

**Application by Highways England for the A303 Sparkford to Ilchester Dualling project**  
**The Examining Authority's written questions and requests for information (ExQ1)**  
**Issued on 20 December 2018**

ExQ1	Question	SCC Response
1.0	<b>General and Cross-topic Questions</b>	
1.04	<p><b>Waste Plan</b></p> <p>a) While various policies of the Somerset Waste Core Strategy have been cited by the Applicant, could the Council please provide a copy of the complete document and any associated policies map(s)?</p> <p>b) The ES Vol 6.1 Chapter 10, Material Assets and Waste [APP-047] paragraph 10.3.26 indicates that the Somerset Waste Core Strategy is currently under review to be replaced by the Somerset Waste Plan.</p> <p>Could the Council please indicate the latest situation, provide updated information as appropriate and advise what, if any, weight it considers should be given to this emerging Local Plan?</p>	<p>a) The Somerset Waste Core Strategy (Adopted 2013) is publicly available on our web site at:  <a href="http://www.somerset.gov.uk/policies-and-plans/policies/somerset-waste-core-strategy/">http://www.somerset.gov.uk/policies-and-plans/policies/somerset-waste-core-strategy/</a></p> <p>b) SCC can confirm that we have commenced our review of the Waste Core Strategy: See  <a href="http://www.somerset.gov.uk/policies-and-plans/plans/somerset-waste-plan/">http://www.somerset.gov.uk/policies-and-plans/plans/somerset-waste-plan/</a> . The timetable for the review is set out in our latest Minerals &amp; Waste Development Scheme (February 2017) which is available at:  <a href="http://www.somerset.gov.uk/policies-and-plans/policies/minerals-and-waste/">http://www.somerset.gov.uk/policies-and-plans/policies/minerals-and-waste/</a> . As part of the work on an updated evidence base, we are currently preparing an updated Waste Need Assessment for a number of waste streams including local authority collected waste (LACW), commercial and industrial (C&amp;I) waste and construction, demolition and excavation (CDE) waste. The detail of the cut and fill balance for this scheme, the estimated volumes of material requiring off site management and scheme timeline are helpful and will inform our current work program, particularly in relation to CDE wastes.</p>

		Accordingly, the County Council are still at pre “Issues and Options” (Reg 18 Stage). One of the identified tasks will be to review and update the Minerals & Waste Development Scheme including the timetable for the review. Accordingly, the policies emerging from the review are not part of the development plan and thus have limited weight because of the early stage that the Local Plan has reached in the adoption process. In due course, they will however give an indication of the direction of travel.
1.05	<b>Waste Plan</b> a) The Applicant has quoted various development plan policies in the chapters of the ES. Does the Council consider that the policies cited are all those relevant to the proposal? b) If not could it please indicate which others it considers to be material and whether and/or how the proposal would comply or otherwise to that policy?	a) Overall, the policies cited demonstrate that the developer has taken appropriate actions at the planning stage to consider how the scheme design can be developed to optimise resource efficiency and prevent waste, in accordance with the adopted Waste Core Strategy.  b) N/A
1.1	<b>Archaeology and Cultural Heritage</b>	
1.1.8	<b>Heritage assets (generally)</b>  a) Paragraph 6.6.1 of Chapter 6 Cultural Heritage of the ES [APP-043] indicates that the assessment area has been identified at 1 km (plus a small number of additions). While this is based on professional judgement, what other distances were considered as part of the original assessment? b) Why were these rejected? c) Do IPs consider that the assessment area is appropriate?	c) The area selected for the Desk based assessment is acceptable to SCC as it is appropriate to the scale of potential impacts and the ability to recognise potential heritage assets.
1.1.21	<b>Archaeology</b>	

