



Scheme of Delegation for the A358 Taunton to Southfields Dualling

Executive Portfolio Holder:	Val Keitch, Strategy and Housing and John Clark, Economic Development including Commercial Strategy
Ward Member(s)	Val Keitch, Brian Hamilton, Linda Vjeh, Malcolm Cavill
Strategic Director:	Nicola Hix, Director of Support Services and Strategy
Lead Specialist:	Jessica Power, Lead Specialist - Strategic Planning
Lead Officer:	Jo Wilkins, Specialist, - Strategic Planning
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Purpose of the Report

1. To agree a Scheme of Delegation to support the A358 Taunton to Southfields Dualling scheme Development Consent Order (DCO) process.

Forward Plan

2. This report appeared on the District Executive Forward Plan/ with an anticipated Committee date of August 2020.

Public Interest

3. Highways England are proposing to upgrade the A358 to dual carriageway between the M5 at Taunton and Southfields Roundabout on the A303. The delivery of this scheme is the next stage in the long term aim to create a high-quality dual carriage way link between London and the M5. This report seeks approval of 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. The scheme is set out in Appendix 1 for District Executive's approval.

Recommendation

4. That District Executive recommend that the Director for Strategy and Support Services approves the Scheme of Delegation for the A358 Taunton to Southfields Dualling as set out in Appendix 1 of this report.

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



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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. Highways England proposes to construct the A358 Taunton to Southfields Dualling scheme. The proposed scheme is considered a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 and therefore Highways England proposes to submit an application for a Development Consent Order (DCO) to provide the appropriate planning consent for the proposed scheme.
8. The proposed scheme is part of a programme of improvements planned along the A303/A358 corridor aimed at improving connectivity between London, the southeast and the south-west. The A303, alongside the A30, forms part of the strategic road network (SRN) and together with the A358, provides the link between London, the south-east and the south-west.

A303 Sparkford to Ilchester

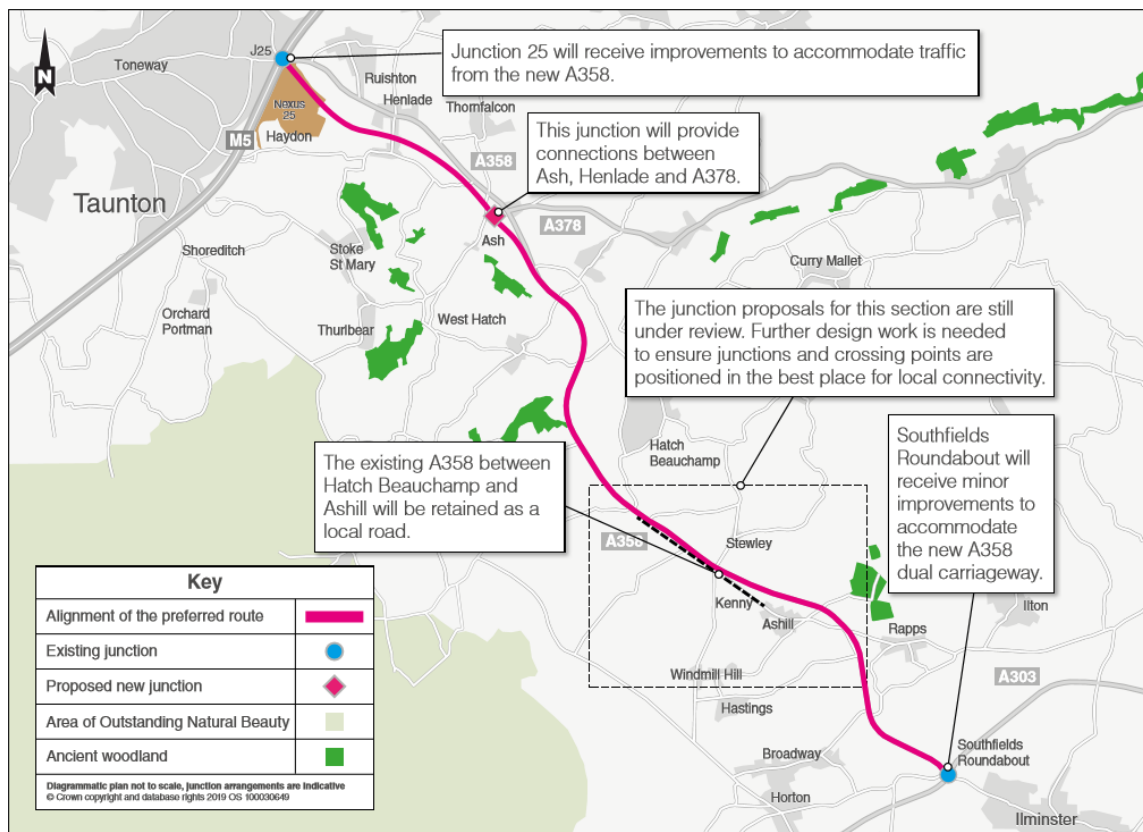
9. On 29 January 2021 the Secretary of State for Transport issued his decision to grant development consent for the proposed dualling of the A303 Sparkford to Ilchester.
10. South Somerset District Council has played a full and active part in the process and our clear strategy of supporting the scheme whilst pursuing the best outcomes for our communities, economy and environment have helped pave the way for this positive decision.
11. The scheme will support growth in jobs and housing by creating a free-flowing and reliable connection between the south east and south west and this decision followed the approval of the Development Consent Order (DCO) for the improvements at Stonehenge in November 2020.
12. Highways England are currently working with their contractor on the detailed design of the A303 scheme, and establishing how the construction process will be managed. They intend to keep local communities and key stakeholders up to date with how their plans are developing. They will be holding events in advance of the construction starting, in order to explain how the work will be delivered. The timing, and delivery method for these events, taking into account Covid-19 and the need for social distancing etc. is currently being considered.
13. As the work on the scheme progresses South Somerset District Council's Development Management team will be consulted on or will have to sign off a number of matters relating to the Requirements of the DCO.

