



ENGLISH HERITAGE

**WRITTEN REPRESENTATIONS (DEADLINE 2)
ON BEHALF OF ENGLISH HERITAGE TRUST (EHT) TO
THE EXAMINING AUTHORITY (ExA)**

Re: Application by

**Highways England for an Order granting Development
Consent for the A303 Amesbury to Berwick Down**

PINS Reference No: TR010025

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I INTRODUCTION

- 1.1 The following statement has been prepared by EHT for the examination of HE application for a Development Consent Order (DCO) for the A303 from Amesbury to Berwick Down which currently runs very close to Stonehenge.
- 1.2 In summary, EHT considers that the current proposed A303 road scheme has the potential to further transform the Stonehenge part of the Stonehenge and Avebury World Heritage Site (WHS) and make significant improvements to the setting of the Stonehenge monument (which is one of the WHS's attributes of Outstanding Universal Value (OUV)) and people's experience of them, provided it is well designed and located sensitively.
- 1.3 EHT is mindful of the National Policy Statement for Networks December 2014 (NPS), given that the Secretary of State for Transport must determine the DCO application in accordance with the NPS unless one of the exceptions set out in SI04 of the Planning Act 2008 apply.

2 THE ROLE OF EHT AT STONEHENGE

- 2.1 Stonehenge is the most architecturally sophisticated prehistoric stone circle in the world. Along with Avebury and associated sites it was inscribed as a World Heritage site by UNESCO in 1986 for its Outstanding Universal Value in terms of the survival of Neolithic and Early Bronze Age ceremonial and funerary monuments.
- 2.2 The English Heritage Trust (known publicly as English Heritage) is responsible for the conservation, management and presentation of Stonehenge, and for the conservation of other key sites within the WHS.
- 2.3 EHT is responsible for more than 400 state-owned historic sites and monuments (referred to as 'in guardianship') under licence from Historic Buildings and Monuments Commission for England (HBMCE). Guardianship gives full control and management of any monument which is under the state's management by virtue of Ancient Monuments and Areas Act 1979. The EHT was set up as a charity in 2015 and is expected to become self-funding by 2023. Through its licence agreement with HBMCE, EHT has full management and control of assets affected by this scheme, namely:
 - 2.3.1 Monument Field (including the Stonehenge monument)
 - 2.3.2 Part Monument Field & Security Hub
 - 2.3.3 Stonehenge Visitor Centre & Car Park

- 2.3.4 Stonehenge Coach Park & Ancillary Building
- 2.3.5 Stonehenge Cottages

- 2.4 EHT is therefore responding to the DCO as **a landowner**, and representative of HBMCE's land interests.

- 2.5 EHT and HBMCE has wider land interests in the area as set out above and in appendix I and EHT is an **affected person** in respect of the parts of its land holding that is subject to proposed compulsory acquisition. Areas of EHT's interest consist of Plot 14-07 (Visitor Centre & Car Park) and HBMCE's interests include plots 07-09, 08-04, 08-12 and 14-07.

- 2.6 EHT's conservation responsibilities include Stonehenge itself plus Woodhenge together with a small part of Durrington Walls and extend to the wider World Heritage Site. EHT is the guardian of six sites and one museum collection in the northern section of the WHS. They are Avebury Henge and Stone Circles, West Kennet Avenue, West Kennet Long Barrow, the Sanctuary, Windmill Hill and Silbury Hill and the majority of the collections in the Alexander Keiller Museum. All the sites, with the exception of Silbury Hill, are managed by the National Trust on behalf of EHT through Local Management Agreements (LMA).

- 2.7 EHT is actively involved in the governance of the World Heritage Site. Its management and conservation decisions are informed by the World Heritage Site Management Plan of which we are a signatory and the Stonehenge Regulations which is a Statutory Instrument 1997 No. 2038 that exists specifically to protect the special significance of the monument.

- 2.8 In addition to its conservation responsibilities within the WHS, EHT welcomes around 1.5 million visitors to Stonehenge each year. This number has increased by more than 20% over the last five years following major investment by EHT, its partners and supporters, in an award-winning visitor centre and an improved setting for the stones. Stonehenge is the most visited tourist attraction in the South West and plays a crucial part in the local tourist economy as well as the future sustainability of the EHT charity. Stonehenge employs 150 staff locally, engages 150 volunteers and contracts numerous third parties to support the operation of the visitor centre and monument.