	<p>a) It is noted in paragraph 6.5.2 of Chapter 6 Cultural Heritage of the ES [APP-043] that field evaluation (trial trenching and/or geophysical survey) has been undertaken as regards archaeology with the results submitted as other environmental information to support the DCO application during the examination period. When are the results likely to be available?</p> <p>b) What arrangements are in place to disseminate these results and take the results into account, if necessary, within the ES and dDCO?</p> <p>c) If the results are already available, has the field work revealed any previously unknown archaeological remains?</p> <p>d) If so, what is the significance of these remains and what effects would the proposal have upon them?</p> <p>e) Does this affect the conclusions and if so, in what way?</p>	<p>a) Applicant to respond</p> <p>b) Applicant to respond</p> <p>c) Applicant to respond</p> <p>d) Applicant to respond</p> <p>e) The full suite of field investigations required to assess the significance of impacts on heritage assets should be submitted during the Examination in order to understand the impacts and consider what mitigation measures are necessary. See LIR Ref A1.</p>
1.1.25	<p><b>Archaeology</b></p> <p>Due to the uncertainties involved in identifying archaeological sites from aerial photography, could the heritage stakeholders state whether they are in agreement with the Applicant's interpretation of the aerial photography as listed within Appendix 6.1, Appendix D of the ES [APP-067]?</p>	Acceptable to Somerset County Council.
1.1.33	<p><b>Queen Camel Bridge</b></p> <p>a) The bridge across the River Cam at Queen Camel is said to be of historic interest and is</p>	Please refer to South Somerset District Council's response to ExA Written Questions on (a) and (b).

	<p>subject to a 7.5 tonne weight limit. The diversion route when the A303 is closed would be across this bridge. What analysis has been undertaken as to whether the bridge should be considered to be a non-designated heritage asset?</p> <p>b) Should it be considered as a non-designated heritage asset?</p> <p>c) Have any surveys been undertaken to ensure that the use of this bridge by large HGVs on diversion will not affect the structural integrity of the bridge, and thus any historic interest it may possess?</p> <p>d) If so, what are the results?</p>	<p>c) The most recent inspection of the Queen Camel bridge structure (Bridge Ref 5290701) commissioned by Somerset County Council was undertaken 08/12/2016. The inspection report highlighted defects and suggested minor remedial work be undertaken. A copy of the site inspection can be made available, if necessary.</p> <p>(d) The structure has an assessed capacity of 40t. The use of the bridge by large HGVs on diversion is considered to not impact upon the structural integrity of the bridge structure.</p>
1.1.34	<p><b>Celtic Way</b></p> <p>a) Table 12.10 of the ES Chapter 12 People and Communities [APP-049] refers to the Celtic Way as a route that visits more than 100 pre-historic sites through South Wales and the South West. Could more detail be provided as to what the Celtic Way is, how it came about, what level of use is there of it and similar?</p> <p>b) Should this route be considered to be a non-designated heritage asset?</p> <p>c) The NPSNN, in paragraph 2.9, indicates that “development will be needed to ... enhance accessibility for non-motorised users”. Could it be explained, specifically, how the proposal would meet this criteria for those using the Celtic Way?</p>	<p>(a) Extract from <a href="https://thecelticway.org/faqs.php">https://thecelticway.org/faqs.php</a></p> <p><i>The Celtic Way was about the features left upon the land by its earliest travellers and settlers. It includes paths and sites from the prehistoric period, up to the sites of the early Celtic churches. Historically, the Celtic Way Walk extends from our earliest roots forward towards the Sixth century, the age of the Celtic Saints, and the Arthurian legends in early poetry.</i></p> <p><i>How did it begin? - A combination of map-work, footwork, and a lot of background reading went into choices about paths. Then the route was tested.</i></p> <p><i>What drove the idea? - The Celtic Way as a walking route and a written guide to the sites was an undertaking to hold on to our remaining ancient sites and paths, to visit them, to appreciate them, and to keep them in awareness.</i></p>

