

Representation regarding the Wiltshire Council Amendment

A303 Stonehenge TR010025

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Wiltshire Council legal submission on Byways 11 & 12

TR010025 – 001165

Section 4. Wiltshire Council (WC) consider that downgrading the A303 is likely to result in increased traffic on the Byways. However, as most traffic currently using the Byways accesses them directly from the A303, this seems unlikely.

Section 5. WC consider that there will be increased risk of conflict between users. However this is conjecture. I am not aware of any particular conflict between users at present.

They also consider that it will lead to increased wear and illegal parking. WC is responsible for maintaining Byways, which they are reluctant to do.

I do not consider parking on a Byway to be illegal. The fact that there is no particular right does not make it illegal. Indeed, I parked on Byway 12 during the Site Inspection of 21 May 2019 and do not consider this was illegal. Somebody from Wiltshire Council could have said something, but they didn't. If it were genuinely illegal there would be a means of enforcement. WC appear to be conflating illegal with what they consider undesirable.

WC note that Byway 11 becoming a cul-de-sac would result in traffic turning round and doubling back, which would increase wear. One obvious solution would be continued access along the route of the A303.

Section 9. WC consider the optimal solution to be to prevent motor vehicle access except for motorcycles and invalid carriages and that this would reduce wear and tear by vehicles that do most damage.

It is not clear how the movement of invalid carriages would be regulated, as they are generally ordinary cars with possible adaptations.

Nor does it take account of the fact that much of the damage to the surface is the result of agricultural vehicles using Byways, year round in all weathers, particularly when the ground is wet.

Section 10. WC consider that motorcycles don't cause the same perceived problems as other vehicles and so should be permitted.

Section 11. WC does not oppose motorcycles using the route of the A303.

Section 12. WC consider their proposals to be a '*holistic solution that balances the interests of all parties*' and one which does not preclude the right to worship at the stones.

Turning now to the WC Summary of Issue Specific Hearings (TR010025 – 001225), section 5.4.3 contends that the walking distance from available parking to the stones of about 2 km each way is reasonable for most people and that mobility scooters are capable of such distances.

However, a round trip of 4 km is a long way for many and would be too much for some normally able-bodied people to manage.

The assumption with disabled access is that people have mobility scooters and that they are capable of unloading them from suitably adapted vehicles, or otherwise that they live within range of their scooters. The cost and availability will prevent many disabled visitors from being able to access the stones.

Any such restriction of the Byways would discriminate against many disabled and less able-bodied visitors.

The same document also states in section 6.2.8 that if vehicles are able to use the Byways, they should be able to link between the two. Obviously this would resolve the cul-de-sac issues highlighted above.

Clearly the claim in section 12 of the WC legal submission that their solution is a holistic one that balances the interests of all parties is nonsense. It would discriminate against less able-bodied visitors, car drivers and anyone who doesn't want their spiritual experience dictated by the authorities.

I would contend that my car causes no real damage to Byways when driven on them in normal dry conditions, nor is the number of cars using the Byways anything more than a tiny proportion of the total number visiting the WHS, so the argument used in favour of motorcycles could be extended to include cars and other light vehicles.

The argument is somewhat inconsistent and illogical, until we consider possible underlying motives.

One possible motive is avoiding the cost to WC of maintaining Byways, although there is no clear evidence that this would increase. Nor is the desire of the public to use Byways, in itself, a reason for restricting them.

Another likely motive is the attitude of WC towards Travellers parking on Byways. There is a clear dislike of Travellers apparent in various WC submissions.

People have travelled to Stonehenge from all over the land, since the time of construction. Modern Travellers tend to have vehicles and the Byways have long been used to park up. There are few, if any, realistic alternatives to parking on the Byways for Travellers visiting Stonehenge.

My own first experience of Stonehenge involved stopping in a caravan on Byway 12, during a family holiday in the 1970s. We weren't allowed in the visitor car park with a caravan back then, yet parking on the Byway caused no problem.

I submit that the desire to restrict Byways has much to do with the desire to discriminate against Travellers, rather than to provide for them.

Byways 11 and 12 have no direct bearing on the A303 scheme proposed by Highways England.

Any of the matters considered so far could be dealt with through the introduction of a suitable TRO.

Concern over the visual impact of vehicles parked on the Byways in the vicinity of Stonehenge seems misplaced. Greater intrusion is caused by the infrastructure that remains from the old visitor centre (see photo) and the constant stream of tour buses turning round adjacent to the stones.



The proposed amendment changes the sense of the scheme from a supposed road 'improvement' into a plot to turn Stonehenge into a cash-cow to be milked for all it is worth by a cash-strapped heritage industry.

I note with interest the findings of the Planning Inspectorate during the 2011 inquiry into an order to stop up the A344, as well as restricting traffic on the Byways. A copy has been helpfully submitted by the TRF (TR010025 – 001114).

In his conclusion, Inspector Alan Boyland states: *I recommend that the proposed Traffic Regulation Order be made, subject to modification so as to apply to the A344 only.*

Although this proposal is not exactly the same, the arguments for retaining Byway access are very similar to those considered by the Planning Inspectorate during 2011.

I also note the Experimental TRO of 2018, as introduced by Wiltshire Council, which prevented me stopping anywhere within sight of the stones during my visit last October. This order was quashed following the case of TRF v Wiltshire Council (2018).

I submit that Wiltshire Council are proposing this amendment as a means of attempting to circumvent the previous findings of the Planning Inspectorate and to overturn a High Court ruling.

The legal implications are considerable, not least a consideration of how the High Courts may look upon a ruling being overturned by the Secretary of State.

I submit that the Byways have no real bearing on the A303 proposals and the Wiltshire Council amendment should not be considered as part of the scheme.

To do so would greatly complicate the Examination. It could potentially result in further grounds for challenge in the Courts.

I note that Issue Specific Hearing 5 included a consideration of religious beliefs, but concern by Druids about loss of access to Byways led to religious considerations being almost completely overlooked. I hope that the opportunity to consider spiritual value will arise at a future hearing.