3 BACKGROUND TO EHT INVOLVEMENT WITH THE A303 SCHEME

- 3.1 EHT has had significant involvement with the A303 road scheme over the last four years. We have been involved as a major stakeholder being represented on a number of HE groups particularly the Heritage Monitoring and Advisory Group (HMAG), Stakeholder Strategy Board (SSB) and the International Council on Monuments and Sites (ICOMOS) and UNESCO working group. We have supported numerous site visits and three ICOMOS Advisory Missions hosted by DCMS/HBMCE.
- 3.2 HMAG has provided direct advice and support with regard to the archaeological and wider heritage impacts of the A303 project's design, assessment, implementation and mitigation. Where supplementary advice and expertise were required HMAG has requested additional advice from members of a Scientific Committee which was subsequently formed.
- 3.3 EHT advice has contributed to the heritage monitoring of the scheme to ensure that the heritage and archaeology dimensions of the project are clearly and consistently managed for the benefit of the OUV of the WHS in particular and of heritage and archaeology in general.

4 EHT SCHEME ASSESSMENT METHODOLOGY

- 4.1 The position of EHT as set out in these Written Representations has been developed through:
 - 4.1.1 Active participation in the development of the scheme through HE project structure including membership of the SSB and HMAG.
 - 4.1.2 Assessment of the relevant DCO documents (including HE Environmental Statement and supporting Heritage Impact Assessment) by EHT experts on their likely impact on EHT interests.
 - 4.1.3 Advice and a report from Momentum Transport Consultancy on the A360 PROW route options (appendix 2).
 - 4.1.4 Knowledge of the National Policy Statement.
 - 4.1.5 ICOMOS guidance.

5 EHT CURRENT POSITION

- 5.1 Since 2000 it has been an objective of successive WHS management plans to address the problem of the A303 running some 165 metres to the south of Stonehenge. The sight and noise of the road and the traffic it carries are detrimental to the dignity of Stonehenge and to the experience of its many visitors.
- 5.2 EHT consider that the current proposed A303 road scheme has the potential to transform the Stonehenge part of the WHS and make significant improvements to the setting of the Stonehenge monument and people's experience of them.
- 5.3 We are therefore broadly supportive of the scheme provided it is well designed and located sensitively, and delivered with great respect to the landscape and surrounding archaeology.

6 STATEMENT OF COMMON GROUND

- 6.1 EHT is continuing to discuss the issues identified in its Written Representations and previous representations with HE and have developed a draft Statement of Common Ground. A representative of EHT also attends regular meetings with HE as well as HMAG meetings.

7 FUTURE PROVISION TO BE ENGAGED IN THE SCHEME POST-DCO

- 7.1 EHT seeks further provisions to be made within the DCO, to ensure HE (and its contractors) work with and consult EHT in a meaningful way through the entire life of the project, including any further design work, and post construction. EHT wishes to continue to be represented on HMAG and also needs to be fully conversant with the operational impact of the construction phase and infrastructure post-build.

8 SCOPE OF WRITTEN REPRESENTATION

- 8.1 EHT has taken account of the DCO documentation and in particular the Heritage Impact Assessment which forms part of the Environmental Statement and has comments on the following:
 - 8.1.1 Impact on the cultural heritage affected by the scheme in particular the landscape around Stonehenge (DCO ref ES Chpt 6).
 - 8.1.2 Ease of access to the English Heritage Visitor Centre and Stonehenge.

- 8.1.3 Presentation and appearance: visual and aural impacts; design finishes; old A303; and artificial light.
- 8.1.4 Construction impacts: noise and vibration; visitor experience; and negative impacts on EHT charitable business.
- 8.1.5 Environmental impacts: air and water quality.
- 8.1.6 Impact on EHT land and land interests: future archaeology.
- 8.1.7 Compulsory Acquisition: 08-04; 08-12; 14-07; and 07-09.
- 8.1.8 Public Rights of Way, NMU routes and vehicular access across the WHS

8.2 It is also noted that EHT is also an “affected person” under S59 of the Planning Act 2008 in that HE proposes to acquire EH land and land interests (see below).

