

Dualling of the A303 from Sparkford to Ilchester

Executive Portfolio Holder: Angie Singleton, Strategic Planning
Ward Member(s): Mike Lewis, Tony Capozzoli
Director: Netta Meadows, Strategy and Support Services
Service Manager: Jan Gamon, Lead Specialist – Strategic Planning, Strategy and Commissioning
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Purpose of the Report

1. To update District Executive on the A303 Sparkford to Ilchester Dualling Scheme and set out how the Council will engage in the Development Consent Order (DCO) process. District Executive is asked to agree a Statement of Support in Principle for the scheme to be submitted to Highways England. District Executive is also asked to set aside a budget to resource the Council's involvement in this project and to agree to the principle of the Council entering into a Planning Performance Agreement with Highways England to recoup some of the Council's costs. Finally a scheme of delegation to enable officers to respond in a timely manner to requests from Highways England and the Examining Authority during the examination is set out in Appendix 2 for District Executive's approval.

Forward Plan

2. This report did not appear on the District Executive Forward Plan.

Public Interest

3. The report will outline the process by which Highways England are seeking to obtain planning permission for the dualling of the A303 between Sparkford and Ilchester. It will explain the role of South Somerset District Council in that planning application process and set out the key issues of relevance for SSDC.

Recommendations

4. That the District Executive note this report and its contents, review and approve:
 - a. The Statement of in Principle Support for the scheme to be submitted to Highways England (Appendix 1).
 - b. The principle of the Council entering into a Planning Performance Agreement with Highways England, the detail of which to be delegated to Lead Specialist – Strategy and Commissioning.
 - c. That £100,000 is allocated from estimated revenue underspends in 2018/19, under-written by general balances, to resource the Council's involvement in this project.
 - d. The Scheme of Delegation for the Council's input into the Development Consent Order process (Appendix 2).

Background

5. The Planning Act 2008 establishes the process for dealing with proposals for nationally significant infrastructure projects or NSIPs. Under the Act, applicants are required to obtain a Development Consent Order (DCO) from the Secretary of State. The DCO is normally made as a statutory instrument – a form of secondary legislation. It not only provides planning consent for the project

but may also incorporate other consents and include authorisation for the compulsory acquisition of land.

6. Local authorities have an important role in the process and they are encouraged to discuss and work through the issues raised by NSIP planning applications within their area with the prospective applicants, and to engage with the applicant in the preparation of submissions to assist the Examining Authority (the Planning Inspectorate - PINs) in the examination of the scheme.
7. The A303 Sparkford to Ilchester Dualling Scheme is a NSIP. The proposal is to provide a continuous dual carriageway along the general alignment of the A303 from Podimore roundabout to Sparkford bypass, which is approximately a three mile stretch. The objectives of the proposal are to reduce congestion and journey times as well as pollution and provide safer local access for pedestrians and cyclists. Originally there were 13 design options considered, these were narrowed down and two were consulted upon. The Preferred Route Announcement was made on 24th October 2017 and there is no further opportunity to influence this once the application is submitted.
8. Highways England intends to submit the DCO application to the Planning Inspectorate on the 27th July 2018. The high level timetable is as follows:
 - Examination - 13th December 2018 for a period of up to 6 months
 - Decision - end of 2019
 - Road construction to commence by March 2020
 - Road open - 2022/2023

The applicant has noted that we will enter purdah for a period of six weeks prior to elections in South Somerset

9. For information, the scheme has its own webpage on the Planning Inspectorate website where you can register for updates and where documents are uploaded to view when they become available :
<https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-sparkford-to-ilchester-dualling/?ipcsection=overview>

Highways England Statutory Consultation

10. The statutory consultation period was 26th January to 9 March 2018. The purpose of the consultation was to seek feedback on the design of the upgrade, including location, purpose and layout of junctions, provision for non-motorised users and environmental impact and mitigation. Highways England received 241 responses to the consultation.
11. The District Council submitted written representations in March 2018, during the statutory consultation period. In this response the Council's strong support for the scheme was expressed as was the principle of the preferred route and its design. Localised impacts were identified, where further work was required. The key issues were:
 - a. Local impact on the village of West Camel. Projected increase in vehicles traveling through the village as a result of the proposed design of the scheme and its potential to increase rat running;
 - b. Less direct access to Fleet Air Arm Museum and RNAS Yeovilton and its implications;
 - c. Impact of the design of Hazelgrove Junction upon the viability of local businesses;
 - d. Substantial and adverse impact upon Hazelgrove historic park and garden;
 - e. Local concern over noise levels for residents along the route;

