Are National Highways' provisions for the rare stone-curlew on the Salisbury Plain secure?



A pair of fledgling goggle-eyed stone-curlew on the Salisbury Plain Special Protection Area. Image copyright: Stonehenge Alliance

Stonehenge Alliance comments on National Highways' planning application for a replacement stone-curlew, prompted journalist, Gareth Huw Davies, to ask in this guest article:

> ***"At a time of declining biodiversity, should we deliberately risk degrading a complex mesh of natural life in favour of a road scheme?"***

The first casualty of National Highways' multi-billion-pound scheme to plunge the A303 in a tunnel under the Stonehenge World Heritage site is likely to be a strange, rare bird of

the night, as insignificant and retiring in the historic landscape as the stones are massive and dominant.

Few people will ever see the stone-curlew, crow-sized with a large head, yellow legs, and a haunting call. It sits perfectly camouflaged on the rolling downland by day, and probes for invertebrates in the short grass with its sharp eyes by night.

Confined to a few sites in East Anglia and Southern England, the bird is listed under Schedule 1 of the Wildlife and Countryside Act 1981, an elite list of rare birds 'protected by special penalties'. One of its strongholds is near Stonehenge on the Salisbury Plain thanks to a conservation programme involving farmers and the RSPB over the past 20 years. [1]

The problem for the stone-curlew (unrelated to the curlew, predominantly a shore bird) is that one of its nesting sites in Winterbourne Stoke just happens to lie within the construction zone of the A303 scheme.

National Highways does not gloss over the damage the road will do to the stone-curlew breeding sites on Salisbury Plain. But the message on its website is reassuring. 'We found stone-curlews breeding in the area as part of our environmental surveys, so because it's (sic) protected we need to make special provision for them. The creation of an area of new chalk grassland will establish new habitats for wildflowers, bats, butterflies and birds, including the rare Stone-curlew.' [2]

So far, so optimistic. National Highways has applied to Wiltshire Council for permission to create a replacement breeding plot, on Parsonage Down National Nature Reserve. This would be a one hectare 'land scrape', where turf would be removed to expose the chalk. The hope is that the migrating stone-curlews returning in the spring would, of their own

volition, find this an attractive breeding habitat.

In addition, National Highways has even held out the prospect of ‘net enhancement’ by creating a further breeding plot on the RSPB’s reserve at Winterbourne Downs, eleven kilometres east of Stonehenge.

But are National Highways and their RSPB advisers being too blasé about the potential of stone-curlew finding a new safe nesting spot? Is the road promoter not being overly optimistic that it will achieve ‘net enhancement’ on new plots eleven kilometres away? These site-faithful birds will surely look closer to home. It is surprising that Natural England and the RSPB both support the application. Neither has objected to the threat of disturbance, from the A303 road scheme, to the population successfully established by the RSPB near Stonehenge where they have created the perfect habitat over many years. [3]

After all, attracting stone-curlew to new plots is not the same as introducing red kites in Southern England in the 1990s, untroubled as they boldly soar over town and countryside. Stone-curlews are known to be easily disturbed, and even if the new site were quickly colonised, the bird would face an immediate adverse factor.

Land close to the new nesting site is to be the place where contractors will dump ‘arisings’, 400,000 m^3 of chalk excavated from the tunnel and road cuttings. Objectors to the road scheme, the Stonehenge Alliance, question whether the stone-curlew could tolerate years of heavy vehicle movements and human activity close to the new plot. [4, 5]

Some might see a huge imbalance here: the fate of a rare, retiring bird which most people will never see, and may not even have heard of, set against the, so its proponents claim, benefits of a new road created to make life easier for the public and business.

But look at it another way. In a world of severely declining biodiversity, should we risk deliberately degrading yet another piece of the complex mesh of natural life we revere so much in TV programmes, in favour of a transient, polluting form of transport which itself could become obsolete in not too many generations from now?