9 ASSESSMENT OF THE SCHEME IN DETAIL

9.1 Impact on the cultural heritage affected by the scheme in particular the landscape around Stonehenge (DCO ref ES Chpt 6):

- 9.1.1 As EHT is represented on HMAG all the archaeological evaluation reports since 2015 have been reviewed and commented on. The most recent summary reports include the Eastern Portal, the Western Portal, Rollestone Corner, and the Detailed Archaeological Mitigation strategy (DAMS) which includes the Overarching Written Scheme of Investigation (OWSI). The DAMS and OWSI are currently being finalised and have not yet been released as part of the DCO but we understand will be by Deadline 2. HE has taken account of the comments made by HMAG members in the main and we understand is having separate discussions with those members who have a statutory role.
- 9.1.2 EHT welcomes the scope for linking Stonehenge back to its wider landscape and making it possible for people to explore more of the WHS. We also welcome the reconnecting of the line of the Avenue across the current A303 and down to West Amesbury so it may be walkable in the future which has been achieved by the re-positioning of the Eastern portal. Access to the Normanton Down barrow groups on foot should also improve.
- 9.1.3 At the western end, EHT welcomes the green-bridge (which has been repositioned and widened following the last public consultation in summer 2018). We believe this will give physical and visual connectivity between the groups of monuments at Diamond Wood. This will help to mitigate the 1.1km cut at the end of the tunnel section on the western end which is in the WHS. More detail is needed in terms of design detail, landscaping proposals and confirmation of its width at 150m and of its positioning.

9.2 We welcome the fact that the western portal alignment has now taken into account the mid-winter solstice alignment from Stonehenge as traffic emerging across the alignment could have been detrimental to this feature.

9.3 Whilst EHT understands the most appropriate solution to removing the sight and sound of moving traffic from the WHS is through locating the western approach to the tunnel entrance in a deep cutting, we hope the impact of the deep cut within the WHS can be mitigated through design solutions and archaeological mitigation. EHT wants to ensure that the cutting in the western section of the WHS is minimised as far as reasonably practicable.

9.4 **Ease of access to the English Heritage Visitor Centre and Stonehenge:**

9.4.1 As well as conserving the site of Stonehenge, it is part of EHT's remit to welcome visitors to the site hoping that we will inspire people to value, visit and enjoy it. EHT wants to ensure visitors have an easy route to the Stonehenge Visitor Centre, both during the construction phases and after the scheme is finished. Ease of access and signage to the Stonehenge Visitor Centre is a key component to this. We understand that visitors will be directed to approach the Visitor Centre from slip roads leading to two new roundabouts at the Western end. The DCO and application papers do not give any detail on what road signage will be installed except to say that it will have minimal impact and limited to minimise unnecessary clutter. We would like to work with HE to ensure the route is clear and intuitive for drivers wanting to visit Stonehenge – many of who are overseas visitors.

9.4.2 We have seen plans for temporary compounds which will be used for the construction phase but we are unsure what temporary infrastructure will be in place and therefore EHT is unable to assess its impact on the WHS and our visitor operation in particular. EHT seeks further clarity on construction impacts.

9.4.3 Regardless of the plans to reduce the impact of the construction on the local road network, we are concerned that many drivers (particularly tourists to Stonehenge) will be put off travelling to the site due to the perceived disruption caused by construction. EHT is in talks with HE about how this can be mitigated. This is deeply concerning for EHT as maintaining visitor numbers at Stonehenge is crucial to the future sustainability of the charity and therefore the care of the National Heritage Collection. See 9.6 for further information on EHT's position.

9.5 **Presentation and appearance:**

- 9.5.1 **Visual and aural impacts:** EHT is very aware of the detrimental visual and aural impact that the current above ground A303 roadway has on Stonehenge and the WHS in general. The road in effect bisects the WHS virtually cutting it in two. The traffic that uses the road includes many large vehicles including very large lorries - the noise is often very invasive. We are aware that HE have conducted aural surveys to assess the noise level and are confident that the below ground road would eliminate the majority of the noise. EHT welcomes a reduction in the sight and sound of traffic within the WHS particularly views from the Stonehenge monument.
- 9.5.2 **Design finishes:** Due to the highly sensitive heritage environment and significance of Stonehenge and the WHS, EHT seeks to be involved in the development of detailed design and finishes and intends to continue discussions with HE over this. As stated in our Relevant Representations we are particularly interested in surfaces and extent of proposed Non-Motorised User (NMU)/PROW routes, fencing, signage, lighting, street furniture, the portals, articulation and form of the cutting and walls and the green bridge (within the WHS) design and any other significant changes/introductions. Some progress on our understanding of these details has been made since we submitted our Relevant Representations but we appreciate this is an on-going process that will go beyond the DCO. EHT would like to agree design principles and work within agreed parameters (that are sensitive to the WHS) if HE are unable to agree specific design details at this time. EHT would also like to confirm how we will be engaged in the development of these details during the design and build phase of the project. As stated in section 7 we are seeking provisions to be made within the DCO to ensure this happens.
- 9.5.3 **Old A303:** the finish of the old A303 in the central section of the WHS is of particular interest to EHT as it is directly adjacent to the Stonehenge monument and will be clearly seen from the site. In the spirit of restoring the dignity of Stonehenge we would welcome a low key approach to the roadbed of the current A303 so that it sits harmoniously in the open grassland landscape and reflects the character of the landscape as we have managed to do with the decommissioned A344.
- 9.5.4 **Artificial light:** We welcome the approach to the lighting of the road and tunnel which is to minimise high level lighting with no lighting at the tunnel portals. We understand that traffic lights are necessary to control the flow of traffic on the slip roads and roundabouts on the approach to the Stonehenge Visitor Centre and Winterbourne Stoke. While Stonehenge is not an official dark skies area the natural elements were very important to the prehistoric peoples who built Stonehenge and are still important today particularly to Druids and Pagans who gather at Stonehenge at the Solstices and Equinoxes.

