



# The Planning Inspectorate

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Wiltshire Council  
c/o Karen Jones  
By email

Your Ref:

Our Ref: TR010025

Date: 29 July 2019

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Dear Karen

## **Planning Act 2008 – Section 51**

### **Application by Highways England for an Order Granting Development Consent for the A303 Amesbury to Berwick Down**

#### **Advice in response to recent Examination submissions**

Thank you for your recent submissions to the Examination concerning Wiltshire Council's proposed amendments to the draft Development Consent Order (dDCO); specifically relating to byways AMES11 and AMES12.

The Examining Authority (ExA) is unable to respond to requests for advice or give directions to Interested Parties on the nature and content of any submissions that they may wish to make. The request in the Council's Deadline 5 submission [REP5-006] is therefore being treated as a request for advice under section 51 of the Planning Act 2008 (PA2008).

The Council should note that there are no requirements or powers for an Interested Party, apart from the Applicant, to carry out any statutory consultation under the PA2008. Notwithstanding this, as an Interested Party the Council may progress its proposed amendments to the dDCO by making further written submissions to the Examination. It is for the Council to decide whether it wishes to carry out any consultation and the form that such consultation should take in order to inform any further written submissions the Council may wish to make.

If the Council decides to carry out its own consultation to support its written submissions, the submissions should explain the nature of the consultation and the results. Any amendments to the dDCO that the Council is proposing should take the form of draft amendments to the Articles in the dDCO, rather than by way of incorporation of any draft statutory orders.

The ExA will consider any concerns or proposals that the Council has in the same way as any other written evidence that is received. The ExA must have regard to any

matters which it thinks are both relevant and important to the decision that will be taken by the Secretary of State.

If you require any further advice or need clarification in respect of the above, please do not hesitate to contact me.

Yours sincerely

*Richard Price*

**Richard Price**  
**National Infrastructure Case Manager**

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