authority, Wiltshire Council, separate to the statutory processes, as outlined in Chapter 2 and Table 7-1 of the Consultation Report (Application Document 5.1).	Ongoing
<u>Paragraph 44</u>	Local authorities will be able to provide an informed opinion on a wide number of matters, including how the project relates to Local Plans. Local authorities may also make suggestions for requirements to be included in the draft Development Consent Order. These may include the later approval by the local authority (after the granting of a Development Consent Order) of detailed project designs or schemes to mitigate adverse impacts. It will be important that any concerns local authorities have on the practicality of enforcing a proposed Development Consent Order are raised at the earliest opportunity.	<p>Highways England has been working closely with officers at Wiltshire Council throughout the development of the project, particularly in relation to design, and environment to ensure thorough understanding of local impacts. A summary of this engagement is found at Table 7-1 of the Consultation Report (Application Document 5.1).</p> <p>At Appendix 1B of its consultation response, Wiltshire Council provided a list of requirements for inclusion in the DCO. These have been considered in putting together the draft Requirements that have been included in the DCO, which deal with points that they raise, to the extent they are relevant to the Scheme and its assessed environmental impacts. Discussions are ongoing with Wiltshire Council on the draft Requirements.</p>	Ongoing

Reference	Requirement	Action Taken	Date Undertaken
<u>Paragraph 47</u>	A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. A statement of common ground is useful to ensure that the evidence at the examination focuses on the material differences between the main parties.	Statements of Common Ground are being sought with Wiltshire Council and other stakeholders to provide clarity to the examining authority and participants at the examination about what matters are agreed, not agreed and the subject of further consideration between Highways England and the relevant parties. Information on progress with agreeing Statements of Common Ground is included in the Covering Letter to the Application and Schedule of Compliance with Section 55 (Application Document 1.2) and Highways England is continuing to engage with the stakeholders to enable Statements of Common Ground to be submitted as soon as possible.	Ongoing
<u>Paragraph 48</u>	Local authorities are encouraged to discuss and work through issues raised by the proposed development with applicants well before an application is submitted. Agreements reached between an applicant and relevant local authorities can be documented in a statement of common ground. This will contain agreed factual information about the application and can accompany the application. The statement of common ground can also set out matters where agreement has not been reached. This can then be looked at during examination.		
<u>Paragraph 49</u>	Applicants will also need to identify and consult people who own, occupy or have another interest in the land in question, or who could be affected by a project in such a way that they may be able to make a claim for compensation. This will give such parties early notice of projects, and an opportunity to express their views regarding them.	<p>Under s42 of the PA 2008, consultees with land and other interests were identified through diligent inquiry. These consultees were categorised in accordance with s44 of PA 2008 as outlined in paragraphs 3.4.12 to 3.4.30 of the Consultation Report (Application Document 5.1).</p> <p>Three of these parties were not consulted in error. These parties are companies with an interest in Category 3 properties which have been included within the Book of Reference on a precautionary basis; and Highways England have sought to be proactive and helpful in ensuring the organisations</p>	Statutory consultation took place between 8 February 2018 and 23 April 2018. Consultation with s44 consultees has also been ongoing since the statutory consultation period.

Reference	Requirement	Action Taken	Date Undertaken
		<p>understood how they can, if they so wish, engage with the process if the application is accepted for examination, including writing to the parties involved to ask if they had any comments on the Scheme which Highways England could take into account for the start of Examination. Highways England therefore considers that no prejudice has been suffered by these parties. Further details of the steps undertaken and the reasons for each of those parties being not consulted is set out in paragraphs 3.4.60 to 3.4.63 and Appendix E2 of the Consultation Report.</p>	
<u>Paragraph 50</u>	<p>It is the applicant's responsibility to demonstrate at submission of the application that due diligence has been undertaken in identifying all land interests and applicants should make every reasonable effort to ensure that the Book of Reference (which records and categorises those land interests) is up to date at the time of submission.</p>	<p>Through ongoing diligent inquiry additional land interests were identified during and after the statutory consultation period. These interests were each provided a minimum of 28 days to provide feedback on the scheme. More details on the ongoing process of land referencing (including the identification of land interests later on in the pre-application process) and ensuring that all correct parties have been consulted can be found in Chapter 3, paragraphs 3.4.12 to 3.4.63, of the Consultation Report (Application Document 5.1).</p>	<p>Various, as outlined in Table 3-1 of the Consultation Report (Application Document 5.1).</p>
<u>Paragraph 51</u>	<p>However, it is understood that land interests change over time and that new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. In such a situation, the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in</p>		