9.6 Construction impacts:

- 9.6.1 **Noise and vibration:** The effects of noise and vibration arising from construction work and construction traffic will be a major factor over the five year period of construction. We appreciate this is likely to be phased so that some aspects of the site will be affected more than others at different times. Further discussions will be necessary with HE to assure this is kept to a minimum. This does not only affect the Stonehenge site but is also likely to have a major impact on our property holdings at Stonehenge Cottages which are currently tenanted.
- 9.7 We note in Chapter 9 of the Environmental Statement that a chart shows minimal impact on the site of Stonehenge and the Stonehenge Cottages in terms of vibration. However during construction there would be some noise impact on the Cottages for a period of c 14 working days. EHT would want assurances that these levels were not exceeded.
- 9.8 The other consideration for EHT is the effect on the priceless and fragile museum collections at the Visitor Centre during the construction phases by any vibration created. EHT want assurances from HE that vibration at the Visitor Centre will not be an issue, to safeguard current collections but also to ensure future loans and exhibitions are not jeopardised. EHT will require advance warning when works are scheduled nearest to the Visitor Centre so they can set up independent monitoring within the cases to ensure no significant readings are being observed.
- 9.9 **Visitor experience:** There will also be an impact on the tranquillity and enjoyment of the WHS over the period of construction giving a negative visitor experience in the areas close to the works. Many visitors travel great distances to visit Stonehenge and it is the role of EHT to deliver a world class visitor experience to this iconic prehistoric monument. Because of this we must at all times consider the experience the visitor is having and mitigate against any adverse factors. EHT seeks assurances from HE that they will mitigate this potential negative impact on our visitors and financial impact on EHT.

9.10 **Negative impacts on EHT charitable business:** EHT is conscious that there is potential for negative impacts for our charitable business during the construction phase of the works arising from poor air quality, noise and vibration, visual impact and pollution. This impact could extend to potential visitors who choose not to visit to 'avoid' the road works and so miss the opportunity to visit and experience Stonehenge. We know from other EHT properties that traffic disruption and extensive negative publicity related to it can have a significant impact on visitation levels. For example, at Dover Castle in 2015 during Operation Stack, visitor numbers fell by 10% as a result of actual and perceived risk of travel disruption. EHT believes there is a need for a plan to mitigate this and additional monitoring of unintended consequences on the EHT charitable business during the construction phase.

9.10.1 **Tenants:** EHT lets out the Stonehenge Cottages to tenants. We believe there will be significant tunnelling and road works in close proximity to Stonehenge Cottages. It is highly likely construction works will have negative impacts for the tenants of the cottages including vibration, noise, dust, air pollution and potential lost rental income for EHT.

9.11 **Environmental impacts:**

9.11.1 **Air Quality:** EHT is hopeful that the air quality around Stonehenge will not be affected by the road scheme but seeks reassurances that this is the case and would like some more information about the likely impact this might have during construction and after build.

9.11.2 **Water Quality:** The ethos of the design of the Stonehenge Visitor Centre was that it should be as sustainable as possible and it uses boreholes to manage the sewage and other systems. EHT seeks assurance from HE that the road scheme will not interfere with the running of the Visitor Centre and that the hydrology would not be affected.