- f. Local desire for Highways England to revisit the retention of the “old” A303 as a local route between Podimore and Hazelgrove roundabouts; and
 - g. Ensuring that appropriate mitigation is provided for the scheme.
12. Technical working groups have been set up by Highways England, where these matters have been and continue to be explored in further detail to inform the final submission. Relevant officers from the council have been attending the technical working groups.
 13. Highways England has been meeting with parish councils along the route of the scheme to update them and discuss their particular concerns. They recently met with West Camel Parish Council, the Ward Member and MP. West Camel Parish Council is concerned that their existing rat running issue will be exacerbated by the scheme. Highways England state that their modelling does not show significant adverse effects, but as a gesture of goodwill have offered the parish highways mitigation outside of the DCO process. Somerset County Council is still looking to understand the level of impact of the scheme. The parish council are still considering the offer.

Role of South Somerset District Council and Key Milestones in DCO

14. Whilst the local authority is under no statutory obligation to be involved in the DCO process, there is a high expectation from PINs that as the host authority, we will be actively involved. We are expected to produce the following reports/responses/undertake the following actions in the time leading up to the submission of the application, during the Examination of the draft DCO, and post decision:
 - Negotiating draft DCO with applicant
 - Agree a Planning Performance Agreement (PPA)
 - Inputting into Case for the Scheme
 - Inputting into National Policy Statement (NPS) accordance table
 - Producing an Adequacy of Consultation representation
 - Agreeing Statement(s) of Common Ground (SoCG)
 - Responding to a Rule 6 letter
 - Producing a Local Impact Report
 - Producing Relevant Representations
 - Producing Written Representations
 - Representing LPA at Examination hearings and responding to Inspector’s requests for information
 - Agreeing Planning Conditions/Section 106 Agreements
 - Discharging Conditions
15. Officers have been working jointly with Somerset County Council. To date we have agreed in principle to produce joint reports including the PPA, Statement of in Principle Support for Scheme, Adequacy of Consultation representation, Statement of Common Ground and Local Impact Report. Whilst the Local Impact Report and Statement of Common Ground will be shared, we will own discrete sections, whereas the other documents are jointly agreed in their entirety.
16. The anticipated deadline for these pieces of work is set out in the table below:

Document/Action	Summary of the Document/Action	Deadline
Negotiating draft DCO with applicant	Negotiating technical elements of the application.	Ongoing
Planning Performance Agreement	Agreement with the applicant (Highways England) to agree timescales, actions and resourcing for the DCO application.	20 th July 2018
Input into NPS Accordance Table	Assessing the DCO against the policies set out in the National Policy Statement for National Networks.	4 th July 2018
Adequacy of Consultation response	Assessing the applicant's consultation against the regulations for consultation as set out in the 2008 Act.	10 th August 2018 (tbc)
Statement(s) of Common Ground	Covering a broad range of topics and issues the SoCG provides PINs with clarity on the matters that are agreed, not agreed, and subject to further consideration.	Final Deadline – will be set by Examining Authority (PINs) likely to be early on in Examination process Jan/Feb 2019
Statement of In Principle Support for the Scheme (offered in advance of Statement of Common Ground)	Produced in advance of SoCG, demonstrates to PINs both council's support in principle for the scheme.	6 th July 2018
Respond to rule 6 letter (invitation to preliminary meeting) and Examination timetable	A formal agreement to the Examination timetable.	3 rd December 2018
Examination		13 th December 2018 to May 2019
Local Impact Report	Key document in Examination, setting out the local impacts of the scheme. Set out as positive, negative and neutral impacts, no political opinions are offered in this document.	Final Deadline – will be set by Examining Authority (PINs) likely to be early on in Examination process Jan/Feb 2019
Relevant representations	A summary of the aspects of the application that the Council agrees and/or disagrees with and our reasons why. NB. You must submit this to submit a Written Representation.	Before start of Examination, deadline set by PINs
Written Representations	This is a more detailed written account of what SSDC agrees and/ or disagrees with in the application , together with any evidence or documents to support this. It is an opportunity	Final Deadline – will be set by Examining Authority (PINs) likely to be early on in Examination process Jan/Feb 2019

	to expand on the issues set out in the Relevant Representation . Can include political angle not able to be included in the LIR.	
Agree Planning Conditions/Section 106 Agreements		Throughout Examination – deadline for final signing set by PINs
Discharge conditions		Post decision – December 2019
Non-material and material change applications	Applications to make changes to the scheme following the approval and can trigger a new DCO process if the nature of change is so significant.	Post decision – December 2019