		<p>SCC have no details of level of use. The Way is featured on the Long Distance Walking Association Website and on the British Pilgrimage Trust website. It is not shown on Ordnance Survey mapping and is not promoted by the County Council. It does not appear to be managed by anyone and the guide has not been updated since its publication in 1998.</p> <p>(b) Please refer to South Somerset District Council's response to ExA Written Questions.</p> <p>(c) Applicant to respond</p>
1.3	<b>Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))</b>	
1.3.4	<p><b>Habitats (generally)</b></p> <p>a) The Councils in their representations [RR-040 and RR-041] indicate Approximately 91 ha of habitat clearance would be undertaken as part of the proposed scheme, 77.4 ha would be temporarily damaged and 13.7 ha permanently removed. Does the Applicant agree with these figures?</p> <p>b) If not could its figures be provided, perhaps best in tabulated form?</p> <p>c) It is stated that there would be a net gain in priority habitat (see paragraph 8.10.58 of Chapter 8 of the ES [APP-045]. Could the Applicant please set out why it considers the gain in priority habitat should be given more weight than the overall loss of habitat?</p>	<p>Please refer to South Somerset District Council's response to ExA Written Questions.</p>
1.5	<b>Landscape and Visual Effects</b>	
1.5.3	<b>Clarification (Key views)</b>	<p>Please refer to South Somerset District Council's response to ExA Written Questions.</p>

	<p>a) Paragraph 7.4.9 of Chapter 7 of the ES [APP-044] indicates Key Views within Figures 7.8a to 7.8g which would seem to indicate seven views. However, Figure 7.6 (Key Views) is on five sheets indicating nine key views (numbered 10, 12, 14, 28, 30, 36, 38, 44 and 45). Could this please be clarified, both how many there should be and the criteria against which they were selected?</p> <p>b) Could we be directed to a plan, or could a plan be prepared, showing the key views, particularly identifying those used for the photomontages?</p> <p>c) Do the parties agree that these are the key views? If not, which additional views should be considered?</p>	
1.5.4	<p><b>Approach</b> Figure 7.1 of Volume 6.2 of the ES [APP-117] sets out the Zone of Theoretical Visibility (ZTV) used for the consideration of landscape and visual effects. Was this zone agreed with the Councils and other stakeholders prior to the effects being assessed?</p>	Please refer to South Somerset District Council's response to ExA Written Questions.
1.5.5	<p><b>Approach</b> a) Chapter 7 of the ES [APP-044] explains that the landscape assessment has assessed residential receptors in small groups rather than individually and paragraph 7.7.30 states that the visual assessment has been undertaken by only assessing high sensitivity receptors. Are these approaches justified in all circumstances?</p>	Please refer to South Somerset District Council's response to ExA Written Questions.

	b) If not, what alternative approach should be utilised and why?	
1.5.6	<b>Approach</b> a) Chapter 7 of the ES [APP-044] section 7.8 sets out the potential impacts. Do the parties agree with the proposed landscape and visual effects as set out by the Applicant? b) If not, how and why do they disagree?	Please refer to South Somerset District Council's response to ExA Written Questions.
1.5.7	<b>Approach</b> a) Table 7.1 of Chapter 7 of the ES [APP-044] sets out landscape sensitivity to change evaluation and value criteria. Registered parks and gardens appear in both High and Medium Sensitivity to change categories. Could it be clarified what approach has been followed? b) How has this approach influenced the overall assessment? c) Do the Councils agree with this approach?	Please refer to South Somerset District Council's response to ExA Written Questions.
1.7	<b>Traffic and Transport</b>	
1.7.6	<b>Scheme Alignment/Arrangement</b> You state [RR40 and RR41] that the scheme will provide less direct access to RNAS Yeovilton and the Fleet Air Museum. Do your concerns relate to access from the east-bound direction, or do you consider that access will be less direct from the west-bound direction as well?	Please refer to South Somerset District Council's response to ExA Written Questions.
1.7.9	<b>Traffic Management Plan</b> a) The draft Traffic Management Plan [APP-150, Appendix A, paragraph 2.3.5] indicates to construct the works it is proposed, on a small number of occasions, to suspend the current 7.5 tonne weight limit (except for access). Can the reasoning behind	a) The existing 7.5 tonne weight limit (except for access) order was introduced on environmental grounds to maximise the retention of HGV traffic on the strategic network and reduce the volume of traffic 'rat running' through the settlements of Queen Camel, Marston Magna and Mudford.