9.12 **Impact on EHT & HBMCE land and land interests:**

9.12.1 **Future archaeology:** EHT understands that there is potential for the restriction of future archaeological works where the tunnel will be situated. Prohibiting archaeological investigation throughout a large area of the WHS would be contrary to the provisions of the Stonehenge WHS Management Plan. In most recent discussions with HE, EHT understands that these potential restrictions are unlikely but seeks formal confirmation from HE on this matter. Discussions are on-going.

9.13 Compulsory Acquisition:

- 9.13.1 As an “affected person” under S59 of the Planning Act 2008 EHT and HBCME affected land interests include parcels 08-04, 08-12, 07-09 and 14-07. These areas are all subject to on-going discussion with HE. Specifically, EHT’s affected land interest is 14-07 (the Visitor Centre).
- 9.13.2 The parcel of land needed by HE near Stonehenge cottages (08-12) relates to the acquisition of rights rather than land per se. HE have suggested that shallow excavation will be permitted if they acquire the subsoil rights but deeper excavation would be under negotiation with HE or Wiltshire Council. EHT seeks formal confirmation of this position from before being able to move forward on this matter.
- 9.14 Compulsory acquisition of plot 14-07 (part of EHT’s land within the Stonehenge Visitor Centre complex – 4 metre wide strip running north-south along the western boundary of the car park) is objected to on the basis that it does not fulfil the condition in S122 of the Planning Act 2008 because there is not a compelling case in the public interest for the land to be acquired compulsorily. This is addressed further below in relation to the A360 PROW.

9.15 Public Rights of Way, NMU routes and vehicular access across the WHS

- 9.15.1 **Ownership of old A303:** EHT understands that part of the ‘old’ A303 will fall into ownership of HE and will be maintained by Wiltshire Council highways department. EHT seeks assurances from HE that, if this land subsequently falls into private ownership of the surrounding land owners following HE acquisition, EHT would have the right to own the land adjacent to our property to the extent legally possible.
- 9.15.2 **BOATS 11 and 12:** During the public consultation process EHT voiced its objection to the proposal to link existing byways open to all traffic (BOATS) 11 and 12 with a new byway open to all traffic which we believed would create a new line of traffic across the WHS and negatively impact upon views from and towards the Stonehenge monument. EHT welcomes the removal of the link but still remains concerned about the negative impact of traffic within the WHS particularly past Stonehenge itself caused by the existing BOATs. In particular, EHT continues to be concerned about north/south motorised route (BOATS 11 and 12) through the WHS following completion of the scheme and considers that restricting vehicular access on BOATs 11 and 12 would be a DCO provision relating to matters ancillary to the development or, alternatively, within the scope of the scheme itself and a justified provision for the Secretary of State to include in the DCO.

- 9.15.3 The powers in the Planning Act 2008 include:
- 9.15.3.1 *“An order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted”*: S120(3); and
- 9.15.3.2 *“Development consent may be granted for development which is—*
(a) *development for which development consent is required, or*
(b) *associated development, or ...”* (S115).
- 9.15.4 Section 120(3) is undoubtedly a very broad provision in that it allows a DCO to “make provision” “relating” “to matters ancillary to”. All of these elements of the subsection are drafted in wide and broad terms, signalling that Secretary of State has a broad discretion to cover ancillary matters in a DCO.
- 9.15.5 In particular, pursuant to Schedule 5, provisions relating to matters ancillary to the development include *“20. The specification of the classes of traffic authorised to use a highway.”*
- 9.15.6 It is noted that the objectives of the scheme as stated on p2 of Highways England’s “Design and Access Statement” (Document 7.2) are:
- **“Transport** - *To create a high quality and reliable route between the South East and the South West that meets the future needs of traffic.*
 - **Economic growth** - *To enable growth in jobs and housing by providing a free-flowing and reliable connection between the South East and the South West*
 - **Cultural heritage** - *To help conserve and enhance the World Heritage Site and make it easier to reach and explore.*
 - **Environment and community** - *To improve biodiversity and provide a positive legacy for nearby communities.”*
- 9.15.7 These are also stated to be scheme requirements on p6 of Highways England’s “The Case for the Scheme and NPS Accordance” (Document 7.1).The scheme includes removing the existing A303 vehicular link between BOATS 11 and 12. EHT are of the view that restricting vehicular access on BOATS 11 and 12 themselves meets a scheme objective as it would “help conserve and enhance the World Heritage Site”. It would also “make it easier to reach and explore” for NMUs, given the restrictions on vehicular use if put in place.
- 9.15.8 Such a provision would plainly be one that relates to matters ancillary to the development for which consent is granted (S120(3)) or, alternatively, within the scope of the scheme.

