

**A303 Amesbury to Berwick Down**  
**TR010025**

**Deadline 10**  
**4.1 (2) Statement of Reasons**

APFP Regulation 5(2)(h)

Planning Act 2008

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**The Infrastructure Planning  
(Applications: Prescribed Forms and  
Procedure) Regulations 2009**

The A303 (Amesbury to Berwick Down)  
Development Consent Order 20[\*\*]

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**STATEMENT OF REASONS**

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<b>Planning Inspectorate Scheme Reference</b>	TR010025
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# 1 Summary

## 1.1 Introduction

1.1.1 This Statement of Reasons (“this Statement”) relates to the A303 Amesbury to Berwick Down scheme (“the Scheme”) and has been submitted by Highways England (“the Applicant”) to the Planning Inspectorate acting on behalf of the Secretary of State for Transport. It relates to an application for a Development Consent Order (“DCO”) to permit and enable implementation of the Scheme made under section 37 of the Planning Act 2008 (as amended) (“PA 2008”).

## 1.2 The Scheme

1.2.1 The scheme is a nationally significant infrastructure project (“NSIP”) within sections 14(1)(h) and 22(1)(a) of the Planning Act 2008. Under section 22 an NSIP must fall within one of the three categories specified, which are expressly stated to be alternatives. This scheme is the “construction” of a highway within the meaning of section 22(1)(a). The scheme satisfies section 22(2) in that the highway (when constructed) will be wholly located in England, Highways England, as a strategic highways company, will be the highway authority for the highway, and the area of development is greater than the relevant limit set out in subsection 22(4), which in this case is 12.5 hectares, as speed limits will be in excess of 50mph.

1.2.2 The Scheme forms part of a programme of improvements for upgrading the A303/A358 corridor, improving this vital connection between the South West and London and the South East and including the upgrade of remaining single carriageway sections on the route to dual carriageway. This investment is stated as a priority project in the National Infrastructure Plan and Government’s commitment is confirmed in the Road Investment Strategy (2015-2020). Subject to achieving an approved DCO, preliminary works are planned to start in 2020 with the main construction works following in 2021, and the Scheme is due to open to traffic in 2026.

1.2.3 Objectives for the Scheme have been formulated both to address identified problems and to take advantage of the opportunities that new infrastructure would provide. The objectives are defined by the Department for Transport (“DfT”):

- **Transport** - To create a high quality reliable route between the South East and the South West that meets the future needs of traffic;
- **Economic Growth** - To enable growth in jobs and housing by providing a free flowing and reliable connection between the South East and the South West;
- **Cultural Heritage** - To help conserve and enhance the World Heritage Site and to make it easier to reach and explore; and

- **Environment and Community** - To improve biodiversity and provide a positive legacy for nearby communities.

- 1.2.4 The objectives would be achieved by providing a high quality, two-lane dual carriageway on the A303 trunk road between Amesbury and Berwick Down in Wiltshire. The Scheme would resolve traffic problems and, at the same time, protect and enhance the Stonehenge component of the Stonehenge, Avebury and Associated Sites World Heritage Site, hereafter referred to as the “WHS”. The Scheme would be approximately 8 miles (13km) long and would comprise the following key components:
- a. A northern bypass of Winterbourne Stoke with a viaduct over the River Till valley;
  - b. A new junction between the A303 and A360 to the west of and outside the WHS, replacing the existing Longbarrow roundabout;
  - c. A twin-bore tunnel approximately 2 miles (3.3km) long, past Stonehenge; and
  - d. A new junction between the A303 and A345 at the existing Countess roundabout.
- 1.2.5 A more detailed description of the Scheme is set out in the Case for the Scheme (Application Document 7.1).

### 1.3 Compulsory acquisition

- 1.3.1 In its DCO application for the Scheme, the Applicant seeks compulsory acquisition and temporary possession powers in respect of certain land interests. A detailed description of the extent and nature of the powers sought is set out by reference to the DCO application documents in Chapter 3 of this Statement.

### 1.4 Land interests

- 1.4.1 The extent of the land interests affected by the compulsory acquisition and temporary possession powers sought by the Applicant is described in Chapter 4 of this Statement. The land comprises a mixture of arable and pastoral agricultural land and existing highway within and outside the WHS (“the Land”).
- 1.4.2 The Applicant has carried out diligent inquiry to identify all persons with an interest in the Land and persons with a potential claim for compensation as a result of the Scheme. These persons have been consulted pursuant to section 42 of the PA 2008.
- 1.4.3 The Applicant has attempted to acquire all interests in the Land by agreement but unfortunately due to the scale of the Scheme and the timescales within which it is required to be brought forward, this has not been possible to achieve. It is necessary to seek powers of compulsory acquisition in the DCO application, in order to ensure that, in the event that the on-going negotiations to acquire land by agreement are ultimately unsuccessful in relation to any part of the Land, the Scheme is not precluded

from being delivered. The Applicant is satisfied that all of the land interests identified for compulsory acquisition are required to enable the Scheme to proceed.

- 1.4.4 The Applicant owns a number of plots which may be subject to the rights of others which are incompatible with the construction and operation of the Scheme. In order to ensure that any such rights can be removed (and the persons benefitting from them are compensated for such removal) the Applicant's own land has been included within the Land to which the compulsory acquisition powers sought will apply; however, the powers of compulsory acquisition sought in the DCO are expressed to apply to all interests in such land other than those already owned by the Applicant.

## **1.5 The case for compulsory acquisition**

- 1.5.1 The Applicant is satisfied that the powers of compulsory acquisition and temporary possession sought in the DCO are necessary, proportionate and justified. The Applicant is further satisfied that the powers sought are in accordance with all relevant statutory and policy guidance.
- 1.5.2 The Applicant is firmly of the view that there is a compelling case in the public interest for the compulsory acquisition and temporary possession powers sought as set out in Chapter 5 of this Statement.

## **1.6 Human rights**

- 1.6.1 In preparing the DCO, the Applicant has had regard to the European Convention on Human Rights ("the Convention") and the Human Rights Act 1998. Chapter 6 of this Statement considers how the Scheme complies with the Convention and with this legislation, notwithstanding any infringement of the private rights of those whose interests in the Land may be affected by the exercise of powers of compulsory acquisition in connection with the Scheme.

## 1.7 Special considerations

- 1.7.1 In Chapter 7 of this Statement, the Applicant has identified all special category land which is affected by the compulsory acquisition powers sought in the DCO. The Applicant has engaged with the relevant persons responsible for the special category land and with a view to avoiding the need for special parliamentary procedure in accordance with the relevant sections of the PA 2008 (sections 130 to 132). The Applicant has also given consideration to the application of the relevant provisions of PA 2008 in relation to Crown land (section 135) and land owned by statutory undertakers (sections 127 and 138). The Applicant has further considered what other consents are required in order to enable the Scheme to proceed and has set out in the Consents and Agreements Position Statement (Application Document 3.3) how these will be secured.
- 1.7.2 End of examination update: all necessary Crown authority consents have been obtained and are evidenced within the Crown Authority Consent Report [REP8-014].

## 1.8 Compliance with statutory requirements and policy guidance

- 1.8.1 This document has been prepared in accordance with the requirements of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (“the APFP Regulations”), and the ‘Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land’ (DCLG, September 2013) (“the CA Guidance”).
- 1.8.2 This Statement should be read alongside the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant and the need for the Scheme, including:
- a. Introduction to the Application (Application Document 1.1);
  - b. Land Plans (Application Document 2.2);
  - c. Special Category Land Plans (Application Document 2.3);
  - d. Crown Land Plans (Application Document 2.4);
  - e. Works Plans (Application Document 2.5);
  - f. Draft DCO (Application Document 3.1);
  - g. Explanatory Memorandum (Application Document 3.2);
  - h. Consents and Agreements Position Statement (Application Document 3.3);
  - i. Funding Statement (Application Document 4.2);
  - j. Book of Reference (Application Document 4.3); and
  - k. Case for the Scheme (Application Document 7.1).

## 2 The Scheme

### 2.1 Description of the Scheme

- 2.1.1 The A303 Amesbury to Berwick Down scheme (“the Scheme”) forms part of a programme of improvements for upgrading the A303/A358 corridor, improving this vital connection between the South West and London and the South East and including the upgrade of remaining single carriageway sections on the route to dual carriageway. This investment is stated as a priority project in the National Infrastructure Plan and Government’s commitment is confirmed in the Road Investment Strategy (2015-2020). Subject to achieving an approved Development Consent Order (“DCO”), preliminary works are planned to start in 2020 with the main construction works following in 2021, and the Scheme is due to open to traffic in 2026.
- 2.1.2 Objectives for the Scheme have been formulated both to address identified problems and to take advantage of the opportunities that new infrastructure would provide. The objectives are defined by the Department for Transport (“DfT”):
- **Transport** - To create a high quality reliable route between the South East and the South West that meets the future needs of traffic;
  - **Economic Growth** - To enable growth in jobs and housing by providing a free flowing and reliable connection between the South East and the South West.
  - **Cultural Heritage** - To help conserve and enhance the World Heritage Site and to make it easier to reach and explore; and
  - **Environment and Community** - To improve biodiversity and provide a positive legacy for nearby communities.
- 2.1.3 The objectives would be achieved by providing a high quality, two-lane dual carriageway on the A303 trunk road between Amesbury and Berwick Down in Wiltshire. The Scheme would resolve traffic problems and, at the same time, protect and enhance the Stonehenge, Avebury and Associated Sites World Heritage Site (“WHS”). The Scheme would be approximately 8 miles (13km) long and comprise the following key components:
- a. A northern bypass of Winterbourne Stoke with a viaduct over the River Till valley;
  - b. A new junction between the A303 and A360 to the west of and outside the WHS, replacing the existing Longbarrow roundabout;
  - c. A twin-bore tunnel approximately 2 miles (3.3km) long, past Stonehenge; and
  - d. A new junction between the A303 and A345 at the existing Countess roundabout.

- 2.1.4 A more detailed description of the Scheme is set out in the Case for the Scheme (Application Document 7.1).

## 2.2 Need for and benefits of the Scheme

- 2.2.1 The A303/A358 corridor provides a strategic link between the M3 in the South East and the M5 in the South West and, as a key part of the Strategic Road Network, is critically important to the economy of the South West peninsula. It is a dual carriageway for most of its length, but is interrupted by sections of single carriageway and at-grade junctions which cause traffic bottlenecks.
- 2.2.2 The A303 between Amesbury and Berwick Down includes the longest remaining single carriageway section on the A303 and carries traffic levels which are often twice its design flow. Lack of capacity means that road users suffer from severe congestion, queuing and long delays, especially during summer months when delays can be an hour or more.
- 2.2.3 Congestion, delay and poor journey time reliability on the A303 is a major impediment to economic growth in the South West region, which performs poorly compared to the rest of the UK. Businesses in the South West have identified disruption to business travel and unreliable journey times due to congestion as major barriers to the growth of the region. In a survey of over 650 businesses, 89% felt that the current unreliability of the A303 was harming their business.
- 2.2.4 Local communities in the vicinity of the Scheme suffer from the effects of through traffic and rat-running as drivers try to avoid congestion on the A303. The extra traffic on unsuitable routes causes frustration for local people who rely on these roads for day to day journeys; it also raises safety concerns. The A303 passes directly through the village of Winterbourne Stoke, much of which is within a Conservation Area. Heavy traffic leads to community severance, noise and poor air quality.
- 2.2.5 The A303 also runs through the Stonehenge, Avebury and Associated Sites World Heritage Site, which with its unique and dense concentration of prehistoric monuments and sites and their settings, forms a landscape without parallel. At its closest point, the road is 165 metres from Stonehenge. This creates incongruous sights and sounds of traffic within an otherwise tranquil rural setting that seriously diminish people's enjoyment of the unique prehistoric landscape and which degrade the setting of the iconic stone circle.
- 2.2.6 The A303 splits the southern Stonehenge WHS component in two, making it difficult for visitors to access and enjoy the wider landscape. Removing the road from part of the WHS would reconnect Stonehenge with other ancient monuments, improving access to the WHS and greatly enhancing the visitor experience.
- 2.2.7 Highways England has worked closely with the heritage stakeholders (Historic England, English Heritage, the National Trust and Wiltshire Council) to develop a scheme which will conserve and enhance the WHS and

maintain its Outstanding Universal Value for future generations. The DfT has set Client Scheme Requirements which reflect the cultural heritage importance of the Scheme, as well as the need to deliver economic, transport, environment and community objectives. These requirements are reflected in the Scheme objectives (as stated in paragraph 2.1.2 above).

2.2.8 The Government, in its Road Investment Strategy, has committed to convert the A303/A358 corridor into a high quality dual carriageway over successive road investment periods. The Scheme is essential to delivering this long-term commitment. The Scheme represents a unique solution, delivering a holistic range of benefits and opportunities across a number of topics. The key benefits are summarised below.

#### 2.2.9 Transport

- a. Journey times will be reduced as a result of increased capacity, higher speed limits and grade-separated junctions. Benefits will be greatest in the summer months and other times of high demand;
- b. The A303 will become a more efficient and more attractive route, reducing the incentive for traffic to rat run through local communities;
- c. The road will be designed to modern standards and perform as part of a high capacity dual carriageway route, reducing risk of accidents;
- d. The Scheme will include improved provision for non-motorised users (“NMUs”), helping to encourage use of more sustainable modes of transport for local journeys;
- e. The improved road will be safer, helping reduce collisions and casualties;
- f. As a dual carriageway, the improved road will be better able to cope with incidents and unexpected demands, leading to improved network resilience; and
- g. Journey times will be more reliable, making it easier to plan journeys and reducing road user frustration.

#### 2.2.10 Economic Growth

- a. The capacity of the A303 will be increased to accommodate foreseeable traffic growth, including that related to housing and employment growth;
- b. Transport costs for users and businesses will be reduced as a result of freer flowing journeys, effectively bringing people closer together;
- c. Junctions will be grade-separated to allow traffic to flow freely, meaning that journeys will be faster and more reliable;
- d. The road will be upgraded to form part of a high performing dual carriageway route, assisting the flow of traffic and giving productivity benefits;

- e. Local journeys will be easier and more reliable, helping to stimulate and support local economic activity; and
- f. Tourism will benefit from easier journeys to the South West, and from the greatly enhanced setting of the WHS.

