

**Highways England: A303 Amesbury to Berwick Down Project,
Development Consent Order Application**

Scheme Reference: TR010025

**Comments on Legal Positions Established at Deadline 4 in respect of
proposed changes to the DCO**

by

**The Stonehenge Alliance
(Reference No. 2001870)**

1. The Alliance notes that the changes proposed to the A303 Stonehenge DCO by Wiltshire Council are as follows:

“inclusion of a prohibition on the use of motorised vehicles (other than motor cycles and invalid carriages) on part of Durrington byway 10, and Amesbury byway 11 (hereafter referred to as AMES11) and part of Wilford cum Lake byway 1, Wilford cum Lake byway 2, Berwick St James byway 11, Woodford byway 16 and part of Amesbury byway 12 ((hereafter referred to as AMES12) “ (Legal submission to Examination on 21 June 2019)

2. We object to the inclusion of Wiltshire Council’s proposals within the DCO.

3. The Alliance would like to know what the statutory basis is upon which Wiltshire Council has the legal power to seek to amend the DCO sought by Highways England.

4. We submit that the proper and fair way for Wiltshire Council to proceed, should it seek the prohibitions listed in their legal submission of 21 June 2019, is not by way of requesting an amendment to the DCO but by way of the usual procedure for closure of a byway. There may, for example, be byway users who have not hitherto been involved in Highways England’s consultations on the A303 Scheme.

5. We fear that if Wiltshire Council’s proposed changes to the DCO are accepted, it might appear on the face of it improper for the matter to be dealt with by way of an amendment to the DCO and could open an unwelcome can of worms.