



National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer  
Services: 0303 444 5000  
e-mail: [A303Stonehenge@planninginspectorate.gov.uk](mailto:A303Stonehenge@planninginspectorate.gov.uk)

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All Interested Parties, Statutory Parties  
and Other Persons

Your Ref:

Our Ref: TR010025

Date: 19 June 2019

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Dear Sir/ Madam

## **Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8(3) and Rule 17**

### **Application by Highways England for an Order Granting Development Consent for the A303 Amesbury to Berwick Down**

#### **Procedural Decision**

We write to you to provide notification that the Examining Authority (ExA) has made a Procedural Decision to vary the Examination Timetable in order to assist the examination of:

- changes to the draft Development Consent Order (dDCO) proposed by Wiltshire Council (WC) and the Trail Riders Fellowship (TRF); and
- the draft Detailed Archaeological Mitigation Strategy (dDAMS).

#### **Changes proposed by Wiltshire Council and the Trail Riders Fellowship**

At the Issue Specific Hearing held on 13 June 2019 into matters relating to traffic and transportation (ISH6), the ExA heard evidence from a number of Interested Parties concerning changes to the dDCO proposed by WC and the TRF; including provisions which would amend motorised vehicle restrictions on specified byways. WC's and the TRF's proposed changes to the dDCO had originally been presented to the Examination in writing at Deadline 3 [REP3-046 and REP3-096].

In the course of ISH6 the ExA requested WC, the TRF and the Applicant to provide to **Deadline 4** in the Examination Timetable (21 June 2019) written submissions establishing their respective legal positions with regards to the proposed changes to the dDCO. The submissions were requested to include:

- views on the procedure to be adopted where changes to an application are not promoted by an applicant;
- views on the materiality of the proposed changes;

- views on the procedure to be followed if the changes to the application are regarded as being material;
- views on whether the Order Limits are of any relevance to the changes sought; and
- views on implications for the Environmental Statement and the Equality Impact Assessment.

Separately, the ExA request the TRF to provide the drafting it would propose to be included in the dDCO to support its change request.

In making the above requests, the ExA committed to make a Procedural Decision to vary the Examination Timetable to allow for other Interested Parties to comment on the above submissions.

Consequently, the ExA now provides formal notification that the Examination Timetable is varied to include a new **Deadline 4a** (5 July 2019) by which Interested Parties are invited to comment on the legal positions established by WC, the TRF and the Applicant at **Deadline 4**.

### **Draft Detailed Archaeological Mitigation Strategy**

The ExA has made a Procedural Decision to request for the Applicant to produce an updated dDAMS to be provided to existing **Deadline 6** (26 July 2019) in the Examination Timetable.

Consequently, existing **Deadline 7** (9 August 2019) is amended to allow Interested Parties to comment on the updated dDAMS provided by the Applicant to **Deadline 6**.

For completeness, the varied Examination Timetable is provided at **Annex A** to this letter.

If you have any questions about this correspondence, please contact the Case Team using the details provided in the header.

Yours faithfully

*Wendy McKay*

**Wendy McKay**  
**Lead Member of the Examining Authority**

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## Examination Timetable variation

Item	Matters	Due Dates
14	<p><b>Deadline 4</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written summaries of oral submissions put at any hearings held between 4 and 14 June 2019</li> <li>• <b>Written notes establishing the legal position of Wiltshire Council, the Trail Riders Fellowship and the Applicant in respect of proposed changes to the dDCO</b></li> <li>• An updated version of the dDCO</li> <li>• An updated Mitigation Schedule</li> <li>• An updated version of the Guide to the Application</li> <li>• An updated version of the Land Acquisition and Temporary Possession Negotiations Schedule</li> <li>• Applicant's response to comments on the DAMS received at Deadline 3</li> <li>• Comments on any further information requested by the ExA and received to Deadline 3</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>21 June 2019</b>
15	<p><b>Deadline 4a</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• <b>Comments on legal positions established at Deadline 4 in respect of proposed changes to the dDCO</b></li> <li>• <b>Any further information requested by the ExA under Rule 17 of the Exam Rules</b></li> </ul> <p>Publication of:</p> <ul style="list-style-type: none"> <li>• The ExA's Written Questions (if required)</li> </ul>	<b>5 July 2019</b>
16	<p><b>Compulsory Acquisition Hearing</b></p> <p>Two-day Compulsory Acquisition Hearing.</p>	<b>9 and 10 July 2019</b>

17	<p><b>Deadline 5</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written summaries of oral submissions put at any hearings held between 8 and 12 July 2019</li> <li>• <b>Comments on any further information requested by the ExA and received to Deadline 4 and Deadline 4a</b></li> <li>• <b>Any further information requested by the ExA under Rule 17 of the Exam Rules</b></li> </ul>	<b>19 July 2019</b>
18	<p><b>Deadline 6</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's Written Questions (if issued on 5 July 2019)</li> <li>• <b>An updated version of the dDAMS</b></li> <li>• An updated version of the dDCO</li> <li>• An updated Mitigation Schedule</li> <li>• An updated version of the Guide to the Application</li> <li>• An updated version of the Land Acquisition and Temporary Possession Negotiations Schedule</li> <li>• Comments on any further information requested by the ExA and received to Deadline 5</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>26 July 2019</b>
19	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Notification of any further hearings to be held between 26 and 30 August 2019 (if required)</li> </ul>	<b>29 July 2019</b>
20	<p><b>Deadline 7</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to the ExA's Written Questions (if issued on 5 July 2019)</li> <li>• <b>Comments on the updated dDAMS provided by the Applicant at Deadline 6</b></li> <li>• Final Statements of Common Ground</li> </ul>	<b>9 August 2019</b>

	<ul style="list-style-type: none"><li>• Comments on any further information requested by the ExA and received to Deadline 6</li><li>• Any further information requested by the ExA under Rule 17 of the Exam Rules</li></ul>	
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