	<p>the imposition of the existing weight limit please be explained, and what effects, its temporary suspension would have?</p> <p>b) What is proposed to mitigate the effects of the temporary suspension?</p>	<p>With regard to the effects resulting from a temporary suspension of the existing order, it is not possible to determine the effects until the Applicant submits detailed construction traffic management proposals confirming the dates, the exposure period and the mitigation measures proposed, if any.</p> <p>b) To date, SCC has not had sight of any proposals from the applicant to mitigate the effects of the temporary suspension. SCC believe that in the absence of any commitment/ clarity, an obligation should be secured for measures to be undertaken by Highways England for it to address any unintended or unassessed impacts which arise as a result of carriageway closures. A financial contingency should also be secured for Somerset County Council to be able to undertake any road repairs that become necessary as a result of diverted and/ or rat running traffic.</p>
1.7.14	<p><b>Traffic Assessment</b></p> <p>a) Are you satisfied that the CoMMA report [APP-151] provides sufficient information to allow you to assess/comment on the traffic implications of the scheme on the local road network?</p> <p>b) If not what additional information would be required?</p>	<p>From a technical perspective Somerset County Council is content that the CoMMA report provides sufficient information for traffic forecasting purposes and predicted changes in flows on the local road network.</p> <p>However, it should be noted that a full Transport Assessment has not been provided with the application and, as a result, the level of significance of the increases in traffic in particular through West Camel and Sparkford have not been assessed by the applicant, including the road safety implications.</p>
1.7.16	<p><b>Traffic Assessment</b></p> <p>You comment [RR40 and RR41] that only limited construction methodology and traffic management proposals have been submitted to date. Does this comment refer to the construction period only, or</p>	<p>Somerset County Council can confirm that this relates to the construction phase.</p>



	are you seeking further information regarding traffic management during the operation phase?	
1.8	<b>Flooding/Drainage Strategy</b>	
1.8.6	<p><b>Flood Risk</b></p> <p>a) The Church Commissioners for England indicate [RR-032] that in respect of Land at Higher Farm the outfall from pond 1 (Plot reference 1/4a on Lands Plan [APP-005]), could lead to 3.47 ha of the highway draining onto adjoining land, which allegedly is low lying and suffers from poor drainage. What evidence is there to support or refute this assertion?</p> <p>b) Can it be demonstrated that the proposal will not increase flood risk in this area?</p>	<p>a) The area is susceptible to surface water flooding as shown on the Risk of Flooding from Surface Water mapping and SCC has records indicating regular flooding of the lane due to surface water.</p> <p>b) The Applicant should comment on whether there is an existing right of discharge from the existing A303 carriageway and that the attenuated discharged proposed will be a betterment.</p>
1.8.7	<p><b>Flood Risk</b></p> <p>a) The Church Commissioners for England indicate [RR-032] in respect of Land at Courtry &amp; Speckington Farm (south of A303) that part of the highway would drain in to this area which allegedly is particularly wet. What evidence is there to support or refute this assertion?</p> <p>b) Can it be demonstrated that the proposal will not increase flood risk in this area?</p>	<p>a) The area is susceptible to surface water flooding as shown on the Risk of Flooding from Surface Water mapping and SCC has records indicating regular flooding to several of the roads in this area that have been investigated by the local Highways office. This resulted in minor maintenance work such as drainage jetting.</p> <p>b) The Applicant should comment on whether there is an existing right of discharge from the existing A303 carriageway and that the attenuated discharged proposed will be a betterment.</p>
1.9	<b>Cumulative Effects</b>	
1.9.5	<p><b>Baseline</b></p> <p>a) Can the Councils confirm that they agree with the long list of sites identified in Table 14.6 of the ES Chapter 14 [APP-051]?</p> <p>Are the Councils aware of any other developments which should be included within the cumulative assessment?</p>	<p>Please refer to South Somerset District Council's response to ExA Written Questions.</p>