#### 2.2.11 Cultural Heritage

- a. The removal of the A303 and its traffic will greatly improve the setting of Stonehenge. Visitors will be able see the stone circle and appreciate its connection to the rest of the WHS without the sight and sound of traffic intruding on their experience. This will help to protect and enhance the WHS and maintain its Outstanding Universal Value;
- b. The removal of the A303 will allow the reconnection of this part of The Avenue (a feature of the Stonehenge site), which is severed by the existing road;
- c. The existing road as it passes through the WHS will be altered for use by NMUs and for access;
- d. The Scheme will improve access to and within the WHS; and
- e. Knowledge gained from any archaeological excavation within the WHS will be made publicly available through close collaboration with key heritage stakeholders.

#### 2.2.12 Communities and Environment

- a. By putting part of the A303 in a tunnel, the Scheme will allow landscape reconnection and habitat restoration on the redundant section, helping to increase biodiversity;
- b. By offering a better direct route, the Scheme will reduce rat-running through villages, including Shrewton and Larkhill, improving noise and air quality;
- c. The Winterbourne Stoke bypass and de-trunking of the existing road will improve quality of life for residents e.g. in terms of noise, air quality and accessibility;
- d. Learning and finds made during the development of the Scheme will be presented to local schools and communities; and
- e. The Scheme will be designed to seek a CEEQUAL rating of 'excellent' (an evidence-based sustainability assessment, rating and awards scheme for infrastructure which celebrates high environmental and social performance).

2.2.13 To ensure that the identified benefits are delivered, and to create a collaborative vision for the legacy of the Scheme, a Benefits Steering Group has been established, attended by a wide range of stakeholders. This group will look beyond the DCO process and construction of the Scheme, to secure

lasting and positive change for the benefit of local communities as well as people and businesses that make use of the road corridor to the South West.

2.2.14 Additional information on the need for and benefits of the Scheme is set out in the Case for the Scheme (Application Document 7.1).

## **2.3 The authorised development**

2.3.1 In order to deliver the Scheme, it will be necessary to carry out the following works:

- a. Construction and improvement of new all-purpose dual carriageway and associated structures and highway related works;
- b. Construction of 2 miles (3.3km) of new all-purpose dual carriageway within a new tunnel, comprising a twin-bored tunnel with a cut and cover section of tunnel at each end;
- c. Improvement of existing A303 carriageway;
- d. Provision of four 'green bridges' (see Design and Access Statement (Application Document 7.2));
- e. Construction of a realigned section of the B3083 (Shrewton Road) and associated new A303 underbridge;
- f. Provision of a new viaduct over the River Till valley (carrying the new A303 and removing it from the centre of Winterbourne Stoke);
- g. The provision of a new grade-separated junction with the A360 (replacing the existing Longbarrow roundabout);
- h. Construction of two new bridges to carry the new A303 on a flyover above the Countess Roundabout;
- i. The construction and installation of four new variable message signs;
- j. Construction of a new link road between the new Longbarrow Junction and Winterbourne Stoke;
- k. Construction of a realigned section of the A360 (comprising part of the new grade-separated Longbarrow junction);
- l. Construction of junction improvements at the Rollestone Crossroads (B3086);
- m. Conversion of part of the existing A303 into a new restricted byway;
- n. Construction of a realigned section of Allington Track;
- o. Deposition of excavated material;
- p. Diversion of utilities and provision of new utility supplies (including the extension of existing electricity substation provision and provision of temporary power supplies);
- q. Landscaping works, tree and hedgerow works;
- r. Archaeological and ecological mitigation works;

- s. Diversion, closure, construction and re-provision of private means of access;
- t. Diversion of public rights of way and creation of new sections of rights of way, including byways open to all traffic, restricted byways, footpaths, cycleways, shared use cycle tracks and bridleways; and
- u. Construction of new noise bunds, drainage treatment areas, laybys and crossovers.

2.3.2 A full description of the works, referred to in the Draft DCO as "the authorised development", is set out in Schedule 1 to the Draft DCO (Application Document 3.1). The lines and situations of the numbered works described in Schedule 1 are shown on the Works Plans (Application Document 2.5) and the Scheme is shown illustratively on the General Arrangement Drawings (Application Document 2.9).

## 2.4 Flexibility

2.4.1 Due to the nature of the design process and the timing of the consenting process, the Applicant requires a degree of flexibility as to where certain elements of the Scheme can be constructed within defined limits of deviation which are provided for in the draft Order. At this stage, all the land included in the Order limits is considered to be necessary to enable the delivery of the Scheme. However, should it transpire that any part of the land within the Order limits is not required, for instance as a result of the detailed design process in due course or because a parcel of land has been acquired by agreement as a result of successful negotiations, in those circumstances powers of compulsory acquisition (or temporary possession) would not be exercised in respect of such land because such exercise would not be necessary or justified.

## 3 Compulsory acquisition

### 3.1 Scope of compulsory acquisition powers sought

3.1.1 The scope of the compulsory acquisition powers sought by the Applicant is set out in full in Part 3 of the Draft DCO (Application Document 3.1).

### 3.2 Main compulsory acquisition powers

3.2.1 The main powers authorising the compulsory acquisition of land, or interests in, or rights over land, are contained in Articles 19 (compulsory acquisition of land) and 22 (compulsory acquisition of rights) of the Draft DCO.

3.2.2 Other compulsory acquisition powers are sought in the Draft DCO (identified in paragraph 3.3 below) and these similarly relate to land and will, or may, interfere with property, rights and interests.

3.2.3 In addition, powers are sought in the Draft DCO to enable the temporary possession and use of land to carry out and maintain the Scheme.

3.2.4 In each case, the owner of the land, or the interest or right in the land, may be entitled to compensation.

### 3.3 Other compulsory acquisition powers

3.3.1 The other compulsory acquisition powers sought by the Applicant in the DCO include:

Article 23: Private rights over land

3.3.2 Article 23 provides for the extinguishment of all existing private rights over land from the earlier of the date of acquisition of the land or the date on which the Applicant enters the land.

3.3.3 The article further provides that, where new rights are being compulsorily acquired or restrictive covenants are being imposed on land then any existing private rights or restrictive covenants to which that land is subject shall be extinguished to the extent that continuing those private rights or restrictive covenants would be inconsistent with the new right acquired or restrictive covenant imposed.

3.3.4 With regard to land that the Applicant may take temporary possession of under the DCO, article 23 provides that all private rights over that land will be suspended and unenforceable for as long as the Applicant is in lawful possession of the land.

3.3.5 Article 23(4) provides that any persons who suffer loss caused by the extinguishment or suspension of rights (pursuant to the exercise of the power in article 23) is entitled to compensation.

Article 27: Acquisition of subsoil, etc., only

- 3.3.6 Article 27 provides that where the Applicant has, in respect of any land, powers of compulsory acquisition under article 19 above then it may, for the same purposes for which it is authorised to acquire the whole of the land, choose instead to acquire only the subsoil underneath or the airspace over the land. In exercising this power to acquire subsoil and/or airspace only, the acquisition of the subsoil or airspace would be for the same purposes for which the Applicant would be authorised to acquire the whole of the land under article 19. Article 27 also provides that only the acquisition of subsoil and rights above subsoil is authorised in respect of certain identified plots (as listed in Schedule 6 to the draft DCO); in relation to such plots, rights may be acquired in respect of the subsoil (above the subsoil which is to be acquired to accommodate the tunnel structure) up to and including the surface of the land (by exercise of the power in article 27(2)).

Article 28: Rights over or under streets

- 3.3.7 Article 28 would authorise the Applicant to:
- a. enter on and appropriate and use so much of the subsoil underneath or airspace over any street within the Order limits as may be required to provide the Scheme; and
  - b. use that subsoil or airspace for the purposes of carrying out the Scheme or any purpose ancillary to it.
- 3.3.8 Save in the case of subways or underground buildings, or to cellars or similar structures forming part of a building fronting the street, the Applicant may exercise its powers under this article without having to acquire any part of the street or any easement or right in the street.

## 3.4 Temporary possession powers

- 3.4.1 The Applicant further seeks, in the DCO, powers to take temporary possession of land to carry out and thereafter maintain the Scheme as follows:

Article 29: Temporary use of land for carrying out the authorised development

- 3.4.2 Article 29 would authorise the Applicant to take temporary possession of:
- a. the land specified in columns 1 and 2 of Schedule 7 to the DCO; or
  - b. any other land within the Order limits, so long as the Applicant has not served a notice of entry or executed a general vesting declaration in respect of that land.
- 3.4.3 In addition to taking possession of the land, the article would authorise the Applicant to:
- a. remove any buildings and vegetation from the land;
  - b. construct temporary works (including accesses) and buildings on the land; and

- c. construct any works on the land as specified in Schedule 1 to the DCO.
- 3.4.4 The power to take temporary possession of land would be subject to the time limits set out in article 21. The Applicant cannot remain in possession, unless the owner of the land agrees, after:
- a. as regards any land specified in columns 1 and 2 of Schedule 7 to the DCO, for more than a year after completing that part of the Scheme specified in relation to that land in column 1 and 2 of Schedule 7; and
  - b. as regards to any other land included in the DCO, for more than a year after completing the work for which temporary possession was taken (unless before the end of that period the Applicant has made a vesting declaration or served notice of entry in relation to that land).
- 3.4.5 Article 29 provides that before giving up possession of any land the Applicant is obliged to remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land.
- Article 30: Temporary use of land for maintaining the authorised development
- 3.4.6 Article 30 would empower the Applicant to take temporary possession of any land within the Order limits, if reasonably required for the purpose of maintaining the Scheme, at any time during the maintenance period (i.e. five years from the date on which that part of the Scheme is first opened for use).
- 3.4.7 Article 30 would allow the Applicant to construct temporary works and buildings on the land, so far as reasonably necessary for the purpose of carrying out the maintenance. The Applicant would not be able to take temporary possession of a house, or a garden belonging to a house, or any other occupied building under this article.
- 3.4.8 The Applicant would only be able to remain in possession of land under this article for so long as may be reasonably necessary to carry out the maintenance of the part of the Scheme for which possession was taken. Before giving up possession of the land, the Applicant would be required to remove all temporary works and restore the land to the owner's reasonable satisfaction.

#### Other rights and powers

- 3.4.9 If made, the DCO would also confer on the Applicant other rights and powers that may interfere with property rights and private interests. These additional powers are:
- a. Article 10: Permanent stopping up and restriction of use of streets and private means of access. This article allows the streets and private means of access identified in Schedule 3 to be stopped up (i.e. the legal right of way along them is to be extinguished). Since the definition of a 'street' in section 48 of the New Roads and Street Works Act 1991 includes highways and footways such ways can be stopped up under this article as well as vehicular accesses. Paragraph (6) provides a right to compensation for any person suffering loss due to the

suspension or extinguishment of a private right of way under this article;

- b. Article 11: Temporary stopping up and restriction of use of streets. This article allows for the temporary stopping up, alteration, diversion or restriction of streets for the purposes of the Scheme, whilst ensuring that essential pedestrian access to and from premises along that street is maintained if necessary (paragraphs (3) and (4)). Paragraph (5) provides a right to compensation for any person suffering loss due to the suspension of a private right of way under this article.;
- c. Article 14: Protective works to buildings. This article gives the Applicant the power to undertake protective works such as underpinning, subject to a requirement to give 14 days' notice of access except in an emergency. Compensation is payable for any loss or damage caused;
- d. Article 15: Authority to survey and investigate the land. This article gives the Applicant the power to enter land for the purpose of surveying and investigating. It provides that the Applicant must give 14 days' notice before exercising the powers of entry. Compensation is payable for any loss or damage caused;
- e. Article 17: Authority to allow any tree or shrub that is overhanging the authorised development to be felled or lopped, or have its roots cut back, if it is considered to obstruct the construction, operation or maintenance of the authorised development or endanger anyone using it. Compensation is payable for any loss or damage caused; and
- f. Article 24: Authority to override easements and other rights where activities carried out on land within the Order limits in accordance with the terms of the Order, would otherwise interfere with a right or breach a restriction. Compensation is payable under the Compulsory Purchase Act 1965.

## 3.5 Conclusions

- 3.5.1 The Applicant considers that the powers sought in the Draft DCO as set out in this Chapter are reasonable, proportionate and necessary to deliver and thereafter maintain the Scheme.

## 4 Land interest

### 4.1 The extent of the land subject to compulsory acquisition powers

- 4.1.1 The full extent of the Land subject to powers of compulsory acquisition and required in order to enable the Applicant to construct the Scheme as described in Chapter 2 of this Statement is shown on the Land Plans (Application Document 2.2) and the Works Plans (Application Document 2.5). It is further described in the Book of Reference (Application Document 4.3) and in Chapter 7 of the Environmental Statement (Application Document 6.1).
- 4.1.2 The Land comprises approximately 427.9 hectares. Of this, approximately 232.2 hectares are proposed to be subject to powers of compulsory acquisition; 48.4 hectares are proposed to be subject to powers to acquire compulsorily subsoil and to acquire rights (including the imposition of restrictive covenants) over the remaining subsoil (above that subsoil proposed to be permanently acquired) up to and including the level of the surface of the land; 113.4 hectares are proposed to be subject to the acquisition of permanent rights (including the imposition of restrictive covenants); and 33.9 hectares are proposed to be subject to powers of temporary possession.
- 4.1.3 The purpose for which each plot of land is required is described in Annex A of this Statement.

### 4.2 Location

- 4.2.1 The A303 forms one of two strategic routes between the South East and South West regions, the other being the M4/M5. Together with the A30 and A358, the A303 plays a vital role in supporting the economy of the South West peninsula and the wider South West region. The section of the A303 addressed by the Scheme and considered within this Statement, is located between Amesbury and Berwick Down, approximately 11.5km north of the city of Salisbury, in the county of Wiltshire.
- 4.2.2 The Scheme would be approximately 8 miles (13km) long and would comprise the construction of a new two lane dual carriageway between Amesbury and Berwick Down. At the western end, the Scheme would pass just to the south of the Parsonage Down National Nature Reserve (“NNR”) and to the north of the village of Winterbourne Stoke, crossing the River Till which is a Site of Special Scientific Interest (“SSSI”) and a Special Area of Conservation (“SAC”). It would then pass through the WHS. Located within the WHS and to the south of the Scheme is the Normanton Down RSPB Reserve. At the eastern end, the Scheme would mostly follow the line of the

existing A303, passing to the north of the historic town of Amesbury and across the River Avon which is also a SSSI and a SAC.