Reference	Requirement	Action Taken	Date Undertaken
	<p>the process it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination.</p>		
<p><u>Paragraph 52</u></p>	<p>Applicants should explain in the consultation report how they have dealt with any new interests in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses.</p>	<p>Through ongoing diligent inquiry additional land interests were identified during and after this consultation period. These were each provided 28 days to provide feedback on the Scheme. More details can be found in Chapter 3, paragraphs 3.4.12 to 3.4.63, of the Consultation Report (Application Document 5.1).</p>	<p>Various, as outlined in Table 3-1 of the Consultation Report (Application Document 5.1).</p>
<p><u>Paragraph 53</u></p>	<p>Local people have a vital role to play at the pre-application stage. People should have as much influence as is realistic and possible over decisions which shape their lives and communities. It is therefore critical that they are engaged with project proposals at an early stage. Because they live, work and socialise in the affected area, local people are particularly well placed to comment on what the impact of proposals on their local community might be; or what mitigating measures might be appropriate; or what other opportunities might exist for meeting the project's objectives.</p>	<p>Local people were engaged and consulted at an early stage of scheme development. As outlined in Chapter 2, Highways England ran a series of engagement events regarding the A303 corridor in early 2016 (see paragraph 2.4.9 of the Consultation Report) and consulted on route options as part of a non-statutory consultation in early 2017. A consultation zone (see paragraph 2.5.7 and Figure 2.5) was developed as part of the non-statutory consultation which was deliberately wide so as to include more local people. Highways England also sought to include elected representatives (see paragraphs 2.5.13 to 2.5.14) and hard to reach groups (see paragraphs 2.5.15 to 2.5.16) and landholders (see paragraphs 2.5.17 to 2.5.18) in the non-statutory consultation to ensure they had an opportunity to influence the scheme at an early stage.</p>	<p>Early 2016 to August 2018, during which 156 days of consultation happened.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>Chapter 3 of the Consultation Report then goes on to detail the approach to consulting with local people and other consultees as part of the statutory consultation. Appendix F provides extensive information and evidence of the various engagement techniques that were utilised during consultation. These included deposit locations for information, press releases, news coverage and third party promotion among other forms of engagement.</p> <p>Chapter 6 of the Consultation Report provides details of how the local community were consulted as part of the supplementary consultation that took place following the statutory consultation.</p>	
<u>Paragraph 54</u>	<p>In consulting on project proposals, an inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Applicants should use a range of methods and techniques to ensure that they access all sections of the community in question. Local authorities will be able to provide advice on what works best in terms of consulting their local communities given their experience of carrying out consultations in their area.</p>	<p>A number of consultation methods and techniques were added or amended to the SoCC as part of the engagement and consultation with Wiltshire Council in relation to the production of the SoCC. This included for instance holding more weekend consultation events in order to allow those who commute during the week the opportunity to attend.</p> <p>Wiltshire Council also identified additional consultees who should be included such as local colleges and town and parish councils. This was taken into account as part of the overall approach to consultation.</p> <p>A table showing the feedback from Wiltshire Council can be found in Appendix C6 of the Consultation Report (Application Document 5.1).</p>	<p>Early discussions with Wiltshire Council on consultation methods and techniques took place between 17 October 2017 and 22 November 2017. The draft SoCC was submitted to Wiltshire Council on 23 November 2017, and feedback was provided by the Council on 18 December 2017.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>To ensure inclusivity in its approach, Highways England also undertook to identify and contact hard to reach groups and organisations about the consultation. Paragraphs 3.6.3 to 3.6.6 of the Consultation Report explains how hard to reach groups were identified and contacted as part of the statutory consultation, and Appendix H3 provides a list of the hard to reach groups contacted and invited to take part in the statutory consultation.</p> <p>In addition Highways England used a range of communications techniques to make the consultation accessible to a wide range of people including:</p> <ul style="list-style-type: none"> a) all written information distributed to consultees was written in plain English b) all meetings and public information events were held at times and places convenient and accessible to as many people as possible c) posters publicising the consultation were displayed at appropriate public locations d) media releases about the consultation were issued to local and regional press e) advertisements were placed in local newspapers/publications f) information was sent directly to people’s homes in the consultation zone g) paper copies of documents and information were made easily available at information points and public information events h) although no requests were received, Highways England were prepared to provide key information documents in alternative formats on 	

Reference	Requirement	Action Taken	Date Undertaken
		<p>request. This included large print, Braille and a translation service if requested</p> <p>i) social media was used to disseminate information on the consultation, including the dates and times of events</p>	
<u>Paragraph 55</u>	<p>Applicants must set out clearly what is being consulted on. They must be careful to make it clear to local communities what is settled and why, and what remains to be decided, so that expectations of local communities are properly managed. Applicants could prepare a short document specifically for local communities, summarising the project proposals and outlining the matters on which the view of the local community is sought. This can describe core elements of the project and explain what the potential benefits and impacts may be. Such documents should be written in clear, accessible, and non-technical language. Applicants should consider making it available in formats appropriate to the needs of people with disabilities if requested. There may be cases where documents may need to be bilingual (for example, Welsh and English in some areas), but it is not the policy of the Government to encourage documents to be translated into non-native languages.</p>	<p>Highways England clearly set out what was being consulted on in the non-statutory, statutory and supplementary consultations. For all consultations a public facing, plain English document was published which summarised the core elements of the scheme, explained the potential benefits and impacts and the matters on which views were being sought. This document was available in large print, Braille and a translation service upon request.</p> <p>The public facing document was accompanied by response forms which further guided people as to what feedback was being sought. The public facing documents can be found in Appendix B1 for the non-statutory consultation booklet, Appendix G1 for the statutory consultation booklet and Appendix J1 for the supplementary consultation.</p>	<p>Public facing, plain English consultation documents were published on 12 January 2017 (non-statutory consultation), 8 February 2018 (statutory consultation) and 17 July 2018 (supplementary consultation). For all consultations these documents were made available to view and download online, and to take away at consultation events and deposit and information points in the vicinity of the scheme.</p>
<u>Paragraph 56</u>	<p>Applicants are required to set out in their Statement of Community Consultation how they propose to consult those living in the vicinity of the land. They are encouraged to consider consulting beyond this where they think doing so may provide more</p>	<p>Highways England used a range of tools for publicising s47 consultation that would have a greater 'reach' than the immediate vicinity of the scheme. This includes, for example placing adverts in local and national newspapers to supplement the statutory notices (see paragraph 3.6.18 and table 6-</p>	<p>During the statutory consultation period (8 February 2018 to 23 April 2018).</p>