- 9.15.9 EHT remains opposed to any link between the byways (removed from the scheme in summer 2018). EHT also object to the proposal to create a restricted byway running alongside the A360 within the boundary of the Stonehenge Visitor Centre complex.
- 9.15.10 **A360 PROW:** EHT objects to the section of the proposed restricted byway running alongside the A360 within the boundary of the Stonehenge Visitor Centre complex, creating a 4-metre wide byway for pedestrians, cyclists and carriages within the boundary of the Stonehenge Visitor Centre. Discussions with HE are on-going and alternatives are being explored.
- 9.16 EHT has commissioned a highways specialist consultant Momentum Transport Consultancy to assess the potential impact of this proposal for the A360 PROW and consider and report on the best route option. A report can be found in Appendix 2. Appendix 3 contains a Health and Safety statement of the A360 PROW proposal from an EHT expert. EHT has taken account of both internal and external views to develop its position on this matter and inform on-going discussions with HE. In summary, EHT objects to this proposal for the following reasons:
- 9.16.1 Potential negative impact on English Heritage visitor operation
 - 9.16.2 Potential conflict between non-motorised byway users and motorised visitors
 - 9.16.3 Potential negative knock-on impacts for A360/B3086 road users
 - 9.16.4 Potential safety risks
 - 9.16.5 Negative impact on design principles
 - 9.16.6 Negative impact on recent investment
 - 9.16.7 Potential security risks
 - 9.16.8 Potential negative heritage impacts
- 9.17 **Impact on design principles:** The car park and coach park were designed following considerable planning consultation (including a three month public consultation in 2008) and iterative design process as part of the Stonehenge Environmental Improvement Project (SEIP) which involved the Highways Agency who remodelled the roundabout at the entrance to the visitor centre as part of the scheme. The car park scheme was based on minimum infrastructure and has been designed to take into account the dry valley in which it sits; it is intended to be discreet and fit within the contours of the landscape. Introducing a new byway is contrary to this approach.

- 9.18 **Heritage impacts:** This route as proposed by HE would also compromise a post medieval feature known as a dew pond that sits within the curtilage of the Stonehenge Visitor Centre. It is likely to date from the late 18th or early 19th century as it appears on John Cary's 1801 map of Wiltshire. Dew ponds were used for water gathering for agricultural purposes. Although not scheduled this is a significant feature in the modern Stonehenge landscape.
- 9.19 **Alternative routes:** There are alternative routes for the A360 PROW that EHT believe are better as they would not give rise to all the impacts listed above. The advantages and disadvantages of each route have been assessed by Momentum on EHT's behalf in Appendix 2. The proposal for the restricted byway across part of the Visitor Centre site was introduced late and there was failure to consult and liaise with EHT on the proposed right of way route selected before submission. EHT has suggested the alternative route outside of the boundary of the Visitor Centre site, which is the subject of discussions with HE. We have also suggested that the PROW terminate at our boundary but we could facilitate gated access for pedestrians during opening hours but this still has significant adverse impacts and is not considered desirable and an undesirable compromise offered in the event that no alternative solution can be found.
- 9.20 HE has not provided an acceptable solution and it is justified and there is a compelling case in the public interest for HE to take the requisite steps now under the NSIP legislation to add land into the compulsory acquisition under the DCO to provide the route outside of the Visitor Centre site. The fact that EHT's preferred suggested alternative route mentioned above is outside the land identified for compulsory acquisition does not constitute a compelling reason in the public interest to compulsorily acquire the land and interests in question, given the impacts.

10 OTHER MATTERS

- 10.1 EHT's representation dated 13 August 2018 and relevant representation dated 10th January 2019 should be read in conjunction with and taken into account as part of these representations.
- 10.2 As an "affected person" and interested party, EHT wishes to exercise its right to be heard at an examination hearing.

- 10.3 EHT reserves the right to make additional representations including on any heritage assessments and impacts, impacts on EHT’s property, land interests and operations including its Visitor Centre, impacts on its customers and the public, public right of way issues, any application documentation, the details and detailed design of the scheme and representations and documents of other people and bodies.