References and further reading

[1] RSPB (27 February 2017), The return of the stone-curlew

[2] National Highways (25 January 2024), Planning application for stone-curlew breeding plot

[3] Irvin Times (15 May 2024), The National Trust, RSPB and WWF unveiled guidance on Wednesday designed to help workers encourage their businesses to put the climate and nature crisis at the heart of decision-making.

[4] Taylor et al (2007), Work on disturbance factors to Stone Curlew on Salisbury Plain quoted in Sharp et al (2008), The effect of housing development and roads on the distribution of stone curlews in the Brecks: Evidence to support the Appropriate Assessment of development plans and projects in Breckland

[5] Comments by the stone-curlew specialist advising Stonehenge Alliance can be found on p9 Appendix 2 **here**. At the time of publication, National Highways' application had not been determined by Wiltshire Council.

Listen to the stone-curlew

Stone curlews have been nicknamed Goggle-eyed plovers, Thick knee and Wailing heath chickens. Listen to their call at dusk and dawn here: BBC Radio 4 (30 April 2014), Tweet of the day



Charles J. Sharp – Own work, from Sharp Photography, sharpphotography.co.uk Wikimedia Commons

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Stonehenge road scheme costs have ballooned



Our banner outside the Royal Courts of Justice got it wrong. The cost for 12km of road would not cost £2.5bn but at least £3bn at today's rates. More probably a whole lot more.

£1.7bn? Who are they kidding?

The much vaunted "£1.7bn" cost for the Stonehenge road scheme is many years out of date.

When the scheme was first announced in 2014 the price tag was £1.1bn. By the time the A303 Stonehenge scheme was presented to the Examining Authority in 2019 the budget had ballooned by 65% to £1.7bn, excluding VAT, during a period of low inflation. Five years on, despite inflation hit Britain, National Highways, supported by Department for Transport, continues to misleadingly promote the "£1.7 bn" price tag in the press. [1]

Our freedom of information request in 2022 revealed a similar amount to the parliamentary answer received by Devizes MP, Danny Kruger last month. This was an estimate of £1.9bn based on starting construction in 2021, a figure that had been calculated in 2018, an amount that did not take inflation into account. When the annual maintenance costs were included it brought the total closer to £2.5bn, the figure used on our banner at our protest last December. [2] [3]

To estimate a more realistic cost in 2024 we need to know **when** the scheme might start. Now that the Development Consent Order (DCO) has been signed off there is nothing to stop National Highways starting various preliminary works such as archaeological investigations and action to protect species for a site of the highest archaeological and ecological value. These are to start in Spring 2024 and could take between 12 to 20 months. Thus, if the decision-making has not been found to be faulty by the courts, the Stonehenge project could start in earnest (i.e. the main works) in winter 2025, with an optimistic 'open for traffic' five years later i.e. 2030.

Using National Highways' inflation rate for 2025/26, our best estimate is that this road will cost at the very least,

£3bn for just 13km of road. Bearing in mind the engineering risks this is a conservative estimate, falling midway between National Highways' upper and lower estimates. [2] [3]

Our estimate broadly reflects the National Audit Office's assessment of the scheme's business case undertaken in 2019. Based on their 2016 prices, the NAO quoted National Highways' estimated bracket of £1.5bn to £2.4bn, and considered the likely cost to be £1.9 billion.

The Devizes MP is chasing the Department for Transport for the true, up to date, cost. Whilst waiting for a parliamentary answer, our best guess is **'at least £3bn',** but we expect more duplicity and deflection from the Department for Transport. [4] [5]

When could the road project really be ready for traffic?