Reference	Requirement	Action Taken	Date Undertaken
	<p>information on the impacts of their proposals (e.g. through visual impacts or increased traffic flow).</p>	<p>2 in the Consultation Report (Application Document 5.1) for details), placing website adverts which appeared on various websites and platforms aimed at a wider audience including commuters and holidaymakers to the South West, Facebook paid-for advertising which included number of short (up to ten seconds) animated clips based on the scheme visualisations that appeared as adverts in targeted to reach people in the consultation area and users of the A303. The consultation was also covered in articles on local and national radio and on TV.</p> <p>In addition, to raise awareness of the consultation to road users travelling along the A303, Highways England arranged for two advertising vans with billboard posters in an 'A' frame arrangement to travel along the A303 between Countess roundabout and Solstice Park services from Thursday 22 to Saturday 31 March.</p> <p>More information is provided in Chapter 3 of the Consultation Report.</p>	
<p><u>Paragraph 57</u></p>	<p>The Statement of Community Consultation should act as a framework for the community consultation generally, for example, setting out where details and dates of any events will be published. The Statement of Community Consultation should be made available online, at any exhibitions or other events held by applicants. It should be placed at appropriate local deposit points (e.g. libraries, council offices) and sent to local community groups as appropriate.</p>	<p>The published SoCC comprised a framework for the community consultation in connection with the scheme. The key element of this was the schedule of activities across pages 3, 4 and 5 of the SoCC.</p> <p>Section 3.3 of the Consultation Report (Application Document 5.1) sets out how Highways England developed the SoCC through engagement and consultation with Wiltshire Council. As described in paragraphs 3.6.10 the SoCC was published on 31 January 2018 and made available to the public in hard copy at deposit locations and online.</p>	<p>The SoCC was published on 31 January 2018, prior to the commencement of the statutory consultation period. It was available throughout the consultation period (8 February 2018 to 23 April 2018) for the public to view.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>The final SoCC was sent to a number of key organisations including some parish councils on 31 January 2018, as shown in Appendix C9. Given the extent of the deposit locations and availability of the SoCC online, and other promotional activities undertaken to raise awareness of the consultation (see paragraphs 3.6.30 to 3.6.31), Highways England did not consider it necessary to send the SoCC to all local community groups.</p>	
<p><u>Paragraph 58</u></p>	<p>Applicants are required to publicise their proposed application under section 48 of the Planning Act and the Regulations and set out the detail of what this publicity must entail. This publicity is an integral part of the public consultation process. Where possible, the first of the two required local newspaper advertisements should coincide approximately with the beginning of the consultation with communities. However, given the detailed information required for the publicity in the Regulations, aligning publicity with consultation may not always be possible, especially where a multi-stage consultation is intended.</p>	<p>Highways England publicised the proposed application in accordance with the requirements of s48 of the PA 2008 and Regulation 4 of the APFP Regulations.</p> <p>The statutory consultation started on 8 February 2018. To ensure people were ready for the consultation Highways England published the first s48 notices in local newspapers on 1 February 2018, one week before the consultation started. The second local newspaper notices were then placed at the start of the consultation period, on 8 and 9 February respectively.</p> <p>In addition, Highways England also chose to place two rather than one s48 notice in national newspapers, and to publish these for two consecutive weeks, rather than the required one week. This was over and above the requirements of s48 of the PA 2008 and Regulation 4 of the APFP Regulations, and was done in recognition of the anticipated level of interest in the scheme and consultation.</p>	<p>Notices were placed between 31 January 2018 and 30 March 2018.</p>

Reference	Requirement	Action Taken	Date Undertaken																											
		<p>A table setting out all s48 notices placed in respect of the statutory consultation is provided below:</p> <table border="1" data-bbox="1043 347 1686 879"> <thead> <tr> <th data-bbox="1043 347 1256 379">Names</th> <th data-bbox="1256 347 1473 379">Week 1</th> <th data-bbox="1473 347 1686 379">Week 2</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="1043 379 1686 411">National newspapers</td> </tr> <tr> <td data-bbox="1043 411 1256 480">The Times</td> <td data-bbox="1256 411 1473 480">02 February 2018</td> <td data-bbox="1473 411 1686 480">07 February 2018</td> </tr> <tr> <td data-bbox="1043 480 1256 549">The Guardian</td> <td data-bbox="1256 480 1473 549">31 January 2018</td> <td data-bbox="1473 480 1686 549">07 February 2018</td> </tr> <tr> <td data-bbox="1043 549 1256 617">London Gazette</td> <td data-bbox="1256 549 1473 617">31 January 2018</td> <td data-bbox="1473 549 1686 617">07 February 2018</td> </tr> <tr> <td colspan="3" data-bbox="1043 617 1686 649">Local newspapers</td> </tr> <tr> <td data-bbox="1043 649 1256 745">Wiltshire Gazette and Herald</td> <td data-bbox="1256 649 1473 745">01 February 2018</td> <td data-bbox="1473 649 1686 745">08 February 2018</td> </tr> <tr> <td data-bbox="1043 745 1256 809">Salisbury Journal</td> <td data-bbox="1256 745 1473 809">01 February 2018</td> <td data-bbox="1473 745 1686 809">08 February 2018</td> </tr> <tr> <td data-bbox="1043 809 1256 879">Wiltshire Times</td> <td data-bbox="1256 809 1473 879">n/a</td> <td data-bbox="1473 809 1686 879">09 February 2018</td> </tr> </tbody> </table> <p>Highways England also re-published the s48 notices as part of the extension to statutory consultation. The original deadline for the end of the statutory consultation was 6 April 2018. To ensure people were given as much notice as possible about the extension of the consultation period Highways England re-published the s48 notice two weeks in advance of the original deadline. S48 notices subsequently ran for a second week in local publications, in accordance with Regulation 4 of the APFP Regulations. A table setting out the dates and publications in relation to the re-publication of s48 notices can be found below:</p>	Names	Week 1	Week 2	National newspapers			The Times	02 February 2018	07 February 2018	The Guardian	31 January 2018	07 February 2018	London Gazette	31 January 2018	07 February 2018	Local newspapers			Wiltshire Gazette and Herald	01 February 2018	08 February 2018	Salisbury Journal	01 February 2018	08 February 2018	Wiltshire Times	n/a	09 February 2018	
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Wiltshire Gazette and Herald	01 February 2018	08 February 2018																												
Salisbury Journal	01 February 2018	08 February 2018																												
Wiltshire Times	n/a	09 February 2018																												