A358 Taunton to Southfields

14. The scheme proposed extends through both South Somerset and Somerset West & Taunton (SW&T) local authority areas. It is 14.6 km long and would provide a new all-purpose dual carriageway for the A358. The new dual carriageway would connect the existing A303 at Southfields Roundabout near Ilminster and with junction 25 of the M5 at Taunton. The new dual carriageway would be completed in-line with current trunk road design standards. Highways England's preferred route is shown for your information as Figure 1 below.

15. Whilst the local authority is under no statutory obligation to be involved in the DCO process, there is a high expectation from PINs (the Planning Inspectorate) that the host authorities, we will be actively involved. We are expected to produce a number of 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) – no PPA was agreed in relation to the A303 Sparkford to Ilchester scheme as the scheme proposed by Highways England was considered unworkable
 - 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
 - Responding to any post Examination consultations
 - Agreeing Planning Conditions/Section 106 Agreements
 - Discharging Conditions

Figure 1 A358 Dualling Preferred Route



Source: Highways England Preferred Route document published 2019.

16. Before the DCO is submitted to the Secretary of State for Transport Highways England will hold a statutory public consultation on the design of the road. The future programme for the scheme is still being finalised but they anticipate holding the consultation in Autumn 2021 and submitting the DCO in July 2022.
17. Highways England have set up a Community Forum for local interested parties including the town and parish councils that will be impacted by the scheme. A number of meetings have already taken place. More details about the scheme and links to Community Forum notes and other documents can be found on the Highways England web site [here](#) .The National Infrastructure Planning managed by the Planning Inspectorate hosts all the formal documents relating to the DCO and can be accessed [here](#).
18. Taylor Woodrow have been appointed as the main contractor and they are progressing early works on the design of the scheme. Technical working groups have been set up by Highways England, where topic specific matters are being and will continue to be explored in further detail to inform the final submission. Relevant officers from the council have been attending the technical working groups.
19. Highways England has been or will be meeting with parish councils along the route of the scheme to update them and discuss their particular concerns.