Given that the scheme does go ahead, our view is that 5 years is a substantial under estimate:

- All the evidence suggests that National Highways has **understated** the potential technical, archaeological and environmental effects of the proposed scheme.
- The **engineering challenges** through the unique, complex Stonehenge chalk landscape and ground water conditions are considerable. [6]
- The hazards encountered by the HS2 construction that pushed up costs and caused long delays, could be replicated at Stonehenge, but with the added dimension of a **sensitive archaeological landscape.** Remarkable discoveries at Stonehenge have almost become a common place. It's a clear case of known unknowns in this World Heritage Site. [6] [7]
- **National Highways has a track record for optimism bias.** The experience of dualling the 3 mile stretch of the

A303 between Sparkford and Ilchester (a relatively straight forward stretch in Somerset) confirms this. That scheme has been delayed by 12 months due to heavy rain and *"unforeseen issues"* related to protected species. Thus for the more complex Stonehenge scheme, **the delays could run into years.** [8]

Could this be Wiltshire's HS2?

A frequently asked question is: *"what are the chances of Wiltshire joining HS2 and Hinkley Point landmark examples of uncontrollable costs?"* We have been warned by those with considerable experience in major construction that **whatever the cost is today, it will end up costing twice as much, what ever the finish date, double it. £6bn? 10 years?**

> *"The tunnel at Stonehenge is currently only just value for money by the Department's own business case. Based on experience, project costs tend to grow rather than fall, at least in the early years. It will take a very special effort by the Department [for Transport] to protect public value up to completion." Warning from the then head of the NAO, Amyas Morse, now Lord Morse, 20 May 2019.*

CLICK HERE TO TAKE ACTION NOW!

Tell your MP, and parliamentary candidates, that you will only vote for them if they stop Government wasting money on big damaging road schemes which are making things worse. They should commit to spending on climate friendly transport instead.

NOTES AND REFERENCES

1. Original estimates: When announced on 1st December 2014 the reported budget for the Stonehenge short tunnel varied between £1.1bn and £1.2bn: e.g. Salisbury Journal and ITV, The Guardian however reported David Cameron planned to spend £2bn

on all three of the eight A303 corridor schemes. One of the three schemes has been withdrawn and the prospect for the remaining five look doomed.

2. Parliamentary Question 12 March 2024 to the Department for Transport – A303: Stonehenge by Danny Kruger MP (Devizes):

> *To ask the Secretary of State for Transport, if he will make an estimate of the (a) (i) previous, (ii) future and (iii) total costs for the construction of the A303 Stonehenge road scheme between Amesbury and Berwick Down and (b) annual maintenance costs over the next 60 years in present day values; and whether contractual penalties exist if the scheme is (A) cancelled and (B) subject to serious construction delays.*

Answer, 21 March 2024, by Guy Opperman MP (Hexham), Parliamentary Under-Secretary of State for Transport:

- ***Construction costs:*** *In 2017, when the Outline Business Case was approved, the construction costs estimate range for the project was between £1.1bn to £2.5bn, with a central estimate of £1.6bn. This was predicated on starting construction work in 2021 and the project being delivered under the government's Private Finance 2 model (PF2).*
- *In 2018, the estimate was updated following the cancellation of PF2. The revised cost estimate ranged between £1.5bn to £2.8bn, with a central estimate of* ***£1.9bn****. This was predicated on a start of works in 2021 and public funding.*
- ***Maintenance costs:*** *Based on 2019 prices, National Highways will need to make provision for operations, maintenance and renewals costs of approximately £8m per annum (plus inflation) over a 60-year operating period.*
- ***Contractual Penalties:*** *There are no contractual penalties if the project is cancelled or delayed, but National Highways would need to agree compensation*

events relating to the costs of delay and inflation.

3. National Highways cost estimates (SA member, FOI, 2022):

The tables below show a £1.992bn capital cost (at 2021 rate including non-recoverable VAT) lus £453m operation maintenance and renewal costs (at 2019 rate). When both totals are brought into line with the 2021 rate, the total would have been around £2.5bn.