Reference	Requirement	Action Taken			Date Undertaken
		Names	Week 1	Week 2 (local only)	
		National newspapers			
		The Times	21 March 2018	n/a	
		The Guardian	21 March 2018	n/a	
		London Gazette	21 March 2018	n/a	
		Local newspapers			
		Wiltshire Gazette and Herald	22 March 2018	29 March 2018	
		Salisbury Journal	22 March 2018	29 March 2018	
		Wiltshire Times	23 March 2018	30 March 2018	
Paragraph 69	Applicants will often also require detailed technical advice from consultees and it is likely that their input will be of the greatest value if they are consulted when project proposals are fluid, followed up by confirmation of the approach as proposals become firmer. In principle, therefore, applicants should undertake initial consultation as soon as there is sufficient detail to allow consultees to understand the nature of the project properly.	<p>Highways England has engaged with bodies with technical information on the impacts of the scheme throughout its development. This includes through working groups, the Strategic Stakeholder Board, the Heritage Monitoring and Advisory Group, Scientific Committee, bilateral meetings and issue specific meetings (such as on public rights of way). The membership, meeting frequency and purpose of these groups can be found in Appendix B5 of the Consultation Report (Application Document 5.1).</p> <p>This engagement is summarised in the Consultation Report as follows: paragraphs 2.4.9 to 2.4.23 with regard to engagement prior to the non-statutory consultation, section 2.7 for engagement following the preferred route announcement, section 3.10 and 3.11 for engagement around the statutory</p>			Throughout the scheme development and ongoing.

Reference	Requirement	Action Taken	Date Undertaken
<p><u>Paragraph 70</u></p>	<p>To manage the tension between consulting early, but also having project proposals that are firm enough to enable consultees to comment, applicants are encouraged to consider an iterative, phased consultation consisting of two (or more) stages, especially for large projects with long development periods. For example, applicants might wish to consider undertaking non-statutory early consultation at a stage where options are still being considered. This will be helpful in informing proposals and assisting the applicant in establishing a preferred option on which to undertake statutory consultation.</p>	<p>consultation, and Table 7-1 for engagement generally with environmental bodies.</p> <p>Each stage of consultation undertaken by Highways England has provided an increasing level of detail, allowing for technical input to be provided by consultees at the appropriate point. This has managed the tension between consulting early and having firm enough proposals to enable consultees comment</p> <p>As detailed in this Consultation Report, at each stage of consultation Highways England developed a clear scope for what could be influenced by consultees.</p> <p>As per the example provided in the guidance, the first stage of non-statutory consultation sought feedback on route options for the scheme, clearly outlining which options had been considered and discounted, and which were options being consulted on. A report on the non-statutory consultation is available on the Highways England website https://highwaysengland.citizenspace.com/cip/a303-stonehenge/, and the relevant consultation booklet is at Appendix B1. Following consideration of the feedback received as part of the options consultation and the results of further surveys and assessments, the preferred route for the scheme was announced in September 2017.</p> <p>The statutory consultation then sought feedback on the design of the preferred route including details such as the treatment of the tunnel portals and approaches, the location, purpose and layout of</p>	<p>From January 2017 to August 2018.</p>

Reference	Requirement	Action Taken	Date Undertaken
		<p>junctions and other infrastructure, provisions for walkers, cyclists and horse riders, environmental impacts and proposed mitigation.</p> <p>In addition Highways England also undertook a supplementary consultation on changes following statutory consultation in July and August 2018</p>	
<u>Paragraph 71</u>	Where an iterative consultation is intended, it may be advisable for applicants to carry out the final stage of consultation with persons who have an interest in the land once they have worked up their project proposals in sufficient detail to identify affected land interests.	For the purposes of the statutory consultation, Highways England identified and consulted people with an interest in the land that might be affected by the scheme as defined by s44 of the PA 2008. This was done at a time when the scheme proposals were sufficiently detailed to identify affected land interests. Chapter 3 of the Consultation Report (Application Document 5.1) explains how these parties were consulted as part of the statutory consultation. A list of consultees under s44 of the PA 2008 is included in Appendix E2.	During statutory consultation which took place between 8 February 2018 and 23 April 2018. Consultation with s44 consultees has also been ongoing since the statutory consultation period.
<u>Paragraph 72</u>	The timing and duration of consultation will be likely to vary from project to project, depending on size and complexity, and the range and scale of the impacts. The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt of the consultation documents. It is expected that this may be sufficient for projects which are straightforward and uncontroversial in nature. But many projects, particularly larger or more controversial ones, may require longer consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. It is also important that consultees do not withhold information that	<p>The statutory consultation was originally planned to run from 8 February 2018 to 6 April 2018. A period of 58 calendar days. This would have been significantly over the 28 day minimum required. In the event Highways England extended the deadline for responses to 23 April 2018, bringing the total statutory consultation period to 75 days. This is a significant amount of time for consultees to view and provide feedback on the scheme, which is proportionate to the level of interest in the scheme.</p> <p>While Highways England was not obliged to take account of late responses, responses received after the deadline of 23 April 2018 but before the start of the supplementary consultation on 14 July 2018 were accepted as responses to the statutory consultation. As identified at paragraph 4.5.14 to</p>	The consultation ran from 6 February to 23 April 2018

Reference	Requirement	Action Taken	Date Undertaken
	might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account.	4.5.16 of the Consultation Report (Application Document 5.1), 29 such late responses were received.	
<u>Paragraph 73</u>	Applicants are not expected to repeat consultation rounds set out in their Statement of Community Consultation unless the project proposals have changed very substantially. However, where proposals change to such a large degree that what is being taken forward is fundamentally different from what was consulted on, further consultation may well be needed. This may be necessary if, for example, new information arises which renders all previous options unworkable or invalid for some reason. When considering the need for additional consultation, applicants should use the degree of change, the effect on the local community and the level of public interest as guiding factors.	The scheme has not changed substantially from that consulted on during the statutory consultation. However, Highways England carried out supplementary non-statutory consultation on design changes emerging from statutory consultation, between 17 July 2018 and 14 August 2018. When considering the need for that supplementary non-statutory consultation, Highways England considered the degree of change, the effect on the local community and the level of public interest as guiding factors	A supplementary consultation took place between 17 July 2018 and 14 August 2018.
<u>Paragraph 77</u>	Consultation should also be fair and reasonable for applicants as well as communities. To ensure that consultation is fair to all parties, applicants should be able to demonstrate that the consultation process is proportionate to the impacts of the project in the area that it affects, takes account of the anticipated level of local interest, and takes account of the views of the relevant local authorities.	Highways England considers that the consultation it has undertaken is proportionate to the impacts of the proposed scheme, and has responded to anticipated levels of local, national and international interest. Details of the approach and how it was implemented in this respect are set out in Chapter 3 of the Consultation Report (Application Document 5.1), and demonstrate the wide range of the	Statutory consultation took place between 8 February 2018 and 23 April 2018