4.2.3 The location of the Land is shown on the Scheme Location Plan (Application Document 2.1).

4.2.4 The Land is located within the administrative area of Wiltshire Council.

### **4.3 Existing Land Use**

4.3.1 Other than the existing highways (including byways and other public rights of way), the majority of the land within the Order limits is used for a mixture of arable and pastoral agriculture. The wider landscape consists of Stonehenge as well as many Neolithic barrow groups, within the WHS and beyond.

### **4.4 Identifying persons with an interest in the Land**

4.4.1 In preparing the DCO application, the Applicant has carried out diligent inquiry in order to identify all persons who fall within the categories set out in sections 44 and 57 of the PA 2008. Such persons are listed in the Book of Reference (Application Document 4.3) and have been consulted about the DCO application in accordance with section 42 of the PA 2008 as described in the Consultation report (Application document 5.1).

4.4.2 Diligent inquiry to identify affected landowners, those with interests in land, and those with a potential claim, was undertaken by the Applicant's land referencing supplier. The categories of persons identified and the methods used to identify the persons with an interest in the land are described in the Land Referencing Methodology (Appendix E.3 of the Consultation Report (Application document 5.1) and summarised below. Land referencing has been undertaken throughout the pre-application period and periodically through the pre-examination and examination periods, to ensure that any changes in ownership or new interests have been identified, consulted and subject to engagement. Any changes in ownership that have been identified during the DCO process have been recorded and updated in the Book of Reference. A final update to the Book of Reference was submitted at Deadline 9 (25 September 2019), shortly prior to the close of the Examination.

4.4.3 The categories of persons that are required to be identified for the purposes of consultation and notification under Sections 42 and 56 of PA 2008 are prescribed in Sections 44 and 57 as Categories 1, 2 and 3. Under PA 2008, diligent inquiry must be undertaken to identify persons who, by virtue of the nature of the interest they have in land, and the location of that land in

relation to the land to which the application relates, come within Categories 1, 2 and 3.

#### **4.5 Category 1 and 2 persons**

- 4.5.1 Category 1 comprises owners, lessees, tenants (whatever the tenancy period) and occupiers of the land.
- 4.5.2 Category 2 comprises persons who are interested in the land or have the power to sell and convey, or to release, the land.

#### **4.6 Category 3 persons**

- 4.6.1 Category 3, as prescribed by sections 44 and 57 of PA 2008, comprises persons who the applicant thinks would or might be entitled to make a "relevant claim" for compensation, if the order sought by the application were to be made and fully implemented. A "relevant claim" is defined in PA 2008 as meaning a claim under Section 10 of the Compulsory Purchase Act 1965 ("CPA 1965"), or under Part 1 of the Land Compensation Act 1973, or under Section 152(3) of the PA 2008.

#### **4.7 Assessment of Category 3 persons who may fall under section 10 of the CPA 1965 and/or section 152(3) of the PA 2008**

- 4.7.1 Identification of Category 3 persons was undertaken during the early stages of development of the Scheme, in order to inform the design of the Scheme and preparation of the DCO application.
- 4.7.2 In order to identify potential Category 3 persons who may have a claim pursuant to section 10 of the CPA 1965 or section 152(3) PA 2008, an initial 10m buffer was applied to the proposed land requirements to ensure adjacent landowners, frontage interests and potential relevant claims under section 10 of the CPA 1965 and section 152(3) PA 2008, were included, as well as carrying out a desk-based assessment to identify properties with a potential claim. In addition, site visits were used in order to assess properties that were not evident from the desk-based assessment.
- 4.7.3 Furthermore, proposed new residential developments, identifiable from the Local Plan or from local authority information on developments with the benefit of planning permission were considered.

#### **4.8 Assessment of Category 3 persons which fall under Part I of the Land Compensation Act 1973 (LCA 1973)**

- 4.8.1 In identifying potential claimants under Part I of the LCA 1973, physical factors and impacts of the Scheme were considered, including:
  - a. Properties closest to the authorised development; and
  - b. Properties identified as a receptor as a consequence of the property being located outside the Order limits but in the vicinity of the authorised development;

- 4.8.2 The Applicant's land referencing team was provided with guidance from environmental specialists to identify those receptors potentially impacted by physical factors (noise, vibration, smell, fumes, smoke, artificial lighting and discharge of solid/liquid substance onto land). This guidance was based on the topography of the land and the likely significant effects arising from the Scheme. For example, the noise assessments had regard to information available at that time regarding:
- a. Background noise levels; and
  - b. Distances to receptors.
- 4.8.3 Based on the above information, professional judgement and valuation advice from the District Valuer was used to ascertain whether a person may have a relevant claim for compensation under section 57(4) of the PA 2008, based on a worst-case assessment. Following guidance from environmental specialists and the District Valuer, a precautionary approach was adopted to include all those properties identified as potentially affected by a 1dB or greater increase in noise as a result of the Scheme as potential Category 3 parties. This process was undertaken for all physical factors set out in Part 1 of the LCA 1973, and in each case the parties and properties assessed in terms of potential relevant claims for that factor. No further potential relevant claims were identified outside of the proposed land requirements or area identified as affected by a 1dB noise increase.
- 4.8.4 These findings were then reviewed as further assessments and information became available as the project progressed until a final position was identified to inform the Book of Reference (Application Document 4.3) submitted with the DCO application. The same precautionary approach to include all properties with a 1dB or greater increase in noise as a result of the Scheme was adopted, incorporating updated environmental assessment work. Further details about the noise assessments and other environmental assessments undertaken can be found in chapters 4 to 15 of the Environmental Statement (Application Document 6.1). A review of other physical factors was also undertaken again at this stage, which re-confirmed that no further potential relevant claims were anticipated outside of the Order limits or properties identified as having a potential 1dB or greater increase in noise.

## 4.9 Non-contact referencing

- 4.9.1 The methodology undertaken to complete diligent inquiry is set out fully in Appendix E.3 of the Consultation Report (Application document 5.1). The below is a summary of this process.
- 4.9.2 In order to identify persons coming within Categories 1, 2 and 3, a shapefile of the referencing limits, comprising the proposed land requirements and a 10 metre buffer zone (as explained above in the context of the assessment for section 10 claims) and properties within the area identified as having a potential increase in noise of at least 1dB (explained in the context of the assessment for Part 1 claims above). The referencing limits were submitted

to the Land Registry so that a search could be completed of the index map in October 2017. Subsequently, official copies of the Registered Titles and Plans were examined to identify all registered land interests. Periodic updates to the Land Registry data were obtained to ensure that any changes in title were identified in January 2018 (to refresh the information ahead of statutory consultation), in April 2018 and July 2018 (to capture changes in referencing limits) and August 2018 (to refresh the information ahead of submission of the DCO application to the Planning Inspectorate).

- 4.9.3 On completion of the above initial desk based exercise, the extent of unregistered land interests became known. In order to establish ownership of unregistered land that falls within the referencing limits, public sources of information were used, including non-contact site observations, the posting of site notices, Rural Payments Agency website, DEFRA, Natural England, Companies House website, the relevant Highways Authority, records held by Statutory Undertakers, Electoral Registers and online resources.

## 4.10 Contact referencing

- 4.10.1 Following the initial non-contact methods outlined above, persons identified as a Category 1, 2 or 3 interest were issued with a letter and questionnaire requesting return of information about their interests in the referencing limits. This was then followed up by telephone, site visits and letter contact and the offer of a face-to-face meeting to confirm land interest information. Further letters and questionnaires were issued to parties identified with an interest in land in order to confirm their information to ensure the information was current and accurate in advance of the production of the Book of Reference (Application Document 4.3).

## 4.11 Negotiations to acquire by agreement

- 4.11.1 As well as consulting all persons with an interest in the Land about the Scheme proposals in accordance with section 42 of the PA 2008, the Applicant is aware of the requirement (paragraph 25 of the CA Guidance) to seek to acquire land by negotiation wherever practicable. The power to acquire land compulsorily should only be sought if attempts to acquire by agreement fail.
- 4.11.2 At the same time, the Applicant notes that the CA Guidance also recognises that where proposals would entail the compulsory acquisition of many separate plots of land, it may not always be practicable to acquire each plot of land by negotiated agreement. As the CA Guidance states, "Where this is the case, it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset."
- 4.11.3 The Applicant has engaged with all landowners and occupiers with a view to acquiring their land interest by agreement by writing to them to inform them of the Applicant's willingness to negotiate to acquire the Land by agreement, and to invite dialogue on this point. As a result, the Applicant is in the process of engaging with all landowners with regard to the acquisition of land

by agreement; and negotiations with this objective will be ongoing throughout the DCO process. The current status of such negotiations is set out in the Land Acquisition and Temporary Possession Negotiations Tracker (as updated at Deadline 9).

- 4.11.4 Whilst negotiations are ongoing, the Applicant is mindful that it is under a duty to acquire land at best value and that it is required to deliver the Scheme within a specified timescale. It has concluded that it may not be possible to acquire by agreement all land interests necessary to deliver the Scheme within this timescale. In addition, there are two parcels of land in unknown ownership which cannot be acquired by agreement. The National Trust is unable to sell the freehold of any land it holds inalienably and therefore compulsory acquisition powers will be required to secure the acquisition of such land. The Applicant has therefore concluded that the Scheme is unlikely to be capable of being delivered without compulsory acquisition powers. Further details regarding National Trust land are provided in section 7 below.
- 4.11.5 Land already owned by the Applicant is included in the DCO, in that it is shown on the Land Plans (Application Document 2.2) as being subject to compulsory acquisition, in order to ensure that no known or unknown third party rights, which might impede delivery of the Scheme, remain over the land. The wording in the relevant plot descriptions in the Book of Reference (Application Document 4.3) makes clear, however, that the interests in such land which are already owned by the Applicant are excluded from the compulsory acquisition request; accordingly, the compulsory acquisition request applies only to interests in the land which are held by third parties.

## 5 The case for compulsory acquisition

5.1.1 In seeking compulsory acquisition and temporary possession powers in the DCO, the Applicant has had regard to the conditions in section 122 of the PA 2008 and to the tests set out in the CA Guidance.

### 5.2 The statutory conditions and CA Guidance

5.2.1 Section 122 of PA 2008 states that:

5.2.2 "An order granting development consent may include provision authorising the compulsory acquisition of land only if the Secretary of State is satisfied that the conditions in subsections (2) and (3) are met"

5.2.3 The conditions are:

5.2.4 In subsection (2), that the land is:

5.2.5 required for the development to which the development consent relates;

5.2.6 required to facilitate or is incidental to that development; or

5.2.7 replacement land which is to be given in exchange for the order land under sections 131 or 132 of the PA 2008; and

5.2.8 In subsection (3), that there is a compelling case in the public interest for the land to be acquired compulsorily.

5.2.9 The CA Guidance (paragraph 11) sets out the considerations which the Secretary of State will take into account in deciding whether the condition in subsection (2) has been met. It states:

- a. In respect of whether the land is required for the development, the applicant should be able to demonstrate to the satisfaction of the Secretary of State that the land in question is needed for the development. The Secretary of State will need to be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development.
- b. In respect of whether the land is required to facilitate or is incidental to the proposed development, the Secretary of State will need to be satisfied that the development could only be carried out to a satisfactory standard if the land in question were to be compulsorily acquired and that the land to be taken is no more than is reasonably necessary for that purpose and that it is proportionate.
- c. In respect of whether the land is replacement land, the Secretary of State will need to be satisfied that the compulsory acquisition is needed for replacement land, that no more land is being taken than is reasonably necessary for that purpose and that it is proportionate.

5.2.10 In respect of the condition in subsection (3), the CA Guidance states at paragraphs 12 and 13 that the Secretary of State will need to be persuaded that there is compelling evidence that the public benefits that would be

derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired.

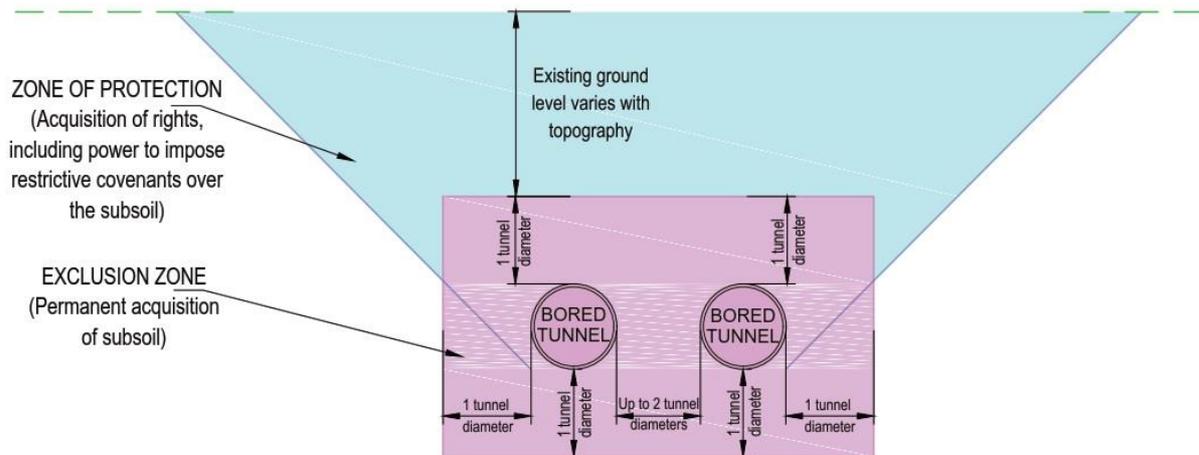
- 5.2.11 Paragraphs 8 to 10 of the CA Guidance are also relevant, setting out a number of general considerations to be taken into account by the applicant in seeking compulsory acquisition powers:
- a. That all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored;
  - b. That the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate;
  - c. That the applicant has a clear idea of how they intend to use the land which is to be acquired;
  - d. That there is a reasonable prospect of the necessary funds for acquisition becoming available; and
  - e. Those purposes for which the compulsory acquisition powers are included in the application are legitimate and sufficiently justify interfering with the human rights of those with an interest in the affected land.
- 5.2.12 Finally, paragraph 25 of the CA Guidance states that applicants should seek to acquire land by negotiation wherever practicable.