Capital investment costs - National Highways cost estimate	£million
2021 Q3 prices	1,992
Deflated to 2010 prices	1,204
Discounted to 2010 values	721
PVC - Market price adjustment 2010 prices and values	858

Operation, maintenance and renewal costs - National Highways cost estimate	£million
2019 Q1 prices	453
Deflated to 2010 prices	408
Discounted to 2010 values	85
PVC - Market price adjustment 2010 prices and values	101

4. See para 14, page 8 "Improving the A303 between Amesbury and Berwick Down", National Audit Office, May 2019

5. For a briefing on the method applied to calculate the scheme's value for money, see The Mole Report: Stonehenge road scheme doesn't add up.

6. See section 5 by Dr George Reeves, April 2022, Submission on Geological, Geotechnical and Hydrogeological Reports issued by National Highways (formerly Highways England) in response to the Secretary of State's Statement of Matters for The Stonehenge Alliance (Reference No. 2001870)

7. Such as The Mystery of the Durrington Pits (University of St Andrew, 9 December 2021)| Blick Mead: Exploring the 'first place' in the Stonehenge landscape (Current Archaeology, 1

February 2017)

8. Gillingham News, 19 January 2024, [“Protected species and bad weather delay major A303 upgrade by up to a year”]

9. Open Access Government, 3 April 2024, [Network Rail’s £2.8 billion climate crisis investment]



If you think £3bn++ should be spent more wisely, please:

- **Write to your MP /parliamentary candidates to stop the scheme NOW**
- **Support our international petition HERE**
- **Support the legal appeal HERE**
- **Subscribe to our campaign updates HERE**

National Highways actions premature and could waste more public money



A360 closed south of A303 for major works. April to July 2024. © Stonehenge Alliance

The Stonehenge Alliance is condemning National Highways for starting work on installing power cables and closing the A360 [1], ahead of the start of road building works on the A303 at Stonehenge [2].

Given that the approval of the scheme is still being challenged in the courts, the Stonehenge Alliance believes this work is premature and unnecessary. In addition, it risks wasting public money if the legal challenge is successful and

its Development Consent Order quashed.

This appears to be the position of local landowners as well. National Highways has claimed that with their cooperation the road closure could have been avoided [3]. But they wanted to await the conclusion of the legal process before agreeing to allow these works on their land.

Much like the road works by National Highways on the M25 at J10 Wisley interchange, these are likely to be hugely disruptive for the local community and its economy, particularly tourism. The Salisbury Chamber of Commerce has called for the works to be suspended [4]. The Stonehenge Alliance believes that it is exactly this sort of behaviour that the Office for Rail and Road (ORR) should be examining in their current investigation of National Highways [5].

John Adams, chair of the Stonehenge Alliance, and one of the three directors of SSWHS [6], said:

> *"This work by National Highways ahead of any decision by the courts is premature and risks wasting even more public money in a hugely controversial scheme. Its arrogance seems to know no bounds. It is hell bent on jumping the gun, regardless of the misery it will cause local residents.*
>
> *"If the courts find something wrong with the decision-making then National Highways will have wasted millions of pounds of public money for no reason. It's time that they were reined in and I hope that the ORR will take a long hard look at what is going on."*

NOTES AND REFERENCES:

1. Scottish and Southern Electric Networks 9SSEN will be installing high voltage and fibre optic cabling along the route from 2 April 2024.

2. NH's reasons for the work starting on 2nd April 2024

3. Article from Salisbury Journal on 29 February, 2024, where this was stated.

4. The Salisbury Chamber of Commerce has called for the road closure to be suspended

5. The Office for Rail and Road announced the investigation into National Highways on 14 February, 2024

6. Save Stonehenge World Heritage Site (SSWHS) is the organisation seeking permission to appeal the judgement on the latest Government approval of the A303 Stonehenge Development Consent Order.