Reference	Requirement	Action Taken	Date Undertaken
		consultation and the variety of measures utilised to maximise public involvement.	
<u>Paragraph 78</u>	Applicants are required under section 37 of the Planning Act to produce a consultation report alongside their application, which details how they have complied with the consultation requirements set out in the Act.	A Consultation Report (Application Document 5.1) has been prepared to support Highways England's application for development consent and as required by s37(3)(c) of the PA 2008.	On submission of the application.
<u>Paragraph 80</u>	Therefore, the consultation report should:		On submission of the application.
	<ul style="list-style-type: none"> provide a general description of the consultation process undertaken, which can helpfully include a timeline; 	The Executive Summary at the beginning of the Consultation Report (Application Document 5.1) provides a general description of the consultation process undertaken. A timeline of the consultation is provided at Table 1-1.	
	<ul style="list-style-type: none"> set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate; 	Chapter 3 of the Consultation Report provides a summary of how Highways England has complied with all legislative, policy and regulatory requirements. In addition, this checklist (Appendix A) explains how guidance and regulatory requirements have been followed.	
	<ul style="list-style-type: none"> set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation; 	Paragraphs 3.3.9 to 3.3.11 of the Consultation Report provide a summary of the consultation with Wiltshire Council on the SoCC. In addition the Consultation Report appendices include correspondence and materials issued during informal engagement with Wiltshire Council on the SoCC (C1 to C4), correspondence and the draft SoCC issued as part of the formal statutory consultation with Wiltshire Council (C5), a schedule of comments received from Wiltshire Council and subsequent amendments to the SoCC (C6) and the	

Reference	Requirement	Action Taken	Date Undertaken
		published SoCC and correspondence to stakeholders (C7 and C8).	
	<ul style="list-style-type: none"> set out a summary of relevant responses to consultation (but not a complete list of responses); 	Section 4.7 of the Consultation Report provides a summary of the matters raised by prescribed parties and local authorities (s42(1)(a) and s42(1)(b) consultees) who responded to the statutory consultation and s42(1)(d) consultees who are public bodies.	
	<ul style="list-style-type: none"> provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed; 	The tables (5-1 to 5-17) in the Consultation Report provides a summary of the responses, alongside the Highways England's regard to these responses, changes that have been made as a result of the consultation responses and major changes suggested by consultees to the scheme which have not been followed, including an explanation as to why these changes were adopted.	
	<ul style="list-style-type: none"> provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts; 		
	<ul style="list-style-type: none"> where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an explanation for the action taken or not taken; and 	<p>Paragraphs 3.8.1 to 3.8.13 provide details of where Highways England has not complied with a commitment set out on the SoCC. Paragraphs 3.9.6 and 3.9.7 also explain how we have engaged with Wiltshire Council on the non-compliance issue and concluded that has not prejudiced the effectiveness of the consultation</p> <p>Paragraphs 3.4.33 to 3.4.64 provide details of how landholders have been missed from previous consultation and have subsequently been consulted.</p>	

Reference	Requirement	Action Taken	Date Undertaken
	<ul style="list-style-type: none"> be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters. 	The Consultation Report (Application Document 5.1) sets out clearly how the consultation process has been undertaken (Chapter 2, 3, 4 and 6) and significant effects addressed (Chapters 5 and 6).	
<u>Paragraph 81</u>	It is good practice that those who have contributed to the consultation are informed of the results of the consultation exercise; how the information received by applicants has been used to shape and influence the project; and how any outstanding issues will be addressed before an application is submitted to the Inspectorate.	At key scheme development milestones Highways England has sought to inform people on how previous consultation feedback has helped shape the proposals. For example a consultation report and public facing booklet was produced to support the preferred route announcement in September 2017, both outlining how the scheme has developed on the back of consultation and further surveys and assessments. A copy of the preferred route booklet can be found at Appendix B2 of the Consultation Report (Application Document 5.1). Highways England also undertook a series of public exhibitions to support the preferred route. In addition, Highways England undertook a supplementary consultation on design changes following feedback received as part of the statutory consultation.	Ongoing since the 2017 non-statutory consultation.
<u>Paragraph 83</u>	The consultation report may not be the most appropriate format in which to respond to the points raised by various consultee groups and bodies. Applicants should therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested. If helpful, this could be supplemented by events in the local area.	To continue this, in addition to the Consultation Report submitted as part of the DCO, Highways England will be publishing a public facing guide to the application which provides a plain English description of the scheme submitted for examination and how feedback from the statutory consultation has helped shape the proposals. This will be made available on the Highways England website:	

Reference	Requirement	Action Taken	Date Undertaken
		https://highwaysengland.co.uk/projects/a303-stonehenge-amesbury-and-berwick-down/ .	
<u>Paragraph 84</u>	<p>A response to points raised by consultees with technical information is likely to need to focus on the specific impacts for which the body has expertise. The applicant should make a judgement as to whether the consultation report provides sufficient detail on the relevant impacts, or whether a targeted response would be more appropriate. Applicants are also likely to have identified a number of key additional bodies for consultation and may need to continue engagement with these bodies on an individual basis.</p>	<p>Section 4.7 of the Consultation Report (Application Document 5.1) provides a summary of the prescribed consultee responses received as part of the statutory consultation, along with the regard Highways England has had to the issues raised. Section 6.13 provides a similar summary and response with respect to the supplementary consultation.</p> <p>Highways England has engaged with bodies with technical information on the impacts of the scheme throughout its development. This includes through working groups, the Strategic Stakeholder Board, the Heritage Monitoring and Advisory Group, Scientific Committee, bilateral meetings and issue specific meetings (such as on public rights of way). The membership, meeting frequency and purpose of these groups can be found in Appendix B5 of the Consultation Report (Application Document 5.1).</p> <p>This engagement is summarised in the Consultation Report as follows: paragraphs 2.4.9 to 2.4.23 with regard to engagement prior to the non-statutory consultation, section 2.7 for engagement following the preferred route announcement, section 3.10 and 3.11 for engagement as part of and following the statutory consultation, and Table 7-1 for engagement generally with environmental bodies.</p> <p>In addition Highways England has engaged with UNESCO/ICOMOS as part of three missions to consider the scheme. These are summarised at paragraphs 2.4.3 to 2.4.8 (first mission), 2.5.25 to</p>	Ongoing