### **5.3 Need for the Land and the purposes for which the compulsory acquisition powers are sought**

- 5.3.1 The Applicant is satisfied that the condition in section 122(2) of the PA 2008 is met. It considers that the Land which is proposed to be subject to compulsory acquisition powers is either needed for the development, or is needed to facilitate the development, or is incidental to the development.
- 5.3.2 At Annex A of this Statement, the Applicant sets out the purposes for which compulsory acquisition and temporary possession powers are necessary in relation to each individual plot of the Land, with reference to the relevant numbered works (comprising the authorised development as set out in Schedule 1 to the DCO). The proposed use of the Land is set out in Chapter 2 and Annex A of this Statement.
- 5.3.3 The need for and justification of the compulsory acquisition of replacement land under sections 131 and 132 of the PA 2008 is considered in Chapter 7 of this Statement.
- 5.3.4 The Applicant considers that the Land included in the DCO is the minimum land-take required to construct, operate, maintain and mitigate the Scheme and is therefore necessary to achieve the objectives of the Scheme. The Applicant has sought to achieve a balance between minimising land take and securing sufficient land to ensure delivery of the Scheme, noting that the detailed design of the Scheme has yet to be developed. In that context, the limits of the Land have been drawn as tightly as possible so as to avoid

unnecessary land take. In the event that less land proves to be required in a particular area following the detailed design stage, the Applicant would only seek to acquire that part of the Land that is required and, in all events, will seek to minimise effects on landowners.

- 5.3.5 The provision of a bored tunnel would avoid the need for permanent land take at surface level along approximately 3 kilometres of the Scheme. Discussions have taken place with the relevant landowners to minimise any impact on existing surface activities by only acquiring subsoil (to accommodate the tunnel structure) and by acquiring rights in the subsoil above the tunnel and up to (and including, where necessary) the surface of the land, to restrict activities on land that may affect the structural integrity of the tunnel.
- 5.3.6 For the bored tunnel, the Applicant seeks powers to acquire compulsorily subsoil, to the extent necessary to construct, operate and maintain the tunnel. The Applicant therefore requires the subsoil within which the tunnel would lie, together with a 'layer' of additional subsoil around the tunnel itself; the additional layer would form a protective barrier around the tunnel; it is shown in Figure 1 below where it is labelled as the 'exclusion zone'. As Figure 1 shows, the exclusion zone would extend around the bored tunnel for a distance of one tunnel diameter.
- 5.3.7 In addition, the Applicant seeks powers to acquire compulsorily new rights over the subsoil above the tunnel (and its exclusion zone), up to and including the surface of the land above. The purposes for which such new rights are sought include enabling the Applicant to impose restrictive covenants to secure protection of the tunnel from potentially conflicting future development and works that might jeopardise the structural integrity of the tunnel. The restrictive covenants, which would be imposed upon implementation of the powers of compulsory acquisition (should such powers be granted in the DCO) would require consultation with the Applicant in respect of any proposals for development or for works at or below surface level within the relevant land, and referred to hereafter as the 'zone of protection'.
- 5.3.8 End of Examination Update: The terms of restrictive covenants applying for the benefit of the tunnel protection zone have been agreed with the National Trust; the achievement of such agreement is recorded within section 4.3 of the Statement of Common Ground between the Applicant and The National Trust [REP7-010] (update to be submitted before the close of the examination).



**Figure 1** - Illustrative cross-section showing land acquisition through the tunnel section. Pink signifies permanent acquisition of land, blue signifies permanent acquisition of rights only (including rights to impose restrictive covenants for the protection of the tunnel).

- 5.3.9 Within the area around the western end of the bored tunnel the Applicant also proposes, across the full width of the Order limits, the permanent installation of ground anchors. The ground anchors would be installed within subsoil which is proposed to be acquired and within subsoil which is proposed to be subject to new rights. Accordingly, the Applicant seeks rights to install, protect and maintain a system of ground anchors within the layer of subsoil lying above the subsoil which is to be acquired (for the tunnel) and below the level of the surface of the land.
- 5.3.10 The construction compound requirements for the tunnelling operations are by necessity more extensive than for a traditional surface highway Scheme. This is due to the need for additional infrastructure to support the tunnelling operations, such as precast concrete and slurry treatment plants. The location for the main works compound has been selected to be outside the WHS, close to the tunnel's western portal and adjacent to the A360 and proposed A303 to provide good highway and haul route links. The areas for satellite compounds and works areas have been minimised whilst still providing sufficient space for the safe construction of the Scheme.
- 5.3.11 Land-take is required for the deposition of excavated material. The choice of on-site deposition followed a review which showed that off-site disposal would result in negative impacts on traffic, air quality, noise and carbon. The excavated material will include the likely recovery of significant volumes of material from the tunnel which may require processing prior to placement in thin layers. The optimum area identified for onsite deposition is located to the east of Parsonage Down, on land owned by Natural England and also by a private landowner, adjacent to an area already identified for essential landscape mitigation in connection with the Scheme. A benefit arising from the selection of this area is that it could accommodate the potential for the

properties of the excavated material from the tunnel to extend the high value chalk grassland habitat adjacent to the Parsonage Down NNR. Land plots owned by Natural England in this area are therefore not proposed to be subject to compulsory acquisition, but only to the acquisition of rights, thereby enabling the land to be retained by the landowner, who would gain the benefits of this placement of the excavated material.

- 5.3.12 In contrast, the plots owned by the private landowner are proposed to be subject to powers of compulsory acquisition on the basis that part is required for the permanent construction of the Scheme, whilst the remainder, which is required for the deposition of excavated material, is proposed to be subject to powers of compulsory acquisition in order to provide for the potential situation in which the landowner did not want to retain the land in its changed condition, following deposition of the excavated material. The Applicant considers this approach to be prudent given that its ability to reinstate the land (which is not required for the permanent construction of the Scheme) to its current arable use following the deposition of excavated material is not yet confirmed. As such, powers of compulsory acquisition are proposed on a contingent basis, to provide for a situation in which the private landowner required the Applicant to purchase the land; however, should the private landowner elect to retain the land in its changed condition following deposition of the excavated material, the Applicant's powers of compulsory acquisition would not be implemented in respect of that land. Further details of the tunnel arisings management strategy are provided in Appendix 12.1 of the Environmental Statement (Application Document 6.3).
- 5.3.13 Provision has been made in the DCO application for the creation and acquisition of new rights to accommodate the diversion of statutory undertakers' apparatus over a number of plots (as identified in Schedule 4 to the Draft DCO). Whilst these rights are shown as applying to the whole of the relevant plots, following the completion of the detailed design by the contractor the final areas required for the works to deliver the diversions will be reduced to apply only to defined corridors. These corridors are generally expected to be between 6 and 12m wide, other than for the oil pipeline, to which a 50m wide exclusion zone applies, and consideration will be given to combining corridors for statutory undertakers' apparatus where practicable. The power to acquire rights would then only be implemented by the Applicant in respect of the land in the corridors so identified; it would not be implemented over the entirety of the plots in question. At this stage, however, as explained above, it is not practicable to determine the exact locations of the required corridors and hence powers are sought on the basis explained above.
- 5.3.14 Environmental mitigation is proposed to be provided via a series of green bridges, together with hedges and planting to reinstate existing facilities lost by the Scheme and to help maintain routes for bats and other wildlife.
- 5.3.15 Noise bunds have been designed in accordance with noise assessments that have been undertaken. The heights of the bunds have been minimised to be less visually and physically intrusive, whilst still providing effective

noise mitigation. In addition, false cuttings are proposed to be provided at locations throughout the Scheme to provide screening of the road and to reduce the visual impact of the Scheme.

- 5.3.16 Existing public rights of way that have been previously severed are proposed to be realigned so that they are able to connect with the new green bridges provided as part of the Scheme. In addition, an east-west non-motorised user route that avoids the dual-carriageway is proposed to be provided throughout the length of the Scheme. This would make use of existing sections of public rights of way, the existing A303 within the WHS (which is to be turned into a new restricted byway) and new public rights of way which are proposed to be located adjacent to the proposed alignment of the A303, thereby minimising the amount of land to be acquired.
- 5.3.17 Where existing accesses onto the current A303 will be stopped up to prevent access onto the new dual carriageway, new replacement accesses will be provided at suitable alternative locations. Discussions have been held with landowners to identify where the new accesses should be located and these are shown in the Rights of Way and Access Plans (Application Document 2.6).
- 5.3.18 The Applicant is accordingly satisfied that the extent of the Land which is proposed to be acquired is reasonable and proportionate.

## **5.4 Compelling case in the public interest**

- 5.4.1 The Applicant is satisfied that the condition in section 122(3) of the PA 2008 is met and that there is a compelling case in the public interest for compulsory acquisition.
- 5.4.2 The need for and the benefits of the Scheme are set out in Chapter 2 of this Statement and in other application documents, including in particular the Case for the Scheme (Application Document 7.1). Together, they demonstrate that there is a very strong and compelling case in the public interest for the Scheme to be delivered.
- 5.4.3 In particular, as set out at in Annex A of the Case for the Scheme, paragraph 2.2 of the National Policy Statement for National Networks (“NPSNN”) identifies a “critical need” to improve the national networks to address road congestion to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. It goes on to state that improvements may also be required to address the impact of the national networks on quality of life and environmental factors. An update to the National Policy Statement for National Networks (“NNNPS”) Compliance Tracker will be submitted to the Examining Authority before the close of the examination, recording further evidence of compliance with the NNNPS, as demonstrated in submissions made during the examination.
- 5.4.4 The Scheme was identified in the Government’s Road Investment Strategy for the 2015/16 – 2019/20 Road Period (“RIS1”) published in 2015 and subsequently in the National Infrastructure Delivery Plan 2016-2021

published in 2016, as one of the key national projects and programmes within the roads sector to be prioritised by 2020/21.

- 5.4.5 The Scheme is part of a wider package of proposals for the A303 /A358 corridor designed to transform connectivity to and from the South West of England by creating a high-quality dual-carriageway along the corridor. The Scheme is essential to delivering this long term commitment.
- 5.4.6 The way in which the strategic objectives of the Scheme are aligned with the NPSNN is set out in detail at Chapter 5 of the Case for the Scheme (Application Document 7.1). General compliance with the NPSNN is set out in the NPSNN Accordance Report & Table Appendix A to the Case for the Scheme. The NPSNN Accordance Table provides a comprehensive assessment of the Scheme's strategic alignment and conformity with the NPSNN. The NPSNN Accordance Table confirms that the Scheme demonstrates substantial conformity with the NPSNN. In particular, Paragraph 3.1 of the NPSNN states that the need for development of the national networks, and the Government's policy for addressing that need, must be seen in the context of the Government's wider policies on economic performance, environment, safety, technology, sustainable transport and accessibility, as well as journey reliability and the experience of road users. As noted above, an update to the NNNPS Compliance Tracker will be submitted to the Examining Authority before the close of the examination, recording further evidence of compliance with the NNNPS, as demonstrated by submissions made during the examination.
- 5.4.7 The Scheme's objectives directly address the Government's wider strategic policy objectives, whilst specifically addressing the historic problems in the area. They also fulfil the long established need for the Scheme, both in terms of resolving local transport, economic, environmental and heritage concerns and the Government's recognised national commitment to improving the strategic road network. It is the Applicant's view that all matters in respect of the policies and protections of the NPSNN and the requirements of the PA 2008 have been addressed. As such, the Applicant considers that the presumption in favour of development set out in Paragraph 4.2 of the NPSNN should be afforded great weight as the public benefits of the Scheme outweigh any residual adverse effects, including private loss suffered by individual land owners and occupiers. On this basis, the Applicant considers that there is a clear and justified case in the public interest for the Scheme.
- 5.4.8 The strong case for the Scheme is underpinned by the fact that the Scheme offers a uniquely effective solution to the two key challenges, i.e. congestion on the A303 and the impacts of the road and traffic on the WHS. It will remove a long-standing bottleneck for road users, helping to create a high quality dual carriageway route to the South West, supporting the local and regional economies. With part of the road in a tunnel, the Scheme will also remove a large section of the A303 from the most sensitive part of the WHS, allowing the two parts of the site to be connected. The tunnel, deep cuttings and related mitigation measures will reduce visual intrusion and noise from

traffic within the WHS, enhancing important views within the prehistoric landscape and preserving the Outstanding Universal Value of the site, thereby protecting its designation as a WHS. The Scheme will also reduce traffic impacts on Winterbourne Stoke, reduce rat-running in other local settlements, and improve the resilience and safety of this part of the Strategic Road Network (for which the Applicant is responsible). As such, the Applicant considers that the presumption in favour of development set out in Paragraph 4.2 of the NPSNN should be afforded great weight as the public benefits of the Scheme outweigh any residual adverse effects. On this basis, the Applicant considers that there is a clear and justified case in the public interest for the Scheme.

## **5.5 Consideration of alternatives**

- 5.5.1 In designing the Scheme and determining the Land to be subject to compulsory acquisition and temporary possession powers, the Applicant has considered alternatives and modifications to the Scheme to minimise the potential land take. These alternatives and modifications were consulted on and the preferred route has been chosen based on a thorough consideration of all of the relevant issues. This process is described in detail in Chapter 3 (Assessment of Alternatives) of the Environmental Statement (Application Document 6.1), Chapter 3 of the Case for the Scheme (Application Document 7.1) and Chapter 4 of the Design and Access Statement (Application Document 7.2).
- 5.5.2 Following public consultation, the Applicant selected the most appropriate option. This selection took into account various factors, including, amongst others, views of consultees including persons with an interest in land. Other factors included environmental impacts, meeting the objectives of the Scheme, affordability, value-for-money, safety and construction and operational considerations. None of the alternatives or modifications considered would obviate the need for the compulsory acquisition and temporary possession of the Land.