IN THE NEWS:

- Construction News – 8 April, 2024, National Highways starts enabling works for Stonehenge tunnel – Critics are questioning National Highways' decision to start enabling works for the £2.5bn Stonehenge tunnel project while legal challenges remain unresolved.
- Salisbury Journal – 5 April, 2024 A360 closure 'premature and could waste more public money'
- Highways Magazine – 9 April, 2024, National Highways presses on with A303 works
- Salisbury Journal – 12 April, 2024, A "SAT nav-induced plague" caused by the closure of the A360 has been wreaking havoc in a village just outside Salisbury.
- Amesbury Police on Facebook – 9 April, Traffic through Berwick St James to be monitored for lorries

Cruel blow as challenge suffers setback



We are sorry to tell you that the case against the Stonehenge road widening scheme was unsuccessful. **We have a glimmer of hope** in that the ground on cumulative greenhouse gas emissions has been stayed (put on hold). It is dependent on the outcome of another case in the Court of Appeal.

Unfortunately, launching Save Stonehenge WHS's appeal cannot wait for that ruling before otherwise they we will be out of time. That's why they are seeking to raise more funding immediately to pay for the legal team's work preparing for the appeal. Save Stonehenge WHS's statement below.

Our campaign against this monstrous road scheme has suffered a set back, it's not the end. But preparatory engineering work within the WHS is imminent, so there's little time to lose.

Read our press statement in full.

Read judgment here

Stonehenge Alliance quotes:

John Adams, chair of the Stonehenge Alliance and one of the 3 directors of SSWHS, said:

> *"In the face of Government indifference to the harm this road will cause the World Heritage Site, we had no choice but to bring this legal action. While this judgement is a huge blow and exposes the site to National Highway's state sponsored vandalism, we will continue the fight. In the dying days of this Conservative Government, which has inflicted so much damage on the country, we cannot let it destroy our heritage as well."*

Tom Holland, historian and president of the Stonehenge Alliance, said:

> *"This is a devastating loss, not just for everyone who has campaigned against the Government's pig-headed plans for the Stonehenge landscape, but for Britain, for the world, and for subsequent generations."*

Statement by co-claimant, Andy Rhind-Tutt:

> *When the politically motivated and pointless, exorbitant plans for a Stonehenge tunnel were announced on 1st Dec 2014 colossal amounts of taxpayers money started to be sucked into a black hole of consultants, contracts and electioneering spin. 9 years & £100's of £millions later & still some MP's believe destroying one of the worlds greatest un discovered landscapes, putting the river Avon at risk, destroying the livelihoods of the local community and removing a 5000 year old view of Stonehenge unless you pay, for the sake of arriving in Cornwall 8 minutes faster is worth it! How we have managed to allow this unnecessary scheme to carry on for so long is beyond comprehension!*

> *Enough is enough now. Hopefully a final appeal and a change of government will at last stop this ridiculous waste of our money and enable a sound regional solution to be delivered at a fraction of the cost that supports sustainability, the needs of local people and not the political aspirations of MP's who appear to have no care about the irreversible long term damage this scheme would do. Stonehenge was gifted to the nation, not National Highways! nor the Government and the solution is staring us all in the face and it's not a tunnel.*

Statement by Save Stonehenge WHS Ltd:

Unfortunately, Justice Holgate today dismissed our legal challenge of the Government's approval (for a second time) of a damaging dual carriageway through Stonehenge World Heritage Site. While this is deeply disappointing news, the battle isn't over and we will be appealing his ruling.

However, to do this we need your support as we have to raise another £15,000 immediately to seek permission to appeal. So please consider donating if you can and sharing the crowdfunder with your friends and family. If we are successful, we will need to then fundraise for the court hearing.

We have a glimmer of hope in that our ground on cumulative greenhouse gas emissions has been stayed (put on hold). It is dependent on the outcome of another case in the Court of Appeal. Unfortunately, we cannot wait for that ruling before launching our appeal or we will be out of time. That's why we are seeking to raise more funding immediately to pay for our legal team's work preparing for the appeal.

In the meantime, please **sign the petition** and encourage others to do so too. We've had over 236,000 signatures so far. It would be great if we could get to over a quarter of a million!

You can find out more about the campaign to stop the

bulldozers on the **Stonehenge Alliance website**.

TAKE ACTION!