1.9.5	<p><b>Baseline</b></p> <p>a) For the purpose of this assessment the cut-off date for including additional developments was 12 April 2018. Can the Applicant state if a further cumulative assessment will be undertaken for sites identified within the Zol?</p> <p>b) Are the Councils content with the Applicant's approach to the potential need for further cumulative assessments?</p> <p>Can the Applicant and Councils confirm whether they are aware of any additional other plans or developments that should be included in the cumulative effects assessment since April 2018?</p>	Please refer to South Somerset District Council's response to ExA Written Questions.
1.10	<b>Draft Development Consent Order (DCO) [APP 017, AS-007/AS-008]</b>	
1.10.5	<p><b>Detailed design approvals</b></p> <p>a) You state that the dDCO will require provisions to address the detailed design elements and agreement for the associated fees associated with some technical elements. Which elements do you refer to?</p> <p>b) What safeguards are you seeking?</p> <p>c) Has this matter been discussed with the Applicant?</p>	<p>(a) and (b) – please refer to our detailed comments under Transport in the Local Impact Report.</p> <p>c) This matter was repeatedly raised through the Technical Working Group workshops since their commencement in March 2018.</p>
1.10.6	<p><b>De-trunking</b></p> <p>a) Has there been any progress on the arrangements with the local highway authority for those parts of the road to be de-trunked?</p> <p>b) If so how is this to be secured?</p>	Please refer to our detailed comments under Ref T7 in the Local Impact Report.
1.10.9	<p><b>Article 2(1)</b></p> <p>a) Limits of deviation: Are the limits of deviation considered to be reasonable in all the circumstances?</p>	The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant's first revised draft DCO.

	<p>b) Watercourse - “except public sewer or drain”. Is this terminology clear?</p>	<p>b) SCC considers that the terminology is fairly consistent with the definition in the Land Drainage Act. Having reviewed the terminology used in response to this question it appears the full definition has not been transcribed. The full definition from 72(1) of the Act should be included to provide clarity on how public sewers are defined:</p> <p>“watercourse” includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.</p>
1.10.10	<p><b>Article 3</b></p> <p>a) Disapplication of legislative provisions. Is the Environment Agency content with this?</p> <p>b) What is the latest position as to other consents and agreements that will be necessary?</p>	<p>The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant’s first revised draft DCO. Comments at this stage:</p> <p>The broad requirements of the consenting authorities for Land Drainage Consent for works affecting ordinary watercourses have been discussed during the development of the proposals. Applications for Land Drainage Consent will come forward from the Applicant to enable detailed proposals and working methods to be considered and consent issued prior to construction, either from SCC, the Somerset Drainage Boards Consortium or both as the circumstance dictates. This needs to be secured in the DCO.</p>
1.10.11	<p><b>Article 13 (as a whole)</b></p> <p>Is SCC as local highway authority content with these provisions?</p>	<p>The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant’s first revised draft DCO.</p>
1.10.12	<p><b>Article 13(6)</b></p>	<p>To date the LHA has not received design proposals in sufficient detail to confirm whether or not there are any bridges (not</p>