17. In addition to the production of reports and representations, officers of the Council will be required to attend and participate in the Examination of the DCO, respond to written questions and requests for further information, comment on other interested parties' representations and submissions, all within short timescales.
18. During the Examination, the Statement of Common Ground will continue to be drafted and planning obligations and conditions will need to be agreed. Post decision, these will need to be discharged and monitored.
19. In order to enable timely responses by the Council from Highways England and the Examining Authority during the examination, it is recommended that District Executive approve the scheme of delegation set out in Appendix 2. This allows the Lead Specialist – Strategy and Commissioning in consultation with Portfolio Holder for Strategic Planning (Place Making) and Portfolio Holder for Property & Climate Change and Income Generation to approve documents on behalf of the Council.

Joint Statement of in Principle Support for the Scheme

20. Highways England has been actively encouraged by PINS to produce a Statement of Common Ground (SoCG) with ourselves and Somerset County Council. This is to clarify to the Examining Authority where progress is being made towards matters which have been agreed, not agreed and are under discussion. Officers have not however had the opportunity to see the DCO application or its associated documentation yet and therefore feel that until they have had sufficient time to consider this material, the signing of a SoCG is premature.
21. A Joint Statement of in Principle Support for the scheme from ourselves and Somerset County Council has therefore been produced in advance of the SoGC which expresses our support for the scheme and sets out our commitment to working with Highways England to produce a SoCG. It is recommended that District Executive agree to this statement being submitted to Highways England in advance of a Statement of Common Ground.

Resourcing the Project and Planning Performance Agreement

22. In recognition of the large and complex nature of this project, Highways England is seeking to enter into a Planning Performance Agreement with SSDC and SCC. The intention of the agreement is ensure that capacity is created and available within the Council to properly input into

the process. This PPA is a pilot project for the wider Road Investment Strategy programme and needs to be agreed before the application is submitted on 27th July 2018.

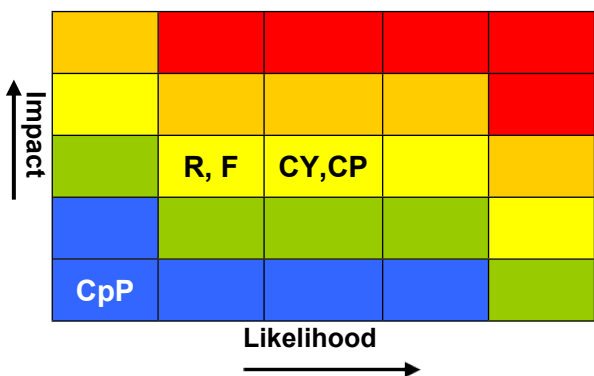
- 23. Highways England has agreed to reimburse the Council its costs for certain activities which require the Council to provide additional resources over and above their statutory requirements. The PPA negotiation is ongoing but the amount that Highways England is willing to provide to the council is unlikely to be substantial.
- 24. District Executive is asked to agree to the principle of the Council entering into a Planning Performance Agreement with Highways England to recoup some of the Council's costs, the detail of which is to be delegated to Lead Specialist – Strategy and Commissioning.

Financial Implications

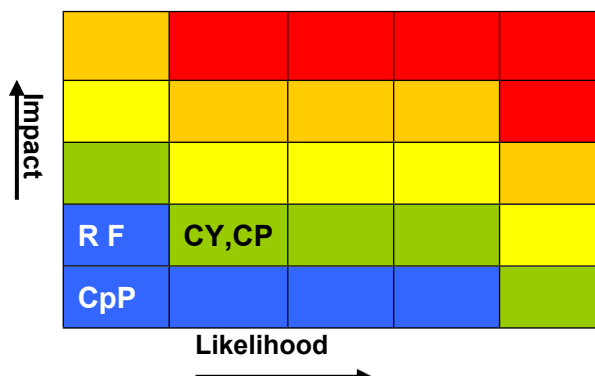
- 25. Officers from Strategy and Commissioning, Legal Services and Service Delivery will be required to support the project. If agreed, the PPA will enable some costs to be recovered but this will not be sufficient. It is recommended that District Executive agree to £100,000 being set aside from estimated revenue underspends in 2018/19, under-written by general balances, to resource the Council's involvement in this project.

Risk Matrix

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

Council Plan Implications

- 26. None

Carbon Emissions and Climate Change Implications

27. None

Equality and Diversity Implications

28. None

Privacy Impact Assessment

29. No Impact

Background Papers

30. Appendix 1 – Statement of Support in Principle for the scheme

31. Appendix 2 - Scheme of Delegation