## **5.6 Reasonable prospect of funding**

- 5.6.1 The Applicant is content that there is a reasonable prospect of the necessary funds for acquisition and payment of compensation being available for the reasons set out in the Funding Statement (Application Document 4.2; APP-024), in the Addendum to the Funding Statement [AS-012] and in the updated Funding Statement submitted at Deadline 2 of the Examination [REP2-005].

## **5.7 Acquisition by agreement**

- 5.7.1 The Applicant recognises that the power to acquire land compulsorily should only be sought if attempts to acquire by agreement fail. However, the Applicant notes that the CA Guidance recognises that, in some cases, it may not always be practicable to acquire each plot of land by agreement. Where this is the case, the CA Guidance confirms that it is reasonable to include

provision authorising compulsory acquisition covering all the land required at the outset. It also recognises that in some cases it may be preferable, or necessary, to acquire land compulsorily rather than by agreement.

- 5.7.2 The Applicant outlines in Chapter 4 of this Statement and in the Land Acquisition and Temporary Possession Negotiations Tracker (see the final version submitted at Deadline 9 of the Examination) the discussions it has had with landowners and occupiers to acquire the Land by agreement. It is satisfied that compulsory acquisition and temporary possession powers are required to ensure that the Scheme can be delivered within a reasonable timescale and in the event that it does not prove possible to acquire all of the Land by agreement. The National Trust is unable to sell the freehold of any land it holds inalienably and therefore compulsory acquisition powers will be required in order to secure key elements of the land needed to deliver the Scheme.

## 5.8 Conclusions

- 5.8.1 The Applicant is satisfied that the conditions in section 122 of the PA 2008 are met and that the tests in the CA Guidance are satisfied.
- 5.8.2 All of the Land subject to compulsory acquisition and temporary possession powers is necessary to construct, operate, maintain and mitigate the Scheme and is necessary to achieve the objectives of the Scheme. The extent of the Land sought is reasonable and proportionate.
- 5.8.3 Further, there is a compelling case in the public interest to include the compulsory acquisition powers sought by the Applicant in the DCO. The exercise of the compulsory acquisition powers that are sought is shown throughout this Statement to be necessary and proportionate to the extent that interference with private land and rights is required. In the absence of compulsory acquisition powers, the Applicant considers that it would not be possible to proceed with the Scheme, therefore the public benefits of the Scheme would not be realised.

## 6 Human rights

### 6.1 The protected rights

- 6.1.1 The Human Rights Act 1998 incorporated into domestic law the provision of the European Convention on Human Rights ("ECHR"). The ECHR includes provisions in the form of Articles, which aim to protect the rights of the individual. The relevant Articles can be summarised as follows:
- a. Article 1 of The First Protocol – protects the rights to peaceful enjoyment of possessions. No one can be deprived of their possessions except in the public interest;
  - b. Article 6 – entitles those affected by compulsory acquisition powers to a fair and public hearing; and
  - c. Article 8 – protects the right of the individual to respect for his private and family life, his home and his correspondence. Interference with this right can be justified if it is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.
- 6.1.2 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the ECHR.
- 6.1.3 Paragraph 10 of the CA Guidance sets out how applicants should take into account Human Rights:
- 6.1.4 “The Secretary of State must ultimately be persuaded that the purposes for which an order authorises the compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected. In particular, regard must be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of acquisition of a dwelling, Article 8 of the Convention.”
- 6.1.5 The DCO, if made, may infringe the human rights of persons with an interest in land. This infringement is authorised by law provided that:
- a. There is a compelling case in the public interest for the compulsory acquisition powers included within the DCO, and that proper procedures are followed; and
  - b. Any interference with a human right is proportionate and otherwise justified.

### 6.2 Compliance with the convention

- 6.2.1 The Applicant recognises that the Scheme may have an impact on individuals but considers that the significant public benefits that will arise from the Scheme as outlined in this Statement (and set out in greater detail

in Chapter 5 of the Case for the Scheme (Application Document 7.1) outweigh any harm to those individuals.

- 6.2.2 In addition, the Order land does not include, and the Scheme does not require, the outright acquisition of any residential dwelling-houses – it only requires the acquisition of subsoil below and of rights over subsoil and surface (for the construction and subsequent protection of the bored tunnel, as explained in Chapter 5 above) where the tunnel would pass beneath properties known as 1 and 2 Custodian Cottages (see subsoil plot 08-12). Consequently, as the dwelling-houses will not be directly affected, it is not anticipated that the Convention rights protected by Article 8 will be infringed. In the event that such rights were to be infringed, such interference would be justifiable on the basis that it would be lawful and in the public interest.
- 6.2.3 The Applicant is of the view that the DCO strikes a fair balance between the public interest in seeing the Scheme proceed (which is unlikely to happen in the absence of the compulsory acquisition powers being included in the DCO) and the private rights which would be affected by the compulsory acquisition.
- 6.2.4 In relation to Article 1, the compelling case in the public interest for the compulsory acquisition powers included within the DCO has been demonstrated in Chapter 4 and in the Case for the Scheme (Application Document 7.1). The Land over which compulsory acquisition powers are sought, as set out in the DCO, is the minimum necessary to ensure the delivery of the Scheme. The Scheme has been designed to minimise harm whilst achieving its publicly stated objectives. In this respect the interference with human rights is both proportionate and justified.
- 6.2.5 In relation to Article 6, the Applicant is content that the proper procedures have been followed for both the consultation on the Scheme and in determining the need for compulsory acquisition powers included within the DCO. Throughout the development of the Scheme, the Applicant has given persons with an interest in the Land a full opportunity to comment on the proposals, both in a statutory and non-statutory capacity, and the Applicant has endeavoured to engage with landowners. The Applicant has had regard to landowner feedback in both the initial design of the Scheme and in iterative design changes throughout the development of the Scheme to date. Examples of design changes are provided within Chapter 5 of the Consultation Report (Application Document 5.1).
- 6.2.6 Furthermore, any individuals affected by the DCO may submit representations by way of an objection to the Application in response to any notice given under section 56 of the PA 2008, the examination of the application by the examining authority, any written representations procedure which the examining authority decides to hold and in particular, any compulsory acquisition hearing held under section 92 of the PA 2008, at

which each affected person is entitled to make oral representations about the compulsory acquisition request.

- 6.2.7 If the DCO is made, a person aggrieved may challenge the DCO by judicial review in the High Court if they consider that the grounds for doing so are made out pursuant to section 118 of the PA 2008.

### **6.3 Fair compensation**

- 6.3.1 Any person affected by the exercise of compulsory acquisition powers or by the exercise of temporary possession, may be entitled to compensation. This entitlement to compensation is provided for by the existing compensation code; furthermore, article 22 and Schedule 5 to the DCO provide a mechanism by which an entitlement to compensation may arise in the context of the compulsory acquisition of new rights. The Applicant has the resources to pay such compensation and has demonstrated in the Funding Statement (Application Document 4.2) that these resources will be available.
- 6.3.2 Any dispute in respect of the compensation payable may be referred to the Upper Tribunal (Lands Chamber), an independent tribunal, for determination.

### **6.4 Conclusion**

- 6.4.1 For the reasons set out above, the Applicant considers that any infringement of the Convention rights of those whose interests in the Land might be affected by the exercise of powers of compulsory acquisition would be proportionate and legitimate, would be in the public interest and would be in accordance with national and European law. The Applicant therefore considers that it would be appropriate and proportionate for the Secretary of State to make the DCO including the grant of compulsory acquisition powers.

### **6.5 Consideration of duties under the Equality Act 2010**

- 6.5.1 The applicant has complied with its duties under section 149 of the Equality Act 2010 and has had due regard to the need to (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by or under the Equality Act 2010; (ii) advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; and (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.5.2 The Applicant has conducted an Equalities Impact Assessment (Application Document 7.3) which explains how it has had regard to its public sector equality duty in the context of the Application for development consent for the Scheme.

## 7 Special considerations

### 7.1 Crown land

- 7.1.1 Section 135 of PA 2008 provides that a DCO may authorise, with the consent of the appropriate Crown authority, the compulsory acquisition of an interest held in Crown land which, for the time being, is held otherwise than by or on behalf of the Crown.
- 7.1.2 The Applicant has made provision in the DCO for the acquisition of those land interests which are not held by the Crown but which exist in Crown land and are comprised in plots as shown in Part 4 of the Book of Reference (Application Document 4.3) and the Crown Land Plans (Application Document 2.4). The consent of the Secretaries of State for Defence and for Digital, Culture, Media and Sport, being the appropriate Crown authorities in relation to the Crown land included in the Scheme, is required to authorise the compulsory acquisition of these land interests.
- 7.1.3 The Applicant has entered into discussions with the Secretary of State for Defence and the Secretary of State for Digital, Culture, Media and Sport and the status of those discussions is detailed in the Land Acquisition and Temporary Possession Negotiations Tracker submitted at Deadline 9 of the Examination. The Applicant has secured the necessary consents to the compulsory acquisition from the Secretary of State for Defence and from the Secretary of State for Digital, Culture, Media and Sport .
- 7.1.4 End of Examination Update: all necessary Crown authority consents have been obtained and are evidenced within the Crown Authority Consent Report [REP8-014].

### 7.2 Special category land

- 7.2.1 The Land includes the following types of special category land:
- a. land which is open space (as defined in section 19 of the Acquisition of Land Act 1981, as applied by section 131(12) of PA 2008); and
  - b. land which is owned and held inalienably by the National Trust.
- 7.2.2 The Applicant's approach to the inclusion of these special types of land in the Order is set out in the following paragraphs.

### 7.3 Special category land comprising open space

- 7.3.1 Part 5 of the Book of Reference (Application Document 4.3) and the Special Category Land Plans (Application Document 2.3), identify the special category land, comprising open space, located within the Order limits, which is listed within table 7.1 below.

**Table 7.1 Land Plots identified as Open Space within the Order Limits**

Land use powers sought in the DCO	Plots	Area
Land to be compulsorily acquired (required permanently)	10-16 and 11-06	4342.5 square metres
Land to be subject to powers of temporary possession (required temporarily)	10-20, 10-23 and 11-32	3294.4 square metres
Land proposed to be subject to the creation and acquisition of new rights (permanent rights required for access/maintenance)	10-18, 10-19, 11-04 and 11-05	2515.5 square metres

- 7.3.2 The land identified in table 7.1 is open space but it does not form part of a common or a fuel or field garden allotment. The land is required in connection with the construction, operation and maintenance of a new link road between byway AMES1 at its junction with Solstice Park, and the Allington Track (comprising Work No. 7 within the authorised development).
- 7.3.3 Section 131 of PA 2008 applies to the compulsory acquisition of any land forming part of a common, open space or fuel or field garden allotment. Section 132 of PA 2008 applies to the compulsory acquisition of any rights over land forming part of a common, open space or fuel or field garden allotment. Sections 131 and 132 make provision for Special Parliamentary Procedure (“SPP”) to apply where a DCO authorises the compulsory acquisition of, or the compulsory acquisition of rights over, such land. This means that the DCO will be subject to SPP unless the Secretary of State is satisfied that one of the following circumstances applies:
- a. Replacement land has been or will be given in exchange for the land to be compulsorily acquired, with the same rights, trusts and incidents; or
  - b. The land to be acquired does not exceed 200 square metres or is required for the widening or drainage of an existing highway and the giving of land in exchange is unnecessary; or
  - c. For open space land only, replacement land in exchange is not available or is only available at a prohibitive cost, and it is strongly in the public interest for the Scheme to proceed sooner than SPP would allow; or
  - d. For open space land only, the land is being acquired for a temporary (although possibly long-lived) purpose; or
  - e. In respect of the acquisition of rights only, the land when burdened with the rights will be no less advantageous than it was before.

- 7.3.4 Sections 131 and 132 of the PA 2008 only apply to the compulsory acquisition of land and rights over land and do not apply to the temporary possession and use of land pursuant to articles 29 and 30 of the DCO.
- 7.3.5 Replacement land has been identified in order to replace the area of land required for compulsory acquisition (as identified in the table above). The replacement land is located adjacent to the existing area of open space and comprises part of the existing byway AMES1 which will be necessarily stopped up as part of the works relating to the new Allington Track link road. It is shown shaded grey and labelled as plots 10-23 and 11-33 (“the replacement land”) on the Special Category Land Plans (Application Document 2.3).
- 7.3.6 The area of the replacement land is 4344 square metres, which exceeds the area of the special category land which is subject to compulsory acquisition. The replacement land is in close proximity to the open space land which it is proposed to replace, and currently forms part of an unregistered byway which is proposed to be stopped up, as part of the Scheme proposals. In the event of such stopping up, and in the absence of compulsory acquisition, the ownership position would follow the ad medium filum rule, pursuant to which the land would revert to the adjacent landowners. These are ClassMaxi Limited (formerly known as the Amesbury Property Company Limited) (the owner of the open space) and The Wardens or Rector or Scholars of the College of the Blessed Mary and All Saints Lincoln in the University of Oxford. Discussions have been held with these landowners regarding the Scheme and the need for the acquisition of their interests in land; the replacement land is included within the DCO and is proposed to be subject to powers of compulsory acquisition in order to secure it, pursuant to the DCO, as replacement land in exchange for the open space (in plots 10-16 and 11-06) which is proposed to be acquired pursuant to the DCO.
- 7.3.7 Plots 10-20, 10-23 and 11-32 also comprise open space land, but are required for temporary possession and use only, and, as such, the protections in sections 131 and 132 will not apply in the case of these plots.
- 7.3.8 In respect of plots 10-18, 10-19, 11-04 and 11-05 over which the acquisition of rights is sought for the purpose of facilitating the future maintenance of the new Allington Track link road, the land when burdened with these rights will be no less advantageous than it was before, and accordingly, the exception in section 132(3) will apply, such that the SPP need not be engaged.