Reference	Requirement	Action Taken	Date Undertaken
		<p>2.5.31 (second mission), and section 3.10 (third mission).</p> <p>This demonstrates Highways England's commitment to continuing engagement with technical consultees throughout the development of the scheme.</p> <p>Statements of Common Ground are being sought with Wiltshire Council and other stakeholders to provide clarity to the examining authority and participants at the examination about what matters are agreed, not agreed and the subject of further consideration between Highways England and the relevant parties. Information on progress with agreeing Statements of Common Ground is included in the Covering Letter to the DCO and Schedule of Compliance with Section 55 (Application Document 1.2) and Highways England is continuing to engage with the stakeholders to enable Statements of Common Ground to be submitted as soon as possible.</p>	
<u>Paragraph 88</u>	<p>It is important to stress that pre-application consultation is a statutory duty for applicants, and it should, as this guidance makes clear, be carried out to a certain standard. Issues about the adequacy of consultation should be considered prior to the Inspectorate (on behalf of the Secretary of State) accepting an application for examination. Where any interested party feels that consultation was inadequately carried out, they should approach the applicant in the first instance. If consultees</p>	<p>Except to the extent specifically addressed in this Consultation Report, Highways England has complied with all statutory requirements, Advice Notes and statutory guidance with respect to its pre-application consultation, as evidenced by this Consultation Report. Even taking into account the minor areas of non-compliance, Highways England is of the view that the consultation undertaken has been effective and that no concerns regarding the adequacy of the consultation arise.</p>	<p>Statutory consultation took place between 8 February and 23 April 2018.</p>

Reference	Requirement	Action Taken	Date Undertaken
	<p>remain unsatisfied, they can complain to the relevant local authority (who can consider this complaint as part of their representation to the Secretary of State on the adequacy of consultation), or the Secretary of State (through the Inspectorate). Any concerns should be raised promptly during or immediately following the consultation, to enable the applicant to address the issues if appropriate. In all cases, the final decision as to whether pre-application consultation was adequately carried out rests with the Secretary of State.</p>		
Preliminary Environmental Information			
<u>Paragraph 93</u>	<p>For the pre-application consultation process, applicants are advised to include sufficient preliminary environmental information to enable consultees to develop an informed view of the project. The information required may be different for different types and sizes of projects. It may also vary depending on the audience of a particular consultation. The preliminary environmental information is not expected to replicate or be a draft of the environmental statement. However, if the applicant considers this to be appropriate (and more cost-effective) it can be presented in this way. The key issue is that the information presented must provide clarity to all consultees. Applicants should be careful not to assume that non-specialist consultees would not be interested in any technical environmental information. It is</p>	<p>A PEI Report was included as part of the consultation material including sufficient preliminary information to enable consultees to develop an informed view of the scheme. A non-technical summary of the PEI report was developed and available during the consultation to highlight the key content of the PEI report for non-specialist consultees.</p> <p>Further information in respect of how the PEI report was publicised and consulted upon is included in Chapter 7 of the Consultation Report (Application Document 5.1).</p> <p>Paragraphs 4, 5 and 6 on page 3 of the published SoCC (Appendix C8) provides details of how Highways England intended to consult on PEI, including the following statement <i>“Feedback received during the consultation period will be considered and will inform further refinements to the</i></p>	<p>As part of the statutory consultation (8 February 2018 to 23 April 2018).</p>

Reference	Requirement	Action Taken	Date Undertaken
	therefore advisable to ensure access to such information is provided during all consultations. The applicant's Statement of Community Consultation must include a statement about how the applicant intends to consult on preliminary environmental information.	<i>Scheme and the approach to environmental mitigation."</i>	
Habitats Regulations Assessment			
<u>Paragraph 95</u>	When considering whether a project has the potential to significantly affect the integrity of certain European protected wildlife sites, the applicant must provide a report which should include the site(s) that may be affected, together with sufficient information to enable the Secretary of State, as decision maker, to conclude whether an appropriate assessment is required, and, if so, to undertake such an assessment.	The applicant for a development consent must give consideration to whether a project has the potential to significantly affect certain European protected sites (see the Habitats Directive (Council Directive 92/43/EEC), the Conservation of Habitats and Species Regulations 2010, Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007 and the Wild Bird Directive (2009/147/EC), a process called Habitats Regulations Assessment (HRA). The HRA includes Stage 1 Screening, which considers sites that may be affected by the project and identifies any likely significant effects of a project upon a European site and consider whether impacts are likely to be significant, and Stage 2 Statement to inform an Appropriate Assessment, which provides information to enable the Secretary of State to consider whether impacts of a project will adversely effect the integrity of a European site.	April 2018 to DCO submission.
<u>Paragraph 96</u>	It is the applicant's responsibility to consult with the relevant statutory bodies and, if they consider it necessary, with any relevant non-statutory nature conservation bodies, in order to gather evidence for such a report (to support a Habitats Regulations Assessment). This consultation should take place as early as possible in the pre-application process. One way of doing this is for an applicant to agree an evidence plan. The Planning Inspectorate can also comment on the applicant's draft report in advance of formal submission of the application if it is provided in good time. Further advice on Habitats Regulations Assessments for major infrastructure	Highways England, in consultation with Natural England, prepared a Stage 1 Screening assessment to inform the requirement for a Stage 2 Appropriate Assessment. A meeting was held with Natural England on 4 April 2018 to discuss the HRA Screening and agree on a programme of review by them. Natural England formally reviewed the screening assessment between 4 and 18 May 2018	