11 CONCLUSION

- 11.1 As outlined in our earlier Relevant Representations, EHT is broadly supportive of the scheme which has the potential to transform the Stonehenge part of the WHS – it offers the opportunity to reunite this internationally important landscape currently severed by the A303 and make significant improvements to the setting of the Stonehenge monument.
- 11.2 Our Written Representation highlights the information and clarity we seek on some details of the scheme and it outlines our objection to a public right of way which will negatively impacts upon our land, business and the public.
- 11.3 We will continue to discuss the matters outlined in our Written Representation with Highways England and also seek a provision in the DCO to ensure future engagement.
- 11.4 In our separate role, as part of our membership of HMAG we will also continue to discuss these matters with HE in a positive and constructive way.
- 11.5 This concludes the Written Representations of EHT for Deadline 2.

12 APPENDICES

- 12.1 Appendix 1: EHT land interests
- 12.2 Appendix 2: Transport Report – A360 PROW Route Options Review by Momentum Transport Consultancy
- 12.3 Appendix 3: Stonehenge A360 Public Right of Way Health & Safety Statement, EHT

Appendix I: EHT land interests are:

Part Monument Field & Security Hub

- HBMCE has 99 year lease from 6 January 2014 to 1 May 2111. Sublet to EHT for 8 years from 1 April 2015.
- Freehold owned by the National Trust

Stonehenge Visitor Centre & Car Park

- HBMCE has 99 year lease from 2 May 2012, Sublet to EHT for 8 years from 1 April 2015.
- Freehold owned by Biddesden House Farm Partnership

Stonehenge Coach Park & Ancillary Building

- HBMCE has 2 leases:
- Main coach park: 99 year lease from 2 May 2012. Sublet to EHT for 8 years from 1 April 2015. Coach Park Extension: 99 year lease from 3 March 2017 to 1 May 2111. Sublet to EHT from 3 March 2017.
- Freehold owned by Robert & Fiona Turner

Stonehenge Cottages

- Freehold owned by HBMCE
- Let to tenants

Monument Field (including the Stonehenge monument)

- EHT manage under licence to HBMCE on behalf of DCMS. Part is leased from the NT.
- Freehold owned by Department for Digital, Culture, Media and Sport (DCMS)

Appendix 2: Stonehenge A360 Public Right of Way Route Options Review
Author: Momentum Transport Consultancy

Please see separate attachment.

Appendix 3: Stonehenge A360 Public Right of Way Health & Safety Statement
Author: Paul Bassett CMIOSH, Territory Safety Manager, English Heritage Trust

I. Introduction

I.1 Highways England and Wiltshire Council want to improve access to the World Heritage Site for pedestrians, cyclists and carriages by a Public Right of Way (PRoW). A range of options have been provided that take varying routes through the Stonehenge visitor centre site (referred to as 'the site' during this statement). This statement supports the option a PRoW that is around the visitor centre site boundary because it brings people out onto the A344 where there is less traffic present (as this section of the road is used by permit holders only as it is managed by EHT through a Traffic Regulation Order which restricts use). Any route that takes members of the public through the site poses a significant health & safety risk due to the number of visitors (e.g. thousands of visitors a day) and vehicles (Peak: 250 an hour) at the site.

I.2 Prosecutions by the HSE of accidents involving vehicles have resulted in significant fines, for example, the waste and recycling arm of Veolia was fined £1 million following the death of a worker who was run over by a reversing refuse collection vehicle in 2013. McDonald's was fined £200,000 after a teenage employee hit by car in 2014 and Nottinghamshire County Council was fined £1m after a disabled member of the public was struck by a vehicle in 2017. A disabled man was on a guided walk in the park when a worker using a tractor to transport branches collided with him. In February 2016, the new sentencing guidelines for health and safety and corporate manslaughter came into force, which has seen a significant increase in fine levels for companies prosecuted for offences under the Health and Safety at Work Act 1974 and associated regulations.

2. Significant Hazards

2.1 Member of the public being struck by a vehicle on site

2.1.1 If the PRoW cuts through the car park there is an increased risk of a member of the public being struck by a vehicle. The car park has up to 250 vehicles an hour and over 2000 vehicles in total on a Saturday in the peak season. Site incident data has

also shown that members of the public climb fences to access areas of the site (12 in previous 2 years), which is a risk should the route bypass the car park. This can also create desire lines (unofficial paths) that people follow. It would not be practical to police these areas effectively.

- 2.1.2 Visitors regularly cut across the car park and do not use the designated paths with one accident resulting in a civil claim (unsuccessful) because the injured person tripped on a wood sleeper used to demarcate parking areas in the main car park area.