~ Support the appeal against the judgment ~

~ Sign our international petition to keep up the pressure ~

Notes

1. Save Stonehenge World Heritage Site is a limited company set up by three individuals closely associated with the Stonehenge Alliance to specifically challenge the original Government decision on 12 November 2020 to approve National Highways' damaging scheme. SSWHS applied for a judicial review of the Government's second approval of the scheme on 14 July, 2023 (six days before the Somerset and Frome by-election).

2. The first judicial review was held 23-25 June 2021, with the judgement being handed down by Mr Justice Holgate on 30 July 2021, quashing the Development Consent Order.

3. Mr Justice Holgate's judgement While he dismissed SSWHS's application, one of the grounds (The Secretary of State's approach in relation to the cumulative effect of greenhouse gas emissions) is stayed subject to the outcome of Andrew Boswell's hearing in the Appeal Court (Norfolk A47). However, SSWHS still need to apply for permission to appeal now and cannot wait for the judgement on Andrew Boswell's case.

4. The three day hearing was held on 12-14 December at the Royal Courts of Justice in London. SSWHS was represented by Leigh Day and barristers David Wolfe KC (Matrix), Victoria Hutton and Stephanie David (39 Essex). It is argued that the grant of development consent was unlawful on the following grounds:

- Given recent developments and key new evidence, it was procedurally unfair for the Secretary of State not to subject the re-determination to a full public re-examination
- It was irrational for the Secretary of State to give no weight to the risk that the scheme would result in Stonehenge having its World Heritage Status removed
- The Secretary of State failed to take certain obviously material considerations into account, including by failing to consider diverting the road around the Stonehenge site, despite such an alternative having a far lower impact in heritage terms
- The Secretary of State failed to properly assess the scheme's climate change impact, owing to:
    - applying roads policy which pre-dated the Net Zero target
    - treating the draft new roads policy as immaterial
    - ignoring the new national net zero strategy
    - assessing emissions from this scheme alone, without factoring in the emission from the whole A303/A358 corridor upgrade in the south west peninsular

5. See UNESCO World Heritage Committee decision from its September 2023 committee meeting in Riyadh.

6. The Examination Report, dated 2 January, 2020 recommended that the application be refused. It was published on 12 November, 2020, when the Secretary of State made his first decision to approve the scheme.

7. The Stonehenge Alliance has two petitions, one for residents in the UK (38 Degrees) and one for people outside the UK (Change.org). **The combined total stands at over 236,000 with signatures from at least 147 countries worldwide.**

8. The Stonehenge Alliance supporter-organisations are: Ancient Sacred Landscape Network; Campaign to Protect Rural England; Friends of the Earth; Rescue, the British Archaeological Trust; and Transport Action Network.

9. **The CrowdJustice page** has a new interim target of £100,000. This is to raise the additional funds needed to make an application for permission to appeal (at the Court of Appeal). If a hearing is granted, the CrowdJustice target is likely to need to rise to around £140,000.

TAKE ACTION!

~ Support the appeal against the judgment ~

~ Sign our international petition to keep up the pressure ~

Judgment awaited. Please keep up the pressure!



Our pavement protest on 12 December outside the High Court was a rare opportunity for most of the Stonehenge Alliance committee to meet.

Many thanks to the thousands of people who have contributed to the crowdfunder or made separate donations to Stonehenge Alliance. Together we raised enough to go to court on 12/13/14 December. We could not have done it without you. We are especially grateful for the £8,000 donation from Dale Vince at Ecotricity that got us over the line.

We await judgment which we expect will be handed down sometime this month. Whichever way the judgment goes we need your continued support. Please can you sign our international petition, if you haven't already done so, and encourage others to do so too?

We've had over an amazing 235,000 signatures so far. It would be wonderful if we could get to over a quarter of a million!

The best way to keeping up to date is by subscribing to our Campaign

Updates. **These are only circulated when we have news.**

LATEST CAMPAIGN UPDATE: **Reflections on a tumultuous year.**