## 7.4 Special category land - land owned by the National Trust

- 7.4.1 The DCO, if made, would authorise the compulsory acquisition of land and rights over land including the imposition of restrictive covenants over land (for the purpose of protecting the tunnel structure) held by the National Trust inalienably (i.e. land held by them which they have no power to dispose of) within plots 05-33, 06-01, 06-08, 06-11, 06-13, 07-01, 07-02, 07-05, 07-07, 07-08, 07-09, 07-13, 07-15, 07-16, 08-02, 08-04, 08-07, 08-09, 08-10, 08-11, 08-19, 08-22, 09-04, 09-06 and 09-10 and comprising approximately 46 hectares of land and listed and described in Part 5 of the Book of Reference (Application Document 4.3) and shown on the Special Category Land Plans (Application Document 2.3).
- 7.4.2 Section 130 of PA 2008 applies to the compulsory acquisition of any land belonging to the National Trust which is held by them inalienably. It provides that, if the National Trust makes a representation objecting to the DCO and does not withdraw that representation before completion of the Examination into the DCO, then the DCO will be subject to SPP.
- 7.4.3 The National Trust has noted that it intends to make a representation objecting to the inclusion of its land in the application for the DCO. The Applicant is in discussions with the National Trust with a view to ensuring either that a representation / objection is not submitted, or, that if it is submitted, its withdrawal can be secured. Since the preferred route announcement in September 2017 the Applicant has made efforts to meet with the National Trust to discuss advances in the development of the Scheme and the effect of the Scheme on the National Trust's relevant land interests, on a regular 2 to 3 monthly basis. The Applicant hopes that an agreement can be reached with the National Trust that would avoid the need for SPP.
- 7.4.4 End of Examination Update: At the time of writing an agreement is currently being finalised and the Applicant anticipates that by the end of the Examination, agreement will have been reached, such that all previously outstanding issues between the National Trust and the Applicant are settled and the National Trust's objection to the Scheme has been withdrawn.

## 7.5 Statutory undertakers' land

- 7.5.1 The DCO, if made, would authorise the compulsory acquisition of statutory undertakers' land comprising of plot 09-31 as described in the Book of Reference (Application Document 4.3) and shown on sheet 9 of the Land Plans (Application Document 2.2). The land is held by Southern Electric Power Distribution Limited for the purposes of carrying out their statutory undertaking (insofar as it is within the curtilage of an existing substation).
- 7.5.2 In the Draft DCO the Applicant also seeks a power to acquire rights (for the diversion of statutory undertakers' apparatus in connection with the Scheme) over plot 09-13, which is owned by Wessex Water for the purposes of its undertaking (a pumping station is located within plot 09-13).

- 7.5.3 In addition, the Applicant also seeks powers to acquire land or rights over land in a number of plots owned by Southern Gas Networks Limited, which are shown on sheets 9, 10 and 11 of the Land Plans and identified in the Book of Reference (and in the Land Acquisition and Temporary Possession Negotiations Tracker (as updated at Deadline 9)). Section 127(3) of PA 2008 provides that a DCO may only authorise the compulsory acquisition of statutory undertakers' land where a representation has been made by the statutory undertaker objecting to the acquisition if the Secretary of State is satisfied that:
- a. The land can be purchased and not replaced without serious detriment to the carrying on of the undertaking; or
  - b. If purchased, the land can be replaced by other land belonging to, or available for acquisition by, the undertaker without serious detriment to the carrying on of the undertaking.
- 7.5.4 Section 127(5) of the PA 2008 provides that a DCO may only authorise the compulsory acquisition of rights over statutory undertakers' land where a representation has been made by the statutory undertaker objecting to the acquisition and the Secretary of State is satisfied that:
- a. The rights can be acquired without serious detriment to the carrying on of the undertaking; or
  - b. Any consequential detriment to the carrying on of the undertaking can be made good by the undertaker by the use of other land belonging to or available for acquisition by the undertaker.
- 7.5.5 Adequate protection for statutory undertakers' assets will be included within the protective provisions in Schedule 11 to the DCO and/or in asset protection agreements between the parties. Accordingly, the Applicant considers that the statutory undertakers will not suffer serious detriment to the carrying on of their undertaking as a result of the compulsory acquisition of the land (in the case of plot 09-31) or as a result of the acquisition of rights over land (in the case of plot 09-13). The tests set out in sections 127(3) and 127(6) of the PA 2008 are therefore satisfied.
- 7.5.6 Various statutory undertakers and owners of apparatus have a right to keep equipment (in connection with their undertaking) on, in or over the Land. Statutory undertakers and other apparatus owners that are known to have equipment on, in or over the Land are included in the Book of Reference.
- 7.5.7 Section 138 of the PA 2008 applies if a development consent order authorises the acquisition of land (compulsorily or by agreement) and there subsists over the land a 'relevant right', or there is 'relevant apparatus' on, under or over the land.
- 7.5.8 For the purposes of section 138:
- a. 'relevant right' means a right of way, or a right of laying down, erecting, continuing or maintaining apparatus on, under or over the land which is vested in or belongs to statutory undertakers for the purpose of

carrying on their undertaking, or which is conferred on a telecommunications code operator; and

- b. 'relevant apparatus' means apparatus vested in or belonging to statutory undertakers for the purpose of the carrying on of their undertaking, or electronic communications apparatus kept installed for the purposes of an electronic communications code network.

- 7.5.9 A development consent order may only include provision for the extinguishment of the relevant right, or the removal of the relevant apparatus, if the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the development consent order relates (subsection 138(4)).
- 7.5.10 The DCO includes provision to authorise the extinguishment of a relevant right, or the removal of relevant apparatus belonging to statutory undertakers, in connection with the delivery of the Scheme. The exercise of such powers will be carried out in accordance with the protective provisions contained in Schedule 11 to the DCO. The protective provisions will be agreed with the relevant statutory undertakers and electronic communications apparatus owners, and will accordingly set out constraints on the exercise of the powers in the DCO, with a view to safeguarding the statutory undertakers' and electronic communications apparatus owners' interests, whilst enabling the Scheme (i.e. the development authorised by the DCO) to proceed. The Applicant therefore considers that the test set out in section 138 of the PA 2008 is satisfied.
- 7.5.11 A number of existing utility services are located within the Order limits and would be affected by the Scheme. In this case it is proposed to either protect or divert statutory undertakers' apparatus to accommodate the Scheme. Provision for the carrying out of such diversions has been included within the Works comprising the authorised development (as set out in Schedule 1 to the DCO – authorised development (ancillary works)). It is not proposed to remove any apparatus and extinguish any rights without a diversion being provided.
- 7.5.12 The relevant major utilities diversions are summarised below:
- a. BT Group plc - diversions at the B3083, A303, Countess Roundabout and Rollestone Cross Junction;
  - b. Esso Petroleum Company Limited - diversion and protection work west of the B3083;
  - c. CenturyLink Limited, Sky and Virgin Media Limited - diversions along the A303 west of Winterbourne Stoke, at Longbarrow Junction, at the eastern tunnel portal and at Countess Junction;
  - d. Southern Electricity Power Distribution plc- diversions west of Green Bridge One, between Green Bridge One and the B3083, at Longbarrow Junction, at Rollestone Cross Junction, at the new eastern portal and the A303 east of Countess Junction;

- e. Southern Gas Networks plc - diversions at Countess Junction, east of Solstice Park and at Allington Track;
  - f. Wessex Water Services Limited - diversions at the B3083, Countess Junction and Allington Track.
- 7.5.13 The Applicant is in discussions with the statutory undertakers affected by the Scheme. Details of the current status of these discussions, which are ongoing, are included in the Land Acquisition and Temporary Possession Negotiations Tracker.
- 7.5.14 End of Examination Update: The Applicant's Closing Submission (to be submitted prior to the end of the examination) will include the latest position on negotiations with statutory undertakers, together with confirmation that the conditions in sections 127 and 138 of PA2008 are satisfied.

## 7.6 Other consents

- 7.6.1 A number of consents outside the DCO may be required in connection with the Scheme:
- a. Ecology - Badger Licence under the Protection of Badgers Act 1992;
  - b. Ecology - European Protected Species Mitigation Licence (Great Crested Newt) under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981;
  - c. Discharge to controlled water and /or groundwater under Environmental Permitting (England and Wales) Regulations 2016; and
  - d. Abstraction under the Environmental Permitting (England and Wales) Regulations 2016.
- 7.6.2 The Consents and Agreements Position Statement (Application Document 3.3) sets out the other required consents and the current position as to the status of securing those consents. The Consents and Agreements Position Statement was updated at Deadline 6 of the Examination [REP6-007 (clean version) and REP6-008 (tracked version)] to include reference to the need for an abstraction licence (as referenced in paragraph 7.6.1 (d) above).
- 7.6.3 The Applicant is satisfied that all necessary consents to enable the Scheme to proceed have been identified and that there is no reason why such consents should not be secured or granted.

## 8 Conclusions

### 8.1 Overview

- 8.1.1 This Statement sets out why compulsory acquisition and temporary possession powers have been sought in the DCO application and explains why the Applicant considers such powers to be necessary, proportionate, and justified.
- 8.1.2 In determining the extent of the compulsory acquisition and temporary possession powers proposed in the DCO, the Applicant has had regard to the legislative tests set out in the PA 2008 and to the advice in the CA Guidance. The Applicant is content that the scope of the powers sought and the extent of the interests in the Land to be acquired by compulsory acquisition are required for the Scheme and are the minimum necessary that will allow the Applicant to construct, operate and maintain the Scheme. The purpose for which each part of the Land is required is set out in Annex A to this Statement.
- 8.1.3 The Applicant has consulted all persons affected by the compulsory acquisition and temporary possession powers and persons who may have a claim for compensation arising from the Scheme. It has consulted such persons during preparation of the DCO application and in the design of the Scheme to address their concerns and to ensure that any impacts are reduced or removed. The Applicant has further sought to acquire any interests in the Land by agreement wherever practicable. The status of negotiations with affected landowners for the acquisition of their land interest is set out in the Land Acquisition and Temporary Possession Negotiations Tracker, the most recent version of which was submitted at Deadline 9 of the Examination.
- 8.1.4 The Applicant has considered the human rights of the individuals affected by the compulsory acquisition and temporary possession powers. It is satisfied that there is a compelling case in the public interest for compulsory acquisition and that the significant public benefits arising from the Scheme will outweigh the harm to those individuals.
- 8.1.5 Without the grant of compulsory acquisition and temporary possession powers, the Applicant considers that it will not be possible to construct the Scheme, or realise the public benefits that would arise from the Scheme, if it were implemented.

## 9 Figures and Annexes

- |         |   |
|---------|---|
| Annex A | Details of the purpose for which compulsory acquisition and temporary possession powers are sought  |
| Annex B | Schedule of all interests in the Land and progress of negotiations with persons subject to compulsory acquisition and temporary possession powers - This Annex is superseded; please refer to the Land Acquisition and Temporary Possession Negotiations Tracker submitted at Deadline 9 of the Examination |

## 9.1 Details of the purpose for which compulsory acquisition and temporary possession powers are sought

9.1.1 Statement of Reasons – Annex A

9.1.2 The specific purposes for which each plot of Land subject to compulsory acquisition or temporary possession powers is required are set out in the tables in this Annex. The first column of each table identifies the plot number (as shown on the Land Plans and used in the Book of Reference). Plots may be grouped in each row to the extent that they will be required for the same purpose. The second column of each table sets out the corresponding Works numbers as shown on the Works Plans and the third column of each table sets out in broad terms the uses for which the plot in question is required.

9.1.3 As stated in paragraph 3.4 of this Statement, powers of temporary possession are being sought over all of the land within the Order limits. Table 4 sets out those parts of the Land where only temporary possession powers are being sought.

9.1.4 The tables in this Annex A should be read in conjunction with and by reference to the:

- **Land Plans (Application Document 2.2)**
- **Works Plans (Application Document 2.5)**
- **Draft DCO (Application Document 3.1)**
- **Book of Reference (Application Document 4.3)**

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
01-01	1A	Required for improvements to the A303 – existing highway
01-02	1A	Required for improvements to the A303 – existing highway
01-03	1A	Required for improvements to the A303 – existing highway
01-04	1A	Required for improvements to the A303 – existing highway

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
01-05	1A	Required for improvements to the A303 – existing highway
01-06	1A	Required for improvements to the A303 – existing highway
01-08	1A	Required for improvements to the A303 – existing highway
01-10	1A	Required for improvements to the A303 – existing highway
01-11	1A	Required for improvements to the A303 (existing highway), environmental mitigation, landscaping and re-profiling and the construction of a new restricted byway and private means of access
01-12	1A	Required for improvements to the A303 – existing highway
01-13	1A	Required for improvements to the A303 (existing highway), environmental mitigation, landscaping and re-profiling, and the construction of a new restricted byway and private means of access
01-14	1A	Required for improvements to the A303 – existing highway
01-15	1A	Required for improvements to the A303 (existing highway), environmental mitigation, landscaping and re-profiling, and construction of a new restricted byway and private means of access
01-16	1A	Required for improvements to the A303 – existing highway
01-17	1A	Required for improvements to the A303 (existing highway), environmental mitigation, landscaping and re-profiling and the construction of a new restricted byway and private means of access
02-02	1A	Required for improvements to the A303, environmental mitigation, landscaping and re-profiling and the construction of a new restricted byway and private means of access

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
02-03	1A	Required for improvements to the A303, environmental mitigation, landscaping and re-profiling and the construction of a new restricted byway and private means of access
02-04	1A and 3A	Required for the new and improved A303 (existing highway), environmental mitigation, landscaping and re-profiling, construction of a new byway open to all traffic and private means of access, works to convert the existing A303 to a new byway open to all traffic and private means of access
02-05	1A	Required for improvements to the A303 – existing highway
02-06	1A	Required for improvements to the A303 – existing highway
02-07	1A	Required for improvements to the A303, environmental mitigation, landscaping and re-profiling and the construction of a new restricted byway and private means of access
02-10	1A	Required for improvements to the A303, environmental mitigation, landscaping and re-profiling and the construction of a new restricted byway and private means of access
02-11	1A	Required for improvements to the A303 (existing highway), and environmental mitigation, landscaping and re-profiling
02-12	1A	Required for improvements to the A303 (existing highway), landscaping and re-profiling
02-13	1A	Required for improvements to the A303 (existing highway), landscaping and re-profiling
02-14	1A and 3A	Required for the construction of the new A303, construction of a new byway open to all traffic, private means of access, environmental mitigation, landscaping and re-profiling, and works to convert the existing A303 to a new byway open to all traffic