Scheme of Delegation

20. A scheme of delegation for the A303 Sparkford to Ilchester project was approved by District Executive in July 2018. Due to the timescales relating to the submission of some of the documents various amendments were subsequently agreed by District Executive these were:
 - October 2018: delegated authority for the Council's Relevant Representations was given to the Lead Specialist, Strategic Planning with the relevant Portfolio Holders.
 - January 2019: delegated authority for the Local Impact Report was given to the Lead Specialist, Strategic Planning with the relevant Portfolio Holders.
 - January 2019: agreed that the Council should submit a Written Representation to the Examining Authority and gave delegated responsibility for the content to Leader of the Council, Strategic Planning Portfolio Holder and Property, Climate Change and Income Generation Portfolio Holder and the Ward Members for Camelot and Ivelchester.
21. A proposed Scheme of Delegation for the A358 Taunton to Southfields Dualling Scheme is attached to this report as Appendix 1. It is based upon the one agreed for the A303 including the subsequent amendments outlined above.
22. Due to the short timescales for responding to consultations by Highways England, the Planning Inspectorate or the Secretary of State for Transport the Scheme of Delegation mainly delegates responsibility for responses to the Lead Specialist – Strategic Planning in consultation with the Portfolio Holder for Strategy and Housing and the Portfolio Holder for Economic Development including Commercial Strategy. The formal Written Representations on behalf of the Council will also be agreed in consultation with the Ward Members for Ilminster, Neroche and Islemoor.
23. The Statement of Support in Principle has been included within the Scheme of Delegation as a precautionary measure should it be required in advance of any agreed Statement of Common Ground. This was the case with the A303 scheme. District Executive are asked to support the principle of such a statement if it is required. District Executive are also requested to support the principle of Statements of Common Ground.
24. The proposed Scheme of Delegation will enable SSDC to participate in the DCO process in the most efficient way possible.

Financial Implications

25. In July 2018 District Executive agreed a reserve of £100,000 to support the A303 scheme; £67,297 of which remains (as at 31 March 2021). The remaining reserve will be used to support input into the A358 scheme, including to procure expert legal advice and other specialist officer input when it is required.

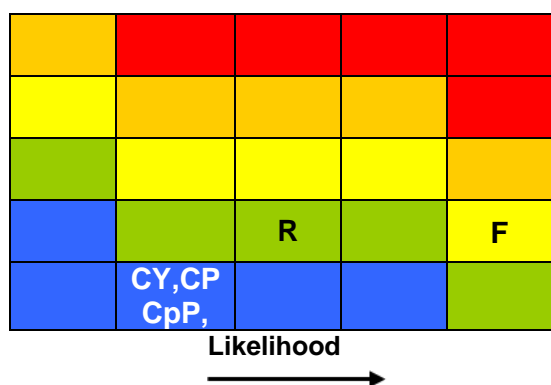
Legal implications (if any) and details of Statutory Powers

26. Highways England has determined that the proposed scheme is a NSIP under the Planning Act 2008 Section 2 as amended by the Highway and Railway (NSIP) Order 2013 as it meets the following criteria:
- The proposed scheme would involve the construction of a highway that is wholly within England for which the Secretary of State is the highway authority; and
 - The proposed scheme would involve the construction or alteration of a highway, other than a motorway, where the speed limit for any class of vehicle is expected to be 50 miles per hour or greater, and the area of development is greater than 12.5 hectares.
27. As a result, an application to the Planning Inspectorate (PINS) for a DCO is being progressed.
28. Highways England has determined that the proposed scheme is deemed to be an EIA development under the EIA Regulations.
29. The recommendation in this report has no direct legal implications for the Council.

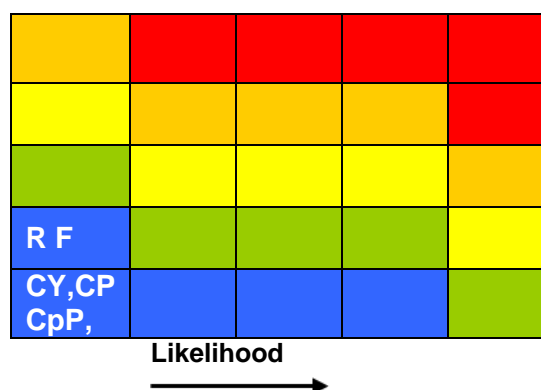
Risk Matrix

The risk matrix shows risk relating to the Council Plan headings.

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

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



Council Plan Implications

30. The proposed A358 Taunton to Southfields will support the Economy area of focus for 2021/22. The improved road connectivity will support growth within the South Somerset Economy by improving accessibility for all to education, work, health and social opportunities across the wider south west.

Carbon Emissions and Climate Change Implications

31. This report itself does not have any direct implications for carbon emissions and climate change. The implications of the proposed A358 Taunton to Southfields Dualling scheme will be explored through the DCO and Examination process.

Equality and Diversity Implications

32. None in relation to this report.

Privacy Impact Assessment

Not applicable.

Background Papers

- District Executive July 2018 [link](#)
- District Executive October 2018 [link](#)
- District Executive January 2019 [link](#)