

**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

Ref 20019656

I am Lois Lloyd, an Archdruid of the Astronumerical Druid Order and of Sacred Grove Western Isles
I also speak on behalf of the pressure group Open Access To Stonehenge.

We refer to the proposed changes to the Highways England application scheme ref TRO10025 which
have been put forward by Wiltshire Council, post all previous Public Consultation periods, namely:

*“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)*

1. We Object to this late proposed change in its entirety and also the manner in which it has
been introduced to the Inquiry in Public thereby causing public confusion and prohibition of
full public consultation, full public access and equitable treatment of all those to visit
Stonehenge landscape:

Equitable Access:

1a. We Object and have stated so in both the Oral Hearings and ISHs to any attempt to
prohibit full public amenity and vehicle access by the general public to the Byways Open To All
Traffic in Wiltshire particularly those in the World Heritage Site, for general equitable access and
sacred pilgrimage and Stonehenge Community Gatherings. Wiltshire Council has already failed in its
Public Sector Equality Duty, the Equality Act 2010 and the Human Rights Act 1998 by gating all
BOATs during 2018 including against those with Blue Badges thereby disadvantaging those who
could not walk two miles nor use a motorscooter and needed a vehicle for personal refuge.

1b. We Object to removing the link between BOAT 11 and 12 as the proposed design creates
a culdesac with turning circle too close to the Stones and Wiltshire Council’s offer to allow
motorbikes but not vehicles is nonsensical from a disability access stance of vehicles being required
by many for rest, medical reasons, and refuge not least of which is for those with mental health
needs.

Public Confusion:

2. Wiltshire Council is still operating within an ongoing Experimental period of its Traffic
Regulatory Order when it instructed gating to be applied to all WHS Byways Open To All Traffic in
2018. Then all the gating was removed after the Approval Order by Justice Swift in December 2018
at the behest of the challenge by Trail Riders Fellowship; the Experiment apparently continues

without an answer yet to any known hypothesis, so why try at this juncture to attach a permanent Traffic Regulatory Order to Highways England's Application?

Prohibition of full public consultation:

3. We Object to the suggested restriction of any further public consultation on this Wiltshire Council proposal to the following as quoted in the letter to the ExA from Frank Cain, Wiltshire Council

"To: Wendy McKay Lead Member of the Panel of Examining Inspectors (TR010025) The Planning Inspectorate National Infrastructure Planning Temple Quay House 2 The Square Bristol BS1 6PN

Your ref: TR010025 Our ref: A303-AFP022 Deadline 4a Response to ExA 03.07.19 :

Procedural Decision from ExA : Wiltshire Council indicated within its legal submission, submitted at Deadline 4, that should this issue be permitted to be considered during the Examination, a consultation seeking the views of Interested Parties, stakeholders and statutory consultees would be required to be undertaken. The Council believes that this would have to follow a similar timeline to that set out by HE in their recent letter to the ExA on their intention to submit a non-material change request (001135).

Therefore, the Council requests that the ExA make a procedural decision at the earliest opportunity to indicate whether this consultation would be permitted to be undertaken. This would be to ensure that it was able to be completed during the time remaining within the Examination period"

There have already been many complaints as to the short length of the public consultations relating to the scheme. There have been two separate consultations, neither of which had this proposal attached to them.

By prohibiting full public consultation and restricting evidential opinions being sought now, ergo after the Inquiry In Public has begun, and yet from only from Interested Parties, stakeholders, and statutory consultees, it could appear to the cynical to be a deliberate exclusion of those public who were heavily interested and invested in the Stonehenge landscape access but unaware of such a proposal prior to the recent Hearings.

This would then raise far more difficulties and administrative challenges within an Inquiry in Public when those who are excluded subsequently seek explanation and redress.

Non Material Change Inclusion of Proposal

If this proposal is included in the Application as a non material change I would ask the ExA with all due respect, on behalf of the organisations I represent that the ExA consider the Previous Planning Tribunal Decisions to which I have referred to before in my Oral and ISH evidence recently. Namely the 31 January 2005 report of Michael Ellison MA (Oxon) (assisted by Clive Cochrane Dip Arch Reg Arch MSc MRTPI) & the 2011 report to Wiltshire Council by Alan Boyland BEng(Hons) DipTP CEng MICE MCIHT MRTPI (assisted by John Wilde CEng MICE)

The latter tribunal I attended in person and cross examined Wiltshire Council and English Heritage regarding to their attempt to prohibit public vehicular access to the Byways Open To All Traffic; the Decisions in both instances and the reasons given regarding loss of public amenity surely pertain now as they did when first made? In fact many have produced evidence over the years that BOATs being closed causes far more congestion and disruption in the surrounding areas and any attempts to do so will be met with the same robust legal challenges as before.

We respectfully ask that this proposal by Wiltshire Council be dismissed and excluded from the Application.