	<p>Are there any bridges (not over/under an existing or proposed trunk road) being constructed under non trunk roads?</p> <p>Examples may be the badger tunnel and/or any other passes under the side roads.</p>	<p>over/under an existing or proposed trunk road) being constructed under non-trunk roads.</p>
1.10.15	<p><b>Article 19(11)</b></p> <p>a) What happens if the chief officer of police does not respond?</p> <p>b) Is the default time period appropriate given the different time periods set in Article 19(5)?</p>	<p>SCC considers the Applicant and Somerset Constabulary to be best placed to respond to the questions raised. SCC will await the responses from the above referenced parties before providing comment, if necessary.</p>
1.10.17	<p><b>Article 33(1)(d) and Article 33(4)(b) &amp; (c)</b></p> <p>a) The explanatory memorandum [APP-018] explains (4.122 (b)) these provisions are to allow permanent works to be left at the end of the temporary possession.</p> <p>If these works are needed as mitigation but the land “returned” to the (original) owner what is there to stop the mitigation being removed and/or not maintained (other than in the short term pursuant to Article 34), thereby not securing its effects in the long term?</p> <p>b) Are there any examples of these “permanent” works which form part of the mitigation requirements of the scheme?</p>	<p>The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant’s first revised draft DCO, and after the applicant has responded to this written question.</p>
1.10.18	<p><b>Article 43(1)</b></p> <p>a) How does this provision ensure that the final versions of these documents are those referred to?</p> <p>b) Is this the complete list of drawings and documents?</p>	<p>The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant’s first revised draft DCO, and after the applicant has responded to this written question.</p>
1.10.27	<p><b>Schedule 2 – Requirement 3(4)</b></p> <p>In the definitions it indicates that the HEMP is “to be to be developed towards the end of the</p>	<p>The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant’s first revised draft DCO.</p>

	construction of the authorised development”, but in Requirement 3(4) it is stated to be “upon completion”. These two would appear to be inconsistent. Could this please be resolved?	
1.10.30	<b>Schedule 2 – Requirement 5(2)</b> Is it appropriate to refer to a specific British Standard, since they have a habit of going out of date (see alternative wording in draft Requirement 6)?	Please refer to South Somerset District Council’s response to ExA Written Questions.
1.10.39	<b>Schedule 2 – Requirement 13(5)</b> The Environment Agency [RR-043] notes that points a) and b) suggest no surcharge at 1 in 1 yr (100% AEP) events, and no flooding at 1 in 5 yr (20% AEP) events. It comments that this would appear to be a low standard of service for a new road drainage network. Typically, no surcharge would be expected up to and including 5% AEP (1 in 20 yr) in the drainage network, with no surface flooding at 1% AEP (1 in 100 yr) events. Normally, exceedance design should cover the climate change scenario at 1% AEP. Could the relevant parties comment on whether the proposal would meet expected performance standards for the road drainage network?	<p>The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant’s first revised draft DCO.</p> <p>However, in SCC’s recent review of the draft DCO it was noted that Requirement 13 did not reflect the discussions captured in the technical working groups which focused on the Statement of Common Ground. We have prepared comments as part of the Local Impact Report requesting amendments to Requirement 13 to reflect the technical working group agreed approach to drainage and flood risk. It is SCC’s understanding following discussions with the Applicant and the Somerset Drainage Boards Consortium that the proposed design will control the overall volume, as well as the overall rate of runoff with sufficient attenuation provided. The attenuation would be provided with discharge limited to 1% annual exceedance probability (1 in 100-year event) plus 40% to account for the effects of climate change, to no greater than the undeveloped rate of runoff, determined by the calculation of the mean annual peak runoff for a greenfield site (Qbar). The strategy to retrospectively imposed Qbar discharge criterion provides a significant betterment to the baseline condition across the development.</p>

		<p>Requirement 13 of the DCO as written does not translate the approach agreed with SCC and Somerset Drainage Boards Consortium and instead implies that the drainage will be designed to the less robust standards contained in the Design Manual for Roads and Bridges. This is not consistent with the requirements in the National Policy Statement for National Networks (NPSNN). Requirement 13 of the DCO also does not reflect the need to prioritise the use of sustainable drainage systems (SuDS), as stipulated in Para 5.99 of the NPSNN.</p> <p>SCC has therefore requested that the Applicant amend Requirement 13 of the DCO to reflect the drainage design criteria in the agreed Flood Risk Assessment.</p>
1.10.40	<p><b>Schedule 2 – Requirement 13(3)</b></p> <p>a) Is there a date by when the mitigation needs to be completed?</p> <p>b) Should this be included within the Requirement?</p>	<p>The Joint Councils will provide detailed comments on the Articles of the DCO and the Requirements at Deadline 3 in their comments on the applicant's first revised draft DCO.</p> <p>However, in SCC's recent review of the draft DCO it was noted that Requirement 13 did not reflect the discussions captured in the technical working groups which focused on the statement of Common Ground. We have prepared comments as part of our Local Impact Report requesting amendments to Requirement 13 to reflect the agreed approach to drainage and flood risk. In the discussions between SCC, the Somerset Drainage Boards Consortium and the Applicant it was agreed that the Applicant will need to provide more detail prior to commencement of construction. These details should include any temporary or phased arrangements necessary for the construction of the scheme; including how and when these will be brought forward and become operational.</p>