Reference	Requirement	Action Taken	Date Undertaken
	<p>projects is available from the Inspectorate's Advice Note.</p>	<p>and confirmed, pending agreement on a number of comments, their agreement with and support for Highways England's conclusion that a move to appropriate assessment for a number of European protected sites was required. Natural England's comments were taken on-board and have informed the HRA Appropriate Assessment.</p> <p>Highways England has submitted with its application for development consent both the Screening Report and Statement to Inform the Appropriate Assessment (Environmental Statement Appendix 8.25, Application Document 6.3). The Screening Report provides sufficient information to enable the Secretary of State to conclude whether an appropriate assessment is required, and, the Statement to Inform provides sufficient information to enable the Secretary of State to undertake such an assessment.</p>	

Reference to statutory provision relevant paragraph in guidance/advice note	Requirement	Action Taken
Advice Note 14 - Compiling the consultation report		
	<p>An application must be accompanied by the applicant's consultation report prepared under section 37 of the 2008 Act. That report should draw together:</p> <ul style="list-style-type: none"> a. an account of the statutory consultation, publicity, deadlines set, and community consultation activities undertaken by the applicant at the pre-application stage under s42, s47 and s48 b. A summary of the relevant responses to the separate strands of consultation; and c. The account taken of responses in developing the application from proposed to final form, as required by s49(2). 	<p>A Consultation Report has been submitted with the application (Application Document 5.1) in accordance with s37 of the PA 2008.</p> <p>a) Chapter 3 this Consultation Report provides an account of the statutory consultation under s42, s47 and s48 of the PA 2008.</p> <p>b and c) Chapters 4 and 5 of the Consultation Report provide a summary of the relevant responses and Highways England's response to the separate strands of consultation. Appendix K of the Consultation Report provides further detail on the responses received from the separate consultation strands. Chapter 6 provides a summary of the relevant responses and Highways England's response to the supplementary consultation subsequently undertaken. Together, these sections of the Consultation Report set out how Highways England has met its duty under s49 of the PA 2008.</p>
	<p>The primary purpose of the report is to capture and reflect upon all of the responses received from these three distinct pre-application consultee groups and explain how the developer has met its duty (s49 of the Act) in the preparation of the application to have regard to the views expressed. The consultation itself should be</p>	

	carried out in a way that allows the submission of a robust and detailed report at application stage.	
	The report can also capture non-statutory or 'informal' consultation that takes place outside the requirements of the Planning Act 2008 so that the Secretary of State has a comprehensive picture of all the consultation activity relevant to a particular project.	Chapter 2 of the Consultation Report (Application Document 5.1) details the non-statutory pre-application consultation that has taken place. Chapter 6 of the Consultation Report also details the supplementary, also non-statutory, consultation undertaken following the statutory consultation.
	Explain where DCLG guidance has not been followed in terms of the pre-application consultation.	Highways England has complied with DCLG Guidance and relevant Advice Notes in the preparation of the consultation report, as outlined in this checklist.
	Provision of a quick reference guide, summarising all the consultation activity in chronological order.	Table 1-1 in the Consultation Report (Application Document 5.1) provides a quick reference guide summarising all consultation undertaken (non-statutory and statutory) in chronological order that has taken place on the scheme.
	Explanatory text should set the scene and provide an overview and narrative of the whole pre-application stage as it relates to the particular project.	The executive summary of this Consultation Report is a summary of the overall approach to pre-application consultation.
	Set out the wider historical context where national infrastructure projects have evolved over an extended period of time, perhaps with previous incarnations not coming to fruition for one reason or another. Give a brief description of any historic consultation activity including any information available about the scale and nature of the response at that time.	Chapter 2 explains the evolution of the scheme over time and provides a summary of the stakeholder engagement and consultation taken place before the statutory consultation.
	A full list of prescribed consultees should be provided as part of the Consultation Report. Explain where the prescribed consultees have been consulted on multiple occasions. Justify any instance where the applicant's list of prescribed	Appendices E1 and E2 to the Consultation Report (Application Document 5.1) list the prescribed consultees that have been consulted at various times as part of the statutory consultation and ongoing since then.

	consultees varies from the list of organisations set out in Schedule 1 of the APFP Regs 2009.	There are no variations between Highways England's s42(1)(a) list and Schedule 1 of the APFP Regs 2009.
	The list of organisations set out in schedule 1 of the APFP should be followed in terms of the order in which the consultees are presented.	Appendix E1 of this Consultation Report (Application Document 5.1) lists the prescribed consultees is set out in the same order as Schedule 1 of the APFP Regulations.
	A short description of how s43 of the Act has been applied in order to identify the relevant local authorities should be included. This could be supported by a map showing the site and identifying the boundaries of the relevant local authorities.	Paragraphs 3.4.8 to 3.4.11 of the Consultation Report (Application Document 5.1) provides a short description of how s43 local authorities have been identified and paragraphs 3.4.31 to 3.4.52 describes how they have been notified along with other s42 consultees. Maps identifying the relevant local authorities are provided at figures 3.2 and 3.3 of the Consultation Report.
	Section 44 parties to be identified as a distinct element of the wider section 42 consultation.	Paragraphs 3.4.12 to 3.4.63 of the Consultation Report (Application Document 5.1) provide details of how s42(d) consultees have been identified and notified, and describe the relationship between s42(d) consultees with the Book of Reference (Application Document 4.3). Appendix E2 of the Consultation Report also provides details of all those with a potential interest in the land and a comparison with the Book of Reference.
	Where compulsory acquisition forms part of the draft DCO the consultees who are also included in the book of reference for compulsory acquisition purposes should be highlighted in the consolidated list of prescribed consultees.	
	Provide a summary of the rationale behind the SoCC methodology.	Chapter 3 of this Consultation Report (Application Document 5.1) provides a summary of the rationale behind the SoCC.
	Evidence should be submitted as part of the consultation report which shows which local authorities were consulted about the content of the draft SoCC; what the local authorities' comments were; confirmation that they were given 28 days to provide their comments and a description about how the applicant had regard to the local authorities' comments.	Appendix C of this Consultation Report (Application Document 5.1) provides evidence of the consultation with the host local authority, Wiltshire Council, on the SoCC. This includes correspondence between Highways England and Wiltshire Council regarding drafting the SoCC (Appendix C1 to C4), correspondence relating to the statutory 28 day consultation on the SoCC (Appendix C5 and C6) and the final published SoCC and related correspondence on its publication (Appendix C8 and C9).
	Copies of the published SoCC as it appeared in the local press should be provided along with	A copy of the s47 notice publicising where and when the SoCC can be inspected is included at Appendix F1 of

