



**A303 Amesbury to Berwick Down  
(Stonehenge) Wiltshire  
TR010025**

**Wiltshire Council (A303-AFP022) Response  
to Comments on ExA's Second Round of  
Written Questions Responses**

## Wiltshire Council's Response to Comments on Second ExA Question Responses

Question	Initial Responder	Deadline 7 Reference	Wiltshire Council Response
Ag.2.5	Howard Smith on behalf of Amesbury Farms	REP7-021 Highways England (p15)	Wiltshire Council as the maintenance authority for the surface of the AMES 9A bridleway has no objection to its use for this additional private means of access. However, it does not own the subsoil of the track over which the bridleway passes; therefore, consent will also be needed from the owner(s) of the subsoil, which is understood to be the National Trust.
Ec.2.1	HE	REP7-021 Highways England (p16)	See Wiltshire Council's previous comment submitted at Deadline 7. The proposed mitigation is no longer in contention. The Council is comfortable that both Natural England and the Royal Society for the Protection of Birds (RSPB) are confident that sufficient, available and appropriate plots can be found and that the mitigation has a good likelihood of success. However, following the "People Over Wind" case, the Council does not consider that the proposal can be compliant with EU law until the additional plots on land not owned or controlled by Highways England have been secured by legal agreement, i.e. that certainty beyond reasonable doubt will only be realised when the means for delivering the mitigation has actually been secured and is certain. Although the Council agrees that the proposed mitigation of the additional nesting plots will provide sufficient and appropriate mitigation without the need to rely on enhanced fencing, the Council would respectfully bring the Examining Authority's attention to the above point within the Appropriate Assessment (AA) process, that the Scheme will not be Habitats Regulation Assessment (HRA) compliant until the legal 'hooks' to ensure the mitigation are in place.
CA.2.42	Howard Smith on behalf of Mrs P M Sandell and Philip Sawkill	REP7-021 Highways England (p15)	See response to Ag.2.5
CA.2.53	English Heritage Trust	REP7-021 Highways England (p149)	Wiltshire Council supports Option B as set out in the response to the proposed changes to the DCO consultation of August 2019 and continues to work with HE and the English Heritage Trust to achieve an acceptable solution.
DCO.2.40	Wiltshire Council	REP7-021 Highways England (p19)	With regard to a separate design parameters document, the Council considers that whilst it had previously indicated that it could see benefit in the production of this document, it was not essential. The OEMP has recently been significantly amended, and whilst further amendments are required following discussions between the Council, other heritage partners and HE, the Council considers that provided the OEMP contains all of the necessary detail, it would be happy for it to be covered in this way. It is hoped that these discussions will conclude as soon as possible.

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			<p>The Council does not consider it necessary for the Secretary of State (SoS) to approve the detailed design, unless it is significantly outside of that provided for within the OEMP. This is because the OEMP is a certified document and approved by the SoS, furthermore the detailed design would be detailed within the CEMP which will also now be approved by the SoS. If the detailed design was not in compliance with the OEMP, the CEMP would not be approved without further action. The Council considers that this mechanism as set out above, is sufficient and ensures checks are in place to adequately control the preparation of the detailed design.</p>
DCO.2.46	Wiltshire Council	REP7-021 Highways England (p21)	<p>Wiltshire Council notes HE's response to this question but considers that this issue has moved on following the announcement of the significant amendments to the approval mechanisms for the CEMP and associated management plans as indicated at Issue Specific Hearing 8 on 21<sup>st</sup> August and within the latest version of the dDCO, which was published on 28<sup>th</sup> August 2019. The Council confirms that it is supportive of the Secretary of State approving the CEMP and the associated management plans.</p> <p>The Council would approve the Heritage Management Plan, Archaeological Method Statements and Site Specific Written Schemes of Investigation, in consultation with Historic England.</p>
DCO.2.52	Wiltshire Council	REP7-021 Highways England (p26)	<p>The OEMP has recently been significantly amended, and whilst further amendments are required following discussions between the Council, other heritage partners and HE, the Council considers that the design principles, visions and commitments are going in the right direction and can provide the necessary detail to provide sufficient comfort to the Local Highway Authority. The Council further notes that specific provisions are being included in the Side Agreement, which is currently being finalised, for those assets that will become the responsibility of the Council.</p>
DCO.2.52	Historic England	REP7-021 Highways England (p158)	See response to DCO.2.46
DCO.2.57	Environment Agency	REP7-021 Highways England (p28)	The Council welcomes the additional wording in the revised OEMP MW-GEO8 (j).
Fg.2.31	Environment Agency	REP7-045 Environment Agency (p22)	The revised wording is welcomed by Wiltshire Council.