		<p>SCC has therefore requested that Requirement 13(3) should be amended to include the need to submit the detailed designs of the drainage systems for approval, including the phasing of construction and stages at which the drainage system will become operational.</p>
1.10.44	<p><b>Schedule 3 – Part 11, column (2)</b></p> <p>a) Some of the rights of way are noted as “footway”, but others are “bridleway”. Should any of the footways be designated as a “footpath” since it is proposed that they are to be public rights of way?</p> <p>b) The South Somerset Bridleways Association indicates [RR-026] that the new public rights of way should be restricted byways. What is the Applicant’s response to on this?</p>	<p>This question has highlighted what is the purpose of Schedule 3 Part 11. It is SCC's view that a Public Rights of Way part to Sch 3 is not entirely necessary. However, it would be beneficial to have a footway/cycleway part under this schedule.</p> <p>All public rights of way can be satisfactorily covered under Sch 4. This would entail transferring all the bridleways from Sch3 Part 11 to Sch 4, if not already covered. SCC is not concerned with redefining footways to footpaths in this Part 11.</p> <p>This question has also highlighted that the applicant has neglected to include a number of new rights of way from Sch 4 as follows: AA-AB, AL-AM, AV-AW, AX-AY, AZ-BA-BB, BZ-CA-CB-CD, BL-BK, BD-BY-BE, BN-BO, BN-BY, BJ-BX/BX-BI. It is also noted the RoW &amp; Access Plans Sheet 3 of 4 is lacking a letter notation at the Gason Lane turning head to connect to BB &amp; CD.</p> <p>The above changes will obviously impact on the wording in DCO Part 3, 14 (6), which will need to be amended.</p>
1.13.10	<p><b>Acquisition of Rights</b></p> <p>a) There are a number of plots such as 1/2b, where it is intended to permanently acquire rights over the land, and that the land be used for the construction of the A303 or a turning head. However, the BoR does not indicate which rights are intended to be acquired. The description does</p>	<p>SCC will wish to review and comment in due course on the applicant’s answer. Legal matters connected with the acquisition of rights have not been discussed yet between SCC and the applicant.</p>

	<p>not limit the rights to the surface. Could the Applicant please confirm how deep the works will go?</p> <p>b) In some instances it would seem that the intention is to transfer the land to SCC?</p> <p>c) What mechanism will be used for this purpose?</p> <p>d) Has this been agreed with SCC?</p> <p>e) Have the owners of the land agreed to its designation as public highway and the transfer to SCC?</p> <p>f) Where the land is to be used for the construction of the A303 is the acquisition of rights the correct procedure for land not owned by the Applicant?</p>	
1.13.11	<p><b>Acquisition of Rights</b></p> <p>a) There are a number of plots, such as plot 1/5a, where it is proposed to permanently acquire rights over the land, and it is intended that the land would be used to construct a turning head. Schedule 5 of the dDCO indicates that the land would be designated as public highway and maintained by SCC.</p> <p>b) It would seem that the land over which it is intended to acquire rights is privately owned. Has there been an agreement with the owners to dedicate the land as such?</p> <p>c) Has there been agreement with SCC to dedicate it as public highway?</p> <p>d) If not, how will the right to use this land as public highway be secured?</p>	<p>Although SCC has not been invited to respond to this question, SCC will wish to review and comment in due course on the applicant's answer. Legal matters connected with the acquisition of rights have not been discussed yet between SCC and the applicant.</p>