	confirmation of which local newspapers it was published in and when.	this Consultation Report (Application Document 5.1). A copy of the s47 notice publicising the republished SoCC for the extended consultation can be found at I7. Chapter 3 of the Report confirms the local newspapers in which the s47 notice was published and the corresponding dates.
	Explain/justify where there were any inconsistencies with the SoCC, for example where additional activities took place that were not included in the SoCC.	Table 3.8 in the Consultation Report outlines how Highways England has complied with the commitments set out the SoCC. As identified in paragraphs 3.8.3 to 3.8.13, there is one area of non-compliance with a commitment in the SoCC. However, even taking this into account Highways England is of the view that the consultation undertaken has been effective and that no concerns regarding the adequacy of the consultation arise. Paragraphs 3.9.6 and 3.9.7 also explain how we have engaged with Wiltshire Council on the non-compliance issue and concluded that has not prejudiced the effectiveness of the consultation.
	Set out the relevant local authorities' views about any changes made to the consultation methodology that were not dealt with by way of review of the SoCC	Highways England had regard to all comments received from Wiltshire Council on the SoCC. A number of changes were subsequently made to the SoCC. These are outlined in the schedule at Appendix C7 of the Consultation Report (Application Document 5.1). Appendix C11 is a letter from Wiltshire Council which indicates their view that when taking the full range of promotional activities carried out by Highways England into account, the overall penetration for community awareness of the statutory consultation was sufficient.
	A copy of the s48 notice as it appeared in the local and national newspapers, together with a description of where the notice was published and confirmation of the time period given for responses should be included in the report. Applicants should also provide confirmation that the s48 notice was sent to the prescribed consultees at the same time as the notice was	A copy of the s48 notice is included at Appendix F1 of the Consultation Report (Application Document 5.1). A copy of the s48 notice published for the extension to statutory consultation is included at Appendix I7. Chapter 3 of this Report explains where the notice was published and the timescales for consultation responses to be provided.

	published. A description of the consultation material used and how the prescribed consultees were able to access it would also be useful.	Chapter 3 also confirms that a copy of the s48 notice was sent to the consultation bodies and all persons identified on the Regulation 9 list at the same time as the notice was published. The consultation materials are described in paragraphs 3.6.12 to 3.6.18 of the Consultation Report and copies of the materials are included in Appendix G.
	Indicate and identify separately in the report any consultation undertaken outside of the requirements of the Act.	The non-statutory consultation and engagement is explained in Chapter 2 of this Consultation Report (Application Document 5.1). The supplementary consultation, which was also non-statutory, is explained in Chapter 6 of the Consultation Report.
	Include a description of the consultation undertaken as part of the EIA regime as a separate part of the report.	The consultation undertaken pursuant to the EIA regime is explained in Chapter 7 of the Report.
	If appropriate, group responses under headline issues. Where this approach has been adopted identify and explain this approach, including any safeguards and cross checking.	Highways England has grouped the responses it received to the statutory consultation according to a series of themes, the analysis process is described in Chapter 4 of this Consultation Report (Application Document 5.1). The consideration of responses is included in Chapter 5 and Appendix K.
	A list of the individual responses received should be provided and categorised in an appropriate way.	Appendix K includes a table which lists all of the matters raised in the statutory consultation and identifies which respondents raised each of these matters.
	Advise that applicants group responses under three strands of consultation: <ul style="list-style-type: none"> • section 42 prescribed consultees (including sections 43 and 44) • section 47 community consultees • section 48 responses to statutory publicity <p>Make a further distinction within those</p>	Chapter 5 and Appendix K of this Consultation Report (Application Document 5.1) summarise the matters raised by respondents to the statutory consultation according to the theme appropriate to the matter raised, and identifies under which strand of consultation they were received and whether or not Highways England changed the scheme as a result.

	categories by sorting responses according to whether they contain comments which have led to changes to matters such as siting, route, design, form or scale of the scheme itself, or to mitigation or compensatory measures proposed, or have led to no change.	
	A summary of responses by appropriate category together with a clear explanation of the reason why responses have led to no change should also be included, including where responses have been received after deadlines set by the applicant.	<p>Appendix K and Chapter 5 of this Consultation Report (Application Document 5.1) summarise the matters raised by respondents to the statutory consultation and identifies whether Highways England’s consideration of each matter had led to a change to the scheme. Where Highways England was not able to change the scheme as requested by a respondent, this is also explained in these responses.</p> <p>As outlined in paragraph 3.9.4 of the Consultation Report, responses received after the deadline of 23 April 2018 and up until the end of August 2018 were accepted for consideration.</p>
	Where a resolution has not been reached in areas of disagreement a summary should be provided.	Appendix K and Chapter 5 of this Consultation Report (Application Document 5.1) summarise the issues raised by respondents to the statutory consultation and identifies whether the Highways England’s consideration of each issue had led to a change to the scheme. Where the Highways England was not able to change the scheme as requested by a respondent, this is also explained.
	Ensure that the addresses and other contact information of private individuals are treated appropriately within the context of this statutory process e.g. ensure it has been fully redacted.	No addresses or contact information of private individuals are provided in the Consultation Report,

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