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
02-15	1A	Required for the construction of the new and improved A303, works to convert existing bridleway to a byway open to all traffic
02-16	1A and 3A	Required for the construction of the new A303, construction of a new byway open to all traffic and environmental mitigation, landscaping and re-profiling, works to convert the existing A303 to a new byway open to all traffic and private means of access
02-18	1A	Required for the construction of the new A303, environmental mitigation, landscaping and re-profiling, and the construction of a new restricted byway and private means of access
03-01	1A	Required for the construction of the new A303, environmental mitigation, landscaping and re-profiling, new restricted byway and private means of access and construction of Green Bridge One
03-02	3A	Required for works to convert the existing A303 to a new byway open to all traffic
03-03	1A and 8	Required for the construction of the new A303, environmental mitigation, landscaping and re-profiling, deposition of excavated material and the provision of private means of access.
03-04	3A	Required for works to convert the existing A303 to a new byway open to all traffic, new non-motorised user provision and works to reclassify the existing A303, including removal of existing lay-by
03-06	3A	Required for works to reclassify the existing A303 and new non-motorised user provision, including removal of existing lay-by
03-07	1A and 8	Required for the construction of the new A303, environmental mitigation, landscaping and re-profiling and deposition of excavated material

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
03-08	1A, 2 and 8	Required for the construction of the new A303, environmental mitigation, landscaping and re-profiling, deposition of excavated material, the re-alignment of the B3038, new private means of access and new bridge to carry the new A303 over the re-aligned B3038
03-09	1A and 3A	Required for the construction of the new A303, construction of a new restricted byway and private means of access and works to reclassify the existing A303
03-10	1A and 8	Required for the construction of the new A303, landscaping and environmental mitigation, landscaping and re-profiling, deposition of excavated material and private means of access
03-11	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
03-15	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
03-16	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
03-17	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
03-19	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
03-20	1A and 2	Required for the construction of the new A303, new private means of access, works to re-align the B3083 and for landscaping and environmental mitigation, and re-profiling
03-22	3A	Required for works to reclassify the existing A303
03-23	1A and 2	Required for the improved A303, the re-alignment of the B3083, private means of access and landscaping and re-profiling
03-24	3A	Required for works to reclassify the existing A303

Table 1: Acquisition of Land – by Plot Number		
Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
03-25	3A	Required for works to reclassify the existing A303
03-26	1A	Required for the construction of the new A303, new private means of access, landscaping and environmental mitigation and re-profiling
03-27	3A	Required for works to reclassify the existing A303 and for new non-motorised user provision
03-30	3A	Required for works to reclassify the existing A303 and for new non-motorised user provision
03-31	1A and 2	Required for the construction of new private means of access, the realignment of the B3083 and environmental mitigation, landscaping and re-profiling
03-33	2	Required for the realignment of the B3083 and for environmental mitigation, landscaping and re-profiling
03-34	2	Required for the realignment of the B3083 and landscaping
04-02	1A and 1B	Required for the construction of the new A303, environmental mitigation, landscaping and re-profiling, and construction of the River Till Viaduct
04-06	2	Required for the realignment of the B3083 and for landscaping
04-07	2	Required for the realignment of the B3083 and for landscaping
04-08	2	Required for the realignment of the B3083 and for landscaping
04-09	2 and 3A	Required for the realignment of the B3083, works to reclassify the existing A303 and for a new non-motorised user provision

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
04-10	2 and 3A	Required for the realignment of the B3083, works to reclassify the existing A303 and new non-motorised user provision
04-11	2 and 3A	Required for the realignment of the B3083, works to reclassify the existing A303 and for new non-motorised user provision
04-12	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
04-13	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
04-14	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
04-15	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
04-16	3A, 3B and 3C	Required for works to reclassify the existing A303, construction of the new link road to the new Longbarrow junction southern roundabout and new non-motorised user provision
04-17	1B and 1C	Required for the construction of the new A303, construction of the new River Till Viaduct, new byway open to all traffic carried by Green Bridge Two over the new A303, private means of access, and landscaping and environmental mitigation, landscaping and re-profiling
04-18	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
04-19	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision
04-20	3A	Required for works to reclassify the existing A303 and for a new non-motorised user provision

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
04-24	3B	Required for works to reclassify the existing A303 and for the construction of a new bridleway
04-28	3B	Required for works to reclassify the existing A303
04-29	3B	Required for works to reclassify the existing A303 and for the construction of a new bridleway
04-30	3B	Required for works to reclassify the existing A303 and for the construction of a new bridleway
04-33	3B and 3C	Required for works to reclassify the existing A303, construction of a new bridleway, construction of a new link road to the new Longbarrow junction southern roundabout, new non-motorised user provision and landscaping
04-35	3B and 3C	Required for the construction of a new link road to the new Longbarrow junction southern roundabout, new non-motorised user provision, landscaping, new bridleway and private means of access
04-37	1C and 3B	Required for the construction of a new byway open to all traffic carried over the new A303 by Green Bridge Two, landscaping and new bridleway
05-03	1C, 1D, 3C and 4	Required for the construction of the new A303, the new Longbarrow junction, new non-motorised user provision, realignment of the A360, new bridleway, Green Bridge Three and environmental mitigation, landscaping and re-profiling
05-04	1C, 1D and 4	Required for the construction of the new A303, Green Bridge Three, new link road between the northern and southern roundabouts at the new Longbarrow Junction, merge and diverge slip roads, A360 realignment, new private means of access, environmental mitigation, landscaping and re-profiling
05-05	1C and 3C	Required for the construction of the new A303, new link road from the southern roundabout at Longbarrow junction, private means of access and landscaping

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
05-06	1C and 4	Required for the construction of the new A303, new Longbarrow junction, new non-motorised user provision, re-alignment of the A360, Green Bridge Three and landscaping
05-08	1C and 4	Required for the construction of the new A303, Green Bridge Three, diverge slip road, re-alignment of the A360 and environmental mitigation, landscaping and re-profiling
05-09	1C and 4	Required for the construction of the new A303, the re-alignment of the A360, construction of new private means of access
05-12	1C and 4	Required for the construction of the new A303, the re-alignment of the A360, the new Longbarrow Junction, new slip road and Green Bridge Three
05-16	1C and 4	Required for the construction of the new A303, the re-alignment of the A360 and new slip road and landscaping
05-17	1C and 4	Required for the construction of the new A303, the re-alignment of the A360, new slip road and landscaping and re-profiling
05-19	1C and 1D	Required for the construction of the new A303 and for landscaping and re-profiling
05-20	1C and 1D	Required for the construction of the new A303 and for landscaping and re-profiling
05-21	1D and 4	Required for the construction of the new A303, the re-alignment of the A360 and landscaping
05-22	1D and 4	Required for the construction of the new A303 and the re-alignment of the A360 the construction of a new restricted byway and private means of access

Table 1: Acquisition of Land – by Plot Number		
Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
05-23	1D	Required for the construction of the new A303
05-24	1D, 4 and 6	Required for the construction of the new A303 and the re-alignment of the A360 and the provision of a new restricted byway and private means of access
05-25	1D, 4 and 6	Required for the construction of the new A303, the re-alignment of the A360 (stopping up of the existing) and new restricted byway and private means of access
05-26	1D and 4	Required for the construction of the new A303, the re-alignment of the A360 (stopping up of the existing) and new restricted byway and private means of access
05-27	1D and 4	Required for the construction of the new A303, the re-alignment of the A360 (stopping up of the existing) and new restricted byway and private means of access
05-28	1D and 4	Required for the construction of the new A303, the re-alignment of the A360 (stopping up of the existing)
05-29	4	Required for the re-alignment of the A360 and new restricted byway
05-31	1D, 4 and 6	Required for the construction of the new and improved A303, the re-alignment of the A360 (stopping up existing) and new restricted byway and private means of access
05-32	1D and 6	Required for the construction of the new A303, environmental mitigation, landscaping and re-profiling and new restricted byway and private means of access
05-33	1D and 6	Required for new A303 and new restricted byway and private means of access
05-34	1D and 6	Required for new A303 and new restricted byway and private means of access

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
05-35	1D and 6	Required for the construction of the new A303, Green Bridge Four, landscaping and new restricted byway and private means of access
05-36	1D and 6	Required for the construction of the new A303, new restricted byway and private means of access
06-01	1D, 1E, 1F and 6	Required for the construction of the new A303, and new restricted byway and private means of access
06-02	1D and 1E	Required for the construction of the new A303, tunnel approach, tunnel portal, cut and cover tunnel and tunnel services building
06-03	1D and 6	Required for new A303, new restricted byway and private means of access
06-04	1D, 1E and 6	Required for the construction of the new A303, tunnel approach, tunnel portal, cut and cover tunnel, tunnel services building and new restricted byway and private means of access
06-05	1D, 1E, 1F and 6	Required for the construction of the new A303, tunnel approach, tunnel portal, cut and cover tunnel and tunnel services building, bored tunnel and new restricted byway and private means of access
07-01	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
07-08	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
07-09	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
07-11	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
07-12	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
07-14	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
07-15	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
07-16	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
07-17	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
08-03	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
08-04	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
08-05	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
08-15	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
08-16	1F and 6	Required for the construction of the new A303, bored tunnel, restricted byway and private means of access
08-17	1F, 1G and 1H	Required for construction of the new and improved A303, bored tunnel, cut and cover tunnel section, eastern portal and tunnel services building
08-18	1F and 1G and 1H	Required for the construction of the new A303, bored tunnel, cut and cover tunnel section, eastern portal, tunnel services building
08-19	1G and 1H	Required for the construction of the new A303, cut and cover tunnel, tunnel portal, tunnel approach and private means of access
08-20	1H	Required for improvements to the A303 (existing highway)
08-22	6	Required for the construction of a new restricted byway, private means of access and a turning head
09-02	1H	Required for the construction of the new and improved A303, tunnel approach and tie in to existing carriageway

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
09-03	1H	Required for the construction of the new and improved A303, required for western bridge to carry the new A303 flyover over the existing Countess Junction, new slip roads and improvements to the approach to Countess Junction, new tunnel approach and associated highway drainage infrastructure (existing outfall)
09-04	1H	Required for the construction of the new and improved A303, improvements to the approach to Countess Junction and new tunnel approach and tie in to existing carriageway
09-05	1H	Required for the construction of the new and improved A303 and associated highway drainage infrastructure (existing outfall)
09-08	1H	Required for the construction of the new and improved A303, required for eastern bridge to carry the new A303 flyover over the existing Countess Junction, new slip roads and improvements to the approach to Countess Junction, tie-ins to the existing A345 carriageway, works to close the existing pedestrian subway and improvements to non-motorised user provision
09-09	1H	Required for Countess Junction improvements and non-motorised user provision
09-10	1H	Required for Countess Junction improvements and non-motorised user provision
09-11	1H	Required for the construction of the new and improved A303, western bridge to carry the new A303 flyover over the existing Countess Junction, tie-ins to the existing A345 carriageway, works to close the existing pedestrian subway and improvements to non-motorised user provision
09-18	1H	Required for improvements to the A303 and Countess Junction tie in
09-19	1H	Required for improvements to the A303 and Countess Junction
09-20	1H	Required for improvements to the A303 and Countess Junction

Table 1: Acquisition of Land – by Plot Number		
Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
09-21	1H	Required for improvements to the A303 and for associated highway drainage infrastructure
09-22	1H	Required for improvements to the A303, for associated highway drainage infrastructure and for landscaping and re-profiling
09-23	1H	Required for improvements to the A303, Countess Junction approach and associated highway drainage infrastructure
09-28	1H	Required for improvements to the A303 and for associated highway drainage infrastructure
09-29	1H	Required for improvements to the A303 and works associated with the tie into the existing River Avon bridge
09-30	9	Required for extension of existing electricity substation
09-31	9	Required for extension of existing electricity substation
09-32	1H	Required for improvements to the A303, for works associated with tie-ins to existing carriageways approaching and crossing the existing River Avon Bridge and for associated highway drainage infrastructure
09-33	1H	Required for improvements to the A303, works associated with tie-ins to existing carriageways approaching and crossing the existing River Avon Bridge and for associated highway drainage infrastructure
09-34	1H	Required for improvements to the A303, works associated with tie-ins to existing carriageways approaching and crossing the existing River Avon Bridge and for associated highway drainage infrastructure

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
09-35	1H	Required for improvements to the A303, works associated with tie-ins to existing carriageways approaching and crossing the existing River Avon Bridge and for associated highway drainage infrastructure
09-39	1H	Required for improvements to the A303 and for associated highway drainage infrastructure
09-42	1H	Required for improvements to the A303
09-43	9	Required for extension of existing electricity substation
09-44	1H	Required for improvements to the A303 – existing highway
09-46	1H	Required for improvements to the A303 – existing highway
10-01	9	Required for extension of existing electricity substation
10-03	1H	Required for improvements to the A303 – existing highway
10-04	1H	Required for improvements to the A303 – existing highway
10-05	1H	Required for improvements to the A303 – existing highway
10-06	1H	Required for improvements to the A303 – existing highway
10-07	1H	Required for improvements to the A303 – existing highway
10-08	1H	Required for improvements to the A303 – existing highway
10-09	1H	Required for improvements to the A303 – existing highway

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
10-10	1H	Required for improvements to the A303 – existing highway
10-11	1H	Required for improvements to the A303 – existing highway
10-12	1H	Required for improvements to the A303 – existing highway
10-13	1H	Required for improvements to the A303 – existing highway
10-14	1H	Required for improvements to the A303 – existing highway
10-15	1H	Required for improvements to the A303 – existing highway
10-16	7	Required for the construction of a new unclassified road connecting Equinox Drive and Allington Track
10-17	7	Required for the provision of Replacement Land to be given in exchange for presumed open space land (which is required for the provision of a new unclassified road connecting Equinox Drive and Allington Track)
10-21	7	Required for the construction of a new byway open to all traffic connecting Equinox Drive and the new unclassified road to byway AMES 1
10-22	7	Required for the construction of a new byway open to all traffic connecting Equinox Drive and the new unclassified road to byway AMES 1
11-01	1H	Required for improvements to the A303 and for works to facilitate the closure of eastbound access from the A303 to the Amesbury Road

