



National  
Trust

**Written summaries of oral submissions put at  
Compulsory Acquisition Hearing 1  
held on 9 and 10 July 2019**

**TR010025**

**Amesbury to Berwick Down (Stonehenge)**



**July 2019**

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## **1. Compulsory Acquisition Hearing 1**

### **1.1 Agenda item 4.3**

#### **Whether the Secretary of State could be satisfied that the land proposed to be acquired is no more than is reasonably necessary for the purposes of the Proposed Development**

1.1.1 The Trust commented on the issue of acquisition of the sub soil of the existing A303 through parts of the WHS, where the Trust has a land interest. The Trust stated the matter is under discussion and we are expecting a meeting is to be arranged soon in order to progress these matters. The Trust stressed it was an appropriate body to hold land affected by the scheme such as this in the future, recognising the very special role of the National Trust in this landscape, coupled with our legitimate land interests. The Trust acknowledged there would have to be an appropriate maintenance regime in place and to ensure that the NMU routes are created, this, the Trust believes, is a matter for a tripartite discussion with the Applicant and Wiltshire Council, and is confident through those discussions appropriate mechanisms for maintenance and operation can be agreed.

### **1.2 Agenda item 8.1**

#### **Affected Persons who have notified a wish to make oral representations**

1.2.1 The Trust in response to comments raised on the matter of 'combine harvester access' between West Amesbury Farm and Park Farm stated that it has engaged in discussion on this matter to provide provision for access arrangements outside of the Order Limits across the Trust's estate. The Trust stated there is a proposal to provide this access of a route and form which is in principle acceptable to the Trust and the Applicant, and has been offered to the affected party for consideration. The Trust reiterated it has made its position clear as to the extent and provision of access it feels appropriate and that it can offer.

1.2.2 The Trust stated its concerns over the Tunnel Protection Zone and the restrictive covenants to be affected on the Trust's estate above the tunnel. The Trust, having previously outlined the concerns in relation to protection of archaeology and future archaeological research, re-stated those points. The Trust confirmed progress is underway in relation to this issue, and discussion is ongoing with the Applicant and HMAG.

1.2.3 The Trust reiterated the need for a robust and clear regime for consultation with and involvement of the Trust in future use of land during and after construction.

- 1.2.4 The Trust stated that they would require consultation on the use of the land in Plot 5-37, although only a small parcel it still remained a facet of compulsory acquisition of rights in this case.
- 1.2.5 With reference to the ability of the applicant to temporarily occupy land which may then be acquired permanently; the Trust noting the ability would exist for occupation of Trust land even when only sub-soil acquisition is to take place. This was tempered by an assurance by the Applicant that this would be limited to monitoring activities only. The Trust would be looking to record this as a protection more clearly in a written position with the Applicant.
- 1.2.6 With reference to consultation over compulsory acquisition of land for utility diversions; the Trust noted the relevant question in the ExA's second written questions, and will respond on this, and that it would be addressing drafting that is needed to deal with the concerns in that response.
- 1.2.7 With reference to consultation over fencing, gating, and similar elements within the WHS and Trust land ownership; the Trust stated that an 'Accommodation Works' meeting is to be arranged with the Applicant and expected the detail to be discussed in that context.
- 1.2.8 With reference to the Applicant's response on these matters; the Trust stated that whilst progress is being made in the discussions ongoing, the Trust clarified that its position remains one of objection to the acquisition of its land. Although it is accepted that the land is needed to be acquired if the scheme is to go ahead, the controls and safeguards being sought are important as to whether the Trust's objection to the acquisition of that land can be withdrawn.

### **1.3 Agenda item 11.1**

#### **The Applicant and The National Trust to provide an update on the status of their discussions**

- 1.3.1 The Trust stated agreement has not yet been reached but gave an indication of the approach that the Trust is taking, the nature of concerns and how we are dealing with those. The Trust emphasised the concerns are not a binary set of yes/no answers we are waiting for, but that we are seeking a package of protections over involvement in design, method of construction, and subsequent use of land.
- 1.3.2 The Trust therefore stated the resolution of the concerns is something that will involve continuous review by the Trust taking into account all of the securities provided as a whole, the clarity with which they are expressed and the certainty with which they can be enforced. The Trust stated if the negotiations presently underway proceed satisfactorily, it hopes that the objection can be removed and the need for Special Parliamentary Procedure avoided. The

Trust has always been clear that we will keep the status of the objection under review, and we will remove it at the earliest possible opportunity, subject to the protections and adaptations we seek being satisfactory to us.