

English Heritage Trust (EHT) responses to Examining Authority's (ExA) Questions 2
26th July 2019

ExQ2	Question to:	Question:	EHT response:
CA.2.53	English Heritage	Please provide an update on the discussions as regards the proposed restricted byway running alongside the A360 within the boundary of the Stonehenge Visitor Centre complex and the exploration of alternatives.	<p>EHT continues to work with Highways England to discuss alternatives and measures to reduce where possible the risks we believe this new PROW introduces.</p> <p>Whilst we welcome the open and constructive dialogue with Highways England we remain concerned that alternative routes (that do not give rise to the risks highlighted in previous EHT Written Representations) are not being pursued. We understand this is because the most viable alternatives fall outside of the 'red line'.</p> <p>EHT understands that Highways England is focusing on amending the existing proposal to deliver, where possible, improvements to the current DCO proposal and we have provided feedback to Highways England on this.</p> <p>However, we remain concerned that our road safety concerns and operational impacts remain – even if attempts are being made to reduce them. Therefore our objection is maintained.</p>
DCO.2.26	Wiltshire Council National Trust Historic England	Article 22 – Compulsory acquisition of rights Please indicate whether there are any outstanding concerns as regards the power to impose restrictive	Discussions are on-going. EHT awaits clarification on the proposed covenant from Highways England along with a finalised flow chart showing the process to be followed

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		covenants on groundworks on land above the tunnel and the implications that might have for archaeological investigations in the WHS.	for any future works. Highways England has indicated that works will be permissible under certain parameters (Technical note 190410) but have not yet made it clear who will be the final arbiter.
DCO.2.37	Wiltshire Council National Trust Historic England English Heritage	<p>Requirement 3 (1) and (2) – Preparation of detailed design etc</p> <p>The Applicant's DL4 written summary of oral submissions put at the DCO hearing on 4 June 2019 [REP4-029] indicates that the updated OEMP includes further design commitments, design principles and a stakeholder consultation mechanism that has emerged from ongoing consultation with heritage stakeholders [REP4-020].</p> <ul style="list-style-type: none"> i. Please provide an update on those on-going discussions with the Applicant in relation to such matters and indicate whether it is agreed that the dispute mechanism proposed in section 4 of the updated OEMP would be adequate? ii. Should matters such as design principles, stakeholder consultation and dispute mechanisms be the subject of specific DCO Requirements or does their inclusion within the OEMP provide adequate safeguards? iii. Are those design-related matters as set out in the OEMP sufficiently precise and detailed to 	<p>Please note: all answers provided by EHT regarding the OEMP are based on the DL3 version. We understand a new draft of the OEMP will be submitted at DL6 so EHT will consider our position again following the opportunity to review the new document.</p> <ul style="list-style-type: none"> i. EHT continues to discuss improvements to the OEMP with the applicant. EHT feels the dispute mechanism proposed in section 4 needs further refinement to ensure it is an effective tool. ii. EHT feels that it is sufficient for matters such as design principles, stakeholder consultation and dispute mechanisms to be included in the OEMP rather than be the subject of specific DCO Requirements if the OEMP is robust. As it is currently drafted we do not feel section 4 of the OEMP is robust enough and therefore a stakeholder consultation and dispute mechanisms may need to be the subject of specific DCO Requirements unless further changes are secured to the OEMP.

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		be readily enforceable or are any further drafting changes sought?	iii. EHT continues to work with Highways England and other heritage bodies to refine design-related matters to ensure they are sufficiently precise and detailed to be readily enforceable. Work is on-going.
DCO.2.40	Wiltshire Council National Trust Historic England English Heritage	Requirement 3 (1) and (2) – Preparation of detailed design etc The Applicant's response to ExQ1 DCO.1.81 (ii) recognises the need to give key stakeholders confidence that the detailed design of the scheme would be carried out appropriately [REP2-030]. <ul style="list-style-type: none"> i. Please provide an update as regards the discussion of an appropriate mechanism to achieve the matters 1, 2 and 3 set out in that response and indicate whether any further changes to the updated OEMP [REP4-020] are envisaged in that respect. ii. Please comment as to the merits of a specific design parameters document over and above the various design commitments and principles specified within the updated OEMP that would be secured by a specific DCO Requirement? 	Please see above response to DCO 2.37. EHT feels it would seem more pragmatic to discuss the specific design parameters and commitments together rather than separately. These discussions are on-going with Highways England and HMAG.
DCO.2.43	Wiltshire Council National Trust Historic England English Heritage	Requirement 4 – Outline Environmental Management Plan The Applicant's DL4 written summary of oral submissions put at the DCO hearing on the 4 June	See response to DCO.2.37. EHT continues to discuss improvements to the OEMP with the applicant. EHT feels section 4 in the OEMP

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	Environment Agency	<p>2019 [REP4-029], refers to the amended OEMP submitted at DL3 and the provision for consultation contained therein [REP3-006].</p> <p>Do the parties have any outstanding concerns in this respect and would the provision for consultation be satisfactorily secured by the dDCO Requirement 4?</p>	needs further refinement to ensure future stakeholder engagement is consultative and effective.
DCO.2.52	Wiltshire Council National Trust Historic England	<p>Requirement 4 – Outline Environmental Management Plan</p> <p>The Applicant's DL4 written summary of oral submissions put at the DCO hearing on the 4 June 2019 [REP4-029] refers to the consultation which has taken place on the detailed design of the public rights of way within the WHS and the further details and commitments in that respect set out in the updated OEMP submitted at DL3 [REP3-006].</p> <ol style="list-style-type: none"> Please indicate whether these design commitments and principles are agreed and considered to be sufficiently precise and comprehensive or do they require further amendment? Does the OEMP, as secured by Requirement 4, provide a satisfactory means of achieving these aims or is it considered that a further specific Requirement in relation to this matter is necessary? 	<p>EHT is in general agreement with the design principles but are in on-going discussions with Highways England and so we will be following the various iterations of the OEMP closely.</p> <p>We consider the OEMP is a satisfactory means of achieving these aims but await sight of the next version.</p>
DCO.2.64	Wiltshire Council	Requirement 11 - Details of consultation	Please see EHT response to DCO.2.37.

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	National Trust Historic England English Heritage Environment Agency	Are there any outstanding concerns as regards the provision for consultation with relevant stakeholders and the means whereby this would be secured by the dDCO?	EHT would like to see improvements to section 4 of the OEMP to ensure there is clarity and commitment in regards to the framework for future consultations.