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
11-02	1H	Required for improvements to the A303 and for works to facilitate the closure of the existing central reserve permitting access to byway AMES2
11-03	1H	Required for improvements to the A303 – existing highway
11-06	7	Required for the construction of a new unclassified road connecting Equinox Drive and Allington Track
11-07	7	Required for the construction of a new unclassified road connecting Equinox Drive and Allington Track
11-08	7	Required for the construction of a new unclassified road connecting Equinox Drive and Allington Track and for works in connection with the stopping up of part of byway AMES 1 and its replacement with a footpath
11-09	7	Required for the construction of a new unclassified road connecting Equinox Drive and Allington Track and for private means of access
11-13	1H and 7	Required for improvements to the A303 and for works to support the closure of access from the existing A303 to byway AMES1 and Allington Track
11-16	1H	Required for improvements to the A303
11-20	1H	Required for improvements to the A303 and works to support the closure of access from the existing A303 to byway AMES2
11-21	1H	Required for improvements to the A303 and for works to support the closure of access from the existing A303 to byway AMES2
11-22	1H and 7	Required for improvements to the A303 and for works to support the closure of the access from the existing A303 to the Allington Track

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
11-24	1H and 7	Required for improvements to the A303 and for works to support the closure of the access from the existing A303 to the Allington Track
11-28	7	Required for the tie in of the new unclassified road connecting Equinox Drive with the Allington Track
11-29	1H	Required for improvements to the A303 and for the realignment of the A3028 Double Hedges eastbound merge with the existing A303 and for private means of access
11-30	1H	Required for improvements to the A303 and for the realignment of the A3028 Double Hedges eastbound merge with the existing A303 and for private means of access
11-31	1H	Required for improvements to the A303 and for the realignment of the A3028 Double Hedges eastbound merge with the existing A303 and for private means of access
11-33	7	Required for the provision of Replacement Land to be given in exchange for presumed open space land (which is required for the provision of new unclassified road connecting Equinox Drive and Allington Track)
12-01	8	Required for environmental mitigation, landscaping and re-profiling, and for deposition of excavated material
12-03	8	Required for landscaping and environmental mitigation, landscaping and re-profiling, and for deposition of excavated material
12-04	8	Required for landscaping and environmental mitigation, landscaping and re-profiling, and for deposition of excavated material
13-02	5	Required for the re-alignment and change to vehicle priority at the improved Rollestone Crossroads junction and tie-in to existing carriageway

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
13-03	5	Required for the re-alignment and change to vehicle priority at the improved Rolleston Crossroads junction and tie-in to existing carriageway
13-05	5	Required for the re-alignment and change to vehicle priority at the improved Rolleston Crossroads junction and tie-in to existing carriageway
13-07	5	Required for the re-alignment and change to vehicle priority at the improved Rolleston Crossroads junction and tie-in to existing carriageway
13-08	5	Required for the re-alignment and change to vehicle priority at the improved Rolleston Crossroads junction and tie-in to existing carriageway
14-02	4	Required for the re-alignment of the A360 and landscaping and private means of access
14-04	4	Required for the re-alignment of the A360 and tie-in to the existing carriageway and private means of access
14-05	4	Required for the construction of a new restricted byway
14-06	4	Required for the construction of a new restricted byway
14-07	4	Required for the construction of a new restricted byway and shared use cycle track
14-08	4	Required for the re-alignment of the A360
14-10	4	Required for the construction of a new restricted byway
15-03	4	Required for the re-alignment of the A360 and tie-in to the existing carriageway, including landscaping
15-04	4	Required for the re-alignment of the A360 and tie-in to the existing carriageway

**Table 1: Acquisition of Land – by Plot Number**

Land Plan sheet – Plot Number:	DCO Work No.	Purpose for which the land is required:
15-05	4	Required for the construction of a new bridleway
15-06	4	Required for the construction of a new restricted byway and new bridleway

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
03-12	8	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling and deposition of excavated material</p>
03-13	1A and 2	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant);</p> <p>the installation, use, protection and maintenance of, and access to, Esso Petroleum Company, Limited's ('Esso') apparatus (for the benefit of Esso and its undertaking; and for the benefit of the Applicant and the Scheme); the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling; and</p> <p>the construction, use and maintenance of new private means of access to and egress from land (lying to the south of plots 03-03, 03-13 and 03-14) and being generally as shown on sheet 3 of the rights of way and access plans, and being a right of access with or without vehicles, plant and machinery for the benefit of that land</p>
03-14	1A and 2	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant);</p> <p>the installation, use, protection and maintenance of, and access to, Esso Petroleum Company, Limited's ('Esso') apparatus (for the benefit of Esso and its undertaking; and for the benefit of the Applicant and the Scheme);</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling; and</p>

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
		the construction, use and maintenance of new private means of access to and egress from land (lying to the south of plots 03-03, 03-13 and 03-14) and being generally as shown on sheet 3 of the rights of way and access plans, and being a right of access with or without vehicles, plant and machinery for the benefit of that land
03-18	2	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
03-21	1A,1B and 2	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation
03-28	1A,1B and 2	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation
04-01	1A,1B and 2	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
04-03	1A,1B and 2	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation and re-profiling
04-05	1A,1B and 2	New rights required for:

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
		<p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation including re-profiling</p>
04-22	1B,1C, 3B and 3C	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant);</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling; and</p> <p>the construction, use and maintenance of new private means of access to and egress from land (lying within plot 04-17) and being generally as shown on sheet 4 of the rights of way and access plans, and being a right of access with or without vehicles, plant and machinery for the benefit of that land</p>
04-27	1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 2, 3A, 3B, 3C, 4, 5, 6, 7, 8 and 9	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling</p>
04-32	3C	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation including re-profiling</p>
04-36	1C, 3B and 3C	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and</p>

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
		the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling
04-38	1C, 3B and 3C	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling
05-02	3C	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation
05-07	1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 2, 3A, 3B, 3C, 4, 5, 6, 7, 8 and 9	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation including re-profiling
05-10	1C, 3C and 4	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
05-14	4	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation
05-15	1C, 1D and 4	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation
05-18	1C, 1D and 4	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant); and  the provision, maintenance and retention of ecological or landscape mitigation
09-06	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-12	1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 2, 3A, 3B, 3C, 4, 5, 6, 7, 8 and 9	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-13	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-14	1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 2, 3A, 3B, 3C, 4, 5, 6, 7, 8 and 9	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
09-24	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-25	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-26	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-27	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-36	1H and 9	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-37	1H and 9	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-38	1H and 9	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-40	1H and 9	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-41	1H and 9	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-45	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-47	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
09-48	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
10-02	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and for the Applicant)
10-18	7	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
10-19	7	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
11-04	7	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
11-05	7	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
11-10	7	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
11-12	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
11-17	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
11-18	1H	New rights required for:  the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker); and  the construction of new private means of access to and egress from land (lying to the east and west of plots 11-18 and 11-19) and being generally as shown on sheet 11 of the rights of way and access plans; and being a right of access with or without vehicles, plant and machinery for the benefit of that land
11-19	1H	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
11-25	7	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
11-27	7	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
12-02	8	New rights required for:

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
		<p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker);</p> <p>the installation, use, protection and maintenance of, and access to, Esso Petroleum Company, Limited's ('Esso') apparatus (for the benefit of Esso and its undertaking; and for the benefit of the Applicant and the Scheme); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling and deposition of excavated materials</p>
13-01	5	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
13-04	5	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
14-01	1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 2, 3A, 3B, 3C, 4, 5, 6, 7 and 9	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker);</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling; and</p> <p>the construction, use and maintenance of new private means of access to and egress from land (lying to the west of plots 14-01, 14-02 and 14-03) and being generally as shown on sheet 3 of the rights of way and access plans, and being a right of access with or without vehicles, plant and machinery for the benefit of that land</p>
14-09	4	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker)
15-02	4	<p>New rights required for:</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker); and</p>

Table 2: Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
		the provision, maintenance and retention of ecological or landscape mitigation

Table 3: Acquisition of Subsoil Only and Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
06-06	1F	Subsoil required for the construction and operation of the tunnel and for the installation of ground anchors adjacent to its western end, and new rights (including restrictive covenants) above, and adjoining such subsoil, for the protection and maintenance of the tunnel and ground anchors
06-08	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
06-11	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
06-13	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
07-02	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
07-05	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
07-07	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
07-13	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel

**Table 3: Acquisition of Subsoil Only and Acquisition of Rights and Imposition of Restrictive Covenants – by Plot Number**

Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
08-02	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
08-07	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
08-09	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
08-10	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
08-11	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
08-12	1F	Subsoil required for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
08-14	1F	Subsoil required for the construction and operation of the tunnel and for the installation of ground anchors adjacent to its eastern end; and new rights (including the right to impose restrictive covenants) above, up to and including the surface, for the protection and maintenance of the tunnel and ground anchors and for the construction and use of new private means of access linking land to the north and south of the tunnel (shown as reference 27 on sheet 8 of the Rights of Way and Access Plans) and providing access to land to the north of the A303

**Table 4: Temporary Possession of Land Only – by Plot Number**

Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
01-07	1A	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
01-09	1A	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
03-05	1A	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
04-04	1A, 1B and 2	Required to facilitate the construction of the new and improved A303 and the realigned B3083; for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
04-21	1B, 1C and 3B	Required to facilitate the construction of the new and improved A303; for landscape re-profiling; for use in connection with works to the existing A303 (to be de-trunked); for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
04-23	1B, 1C, 3B and 3C	Required to facilitate the construction of the new and improved A303 and of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for use in connection with works to the existing A303 (to be de-trunked); for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
04-25	1B, 1C, 3B and 3C	Required to facilitate the construction of the new and improved A303 and of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for use in connection with works to the existing A303 (to be de-trunked); for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
04-31	1C, 3B and 3C	Required to facilitate the construction of the new and improved A303 and of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for use in connection with works to the existing A303 (to be de-trunked); for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
04-34	1C, 3B and 3C	Required to facilitate the construction of the new and improved A303 and of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for use in connection with works to the existing A303 (to be de-trunked); for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space

**Table 4: Temporary Possession of Land Only – by Plot Number**

Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
05-01	3B and 3C	Required to facilitate the construction of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
05-11	1C, 3B, 3C and 4	Required to facilitate the construction of the new and improved A303 and of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for construction of the new alignment of the A360; for use in connection with works to the existing A303 (to be de-trunked); for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
05-13	1C, 3B, 3C and 4	Required to facilitate the construction of the new and improved A303 and of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for construction of the new alignment of the A360; for use in connection with works to the existing A303 (to be de-trunked); for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
05-37	6	Required for construction of the new restricted byway and private means of access on the line of the existing A303 for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
08-21	1G and 1H	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
09-01	1G and 1H	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
09-07	1H	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
09-15	1H	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
09-16	1H	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
09-17	1H	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
10-20	7	Required to facilitate the construction of a new highway connecting Equinox Drive and Allington Track; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space

**Table 4: Temporary Possession of Land Only – by Plot Number**

Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
10-23	7	Required to facilitate the construction of a new highway connecting Equinox Drive and Allington Track; to facilitate the provision of replacement land given in exchange for open space; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
11-11	1H and 7	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and for works in connection with the stopping up of byway AMES1 and its substitution with a footpath; and to provide temporary storage, laydown areas and working space
11-14	1H	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and for improvements to Amesbury Road; and to provide temporary storage, laydown areas and working space
11-15	1H	Required to facilitate the construction of the new and improved A303; for improvements to Amesbury Road; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
11-23	1H and 7	Required to facilitate the construction of the new and improved A303; and in connection with the stopping up of Allington Track; for archaeological and ecological mitigation; to facilitate the construction of a new highway connecting Equinox Drive with Allington Track; and to provide temporary storage, laydown areas and working space
11-26	1H and 7	Required to facilitate the construction of the new and improved A303; and in connection with the stopping up of Allington Track; for archaeological and ecological mitigation; to facilitate the construction of a new highway connecting Equinox Drive with Allington Track; and to provide temporary storage, laydown areas and working space
11-32	7	Required to facilitate the construction of a new highway connecting Equinox Drive with Allington Track; to facilitate the provision of replacement land given in exchange for open space; and for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
12-05	2	Required in connection with the construction of the new and improved A303; for archaeological and ecological mitigation; and to facilitate traffic management associated with the realignment of the B3083; and to provide temporary storage, laydown areas and working space
13-06	5	Required to facilitate the realignment of the Rolleston Cross junction; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space

**Table 4: Temporary Possession of Land Only – by Plot Number**

Land Plan sheet - Plot Number:	DCO Work No.	Purpose for which the land is required:
13-09	5	Required to facilitate the provision of private means of access to land south of the Rolleston Cross junction; and for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
13-10	5	Required to facilitate the provision of private means of access to land south of the Rolleston Cross junction; and for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
14-03	4	Required to facilitate the realignment of the A360; and the construction of a new restricted byway; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space
15-01	1C, 3B, 3C and 4	Required to facilitate the construction of the new and improved A303 and of the new link between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for construction of the new alignment of the A360; for use in connection with works to the existing A303 (to be de-trunked); for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space

## **9.2 Schedule of negotiations with persons affected by the Scheme**

9.2.1 Statement of Reasons – Annex B

9.2.2 The Application version of this document [APP-023] included a table below showing the progress of negotiations with affected persons, as at the date of the submission of the Application. Highways England submitted further updates post-application, as directed by the Examining Authority.

9.2.3 Updates to the schedule of negotiations with persons affected by the Scheme have been submitted to the Examining Authority as a separate document at Deadline 1 [AS-011], Deadline 2 [REP2-042], Deadline 3 [REP3-011], Deadline 4 [REP4-028], Deadline 6 [REP6-016] and Deadline 8 [REP8-012]. A final version of this schedule, entitled the Land Acquisition and Temporary Possession Negotiations Tracker, was submitted at Deadline 9 [REP9-020].

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