Risk Rating	Operational Disruption	Financial Inaction / Cost	Risk to Reputation	Legal/Agmt compliance	Severity of Accident	Reasonably Practicable	Equivalence score
3 x 2 = 6 High	4	4	5	3	4	4	20

2.2 Member of the public/staff member being struck by a bicycle/carriage on site

- 2.2.1 If the PRoV cuts through the site there is a risk of a member of the public/staff member being hit and injured by bicycles and carriages. Signage instructing cyclists to dismount could reduce the risk but it is unlikely to be completely effective even if the area is staffed. This also increases the risk for violence and aggression to staff if they have to intervene and also to other users of the route (2 incidents involving cyclists in the previous 2 years). The risk to vulnerable users e.g. disabled, elderly and children being injured as a result of a collision is also significantly increased.

- 2.2.2 The current footpaths on the site/around the visitor centre are not wide enough to accommodate cyclists and carriages and any changes would have to be considered in the context of our on-going security improvement approach in partnership with the Wiltshire Counter Terrorism Unit.

Risk Rating	Operational Disruption	Financial Inaction / Cost	Risk to Reputation	Legal/Agmt compliance	Severity of Accident	Reasonably Practicable	Equivalence score
3 x 2 = 6 High	4	4	5	3	4	4	20

2.3 Member of the public/staff member being struck by a vehicle on the A344/A360

2.3.1 These are national speed limit roads it is likely that one of the EHT trained first aiders would be the first responder to an incident nearby. Attending an accident could put first aid responders at serious risk of a vehicle collision. The severity of the injuries is likely to be traumatic for the person responding and could result in stress related issues. The reputational damage following an incident would be high and would add to the stress being put on to staff.

Risk Rating	Operational Disruption	Financial Inaction / Cost	Risk to Reputation	Legal/Agmt compliance	Severity of Accident	Reasonably Practicable	Equivalence score
3 x 2 = 6 High	4	2	5	1	5	1	18

2.4 Member of the public falling on the route (east of visitor centre)

2.4.1 The area east of the visitor centre is currently a grass field that is uneven with no designated path for conservation and sustainability reasons. It poses a risk of slips, trips and falls should the area be used by pedestrians.

Risk Rating	Operational Disruption	Financial Inaction/ Cost	Risk to Reputation	Legal/Agmt compliance	Severity of Accident	Reasonably Practicable	Equivalence score
2 x 2 = 4 Medium	2	2	3	3	2	4	16

3. Conclusion

3.1 A PRoW through the site poses a significant risk to staff, members of the public and visitors. It would require additional supervision from the site team and interventions like signage, barriers/fences and paths within the World Heritage area. It is reasonably foreseeable, that policing the PRoW would be problematic and could take significant staff resources. It is likely to increase violence and aggression towards staff and lead to staff stress and well-being issues. The PRoW would also put visitors at significant risk of injury, leading to possible prosecution, civil claims and loss of reputation. For these reasons any route that takes members of the public through the site poses a significant health & safety and staff well-being risk.

Appendix – Risk Assessment Scoring Criteria

Consequence: 1=first aid, 3=death and life changing, 2=everything else x **Likelihood:** 1=not expected, 3=expected, 2=not a 1 or a 2

Rating	Operational Disruption	Financial Inaction Cost	Risk to Reputation	Legal/Agreement compliance	Severity of Accident	Reasonably Practicable
5	Closure of Site	Huge fines/ Significant loss of Business across EH	National & International Damage to reputation	Very High Risk of Prosecution/Enforced Closure/Collection Would be removed	Multiple Deaths	Easy to fix/low cost
4	Closure of large/key parts of the Site	Large fines/ Significant Loss of Business at Site	Damage to National Reputation	High Risk of Prosecution/Enforced Closure/Collection would be removed	Single Death	Low cost but requires consent
3	Some site closure/damage to Customer Service levels	Risk of Fines and Loss of Business at Site	Risk to Reputation with Key Local Stakeholders & Local Press	Medium Risk of Prosecution/Enforced Closure/Collection would be removed	Life Changing Injuries	Significant cost/delays to acquire consent
2	Likely to cause some Customer complaints	Low level loss of Business at Site	Risk to Reputation with Local Stakeholders	Low Risk of Prosecution/Enforced Closure/Collection would be removed	Significant time off work	High Cost/Consent Issues/Long time to fix
1	No/Very Low impact on Operations	No/Very Little Financial Cost	No/Very Little Risk to Reputation	No/Very Little Legal Risk/effect on Collection	Minor Injury	Very High Cost/Major Consent Issues/ Very long time to fix