

**THE HIGHWAYS ACT 1980  
AND  
THE ACQUISITION OF LAND ACT 1981**

**THE DORSET COUNCIL (DINAH'S HOLLOW IMPROVEMENT SCHEME)  
COMPULSORY PURCHASE ORDER 2024**

**SUMMARY PROOF OF EVIDENCE OF  
SIMON ARSCOTT BEng (Hons) CEng MICE  
DORSET COUNCIL**

**10 June 2025**

**PLANNING INSPECTORATE AND PLANNING CASEWORK UNIT REFERENCE:  
DPI/D1265/25/6**

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# 1 INTRODUCTION

- 1.1 I am Simon Arscott, Bridge & Structures Team Leader within the Highways and Engineering Department, Place Directorate in Dorset Council (the "**Council**") and my qualifications and background are set out in my main proof of evidence dated 10 June 2025 (my "**Proof of Evidence**").
- 1.2 I have been involved in the Dinah's Hollow Improvement Scheme (the "**Scheme**") since its inception in 2014. Between 2014 and 2020 I was the Project Engineer for the Scheme, responsible for the day-to-day co-ordination of the Scheme development. My roles and responsibilities included liaison with a geotechnical consultant to ascertain the need and options for stabilisation of the slopes on the Order Land; coordination of input from ecologists, arboriculturists, landscape architects to the Scheme; and communication/negotiation with landowners.
- 1.3 Following appointment as Team Leader of the Bridge and Structures team in April 2024 I became the budget holder for the Scheme, and I now manage another Engineer who coordinates the development of the Scheme on a day-to-day basis.
- 1.4 The delivery of the Scheme is a key priority as it is essential to ensure the safety of road users travelling on the C13 and to maintain the resilience of the surrounding network. In developing the Scheme there has been a particular emphasis on ensuring that the environmental impact of the Scheme has been considered alongside the requirement to provide a safe engineering solution.

## **2 SUMMARY OF EVIDENCE**

- 2.1 My evidence is given in support of the Scheme and the associated Compulsory Purchase Order ("**CPO**") made on 6 December 2024. The purpose of the CPO is to make the compulsory acquisition of the land which is subject to the CPO (the "**Order Land**") to improve the section of the existing C13 highway known as Dinah's Hollow and to afford it protection against landslide and or other hazards of nature. The acquisition of the Order Land is essential for delivery of the Scheme. The Order Land is described both in the Council's Statement of Case and in section 2 of my Proof of Evidence.
- 2.2 My evidence addresses the following issues: the design of the Scheme (section 3); background and necessity for the Scheme (sections 4 & 5); the alternatives to the Scheme considered by the Council (section 6); the environmental impact of the Scheme (section 7); why the Council has decided it is appropriate to use its CPO powers to support this Scheme (section 8); how the Scheme will be funded in line with CPO guidance (section 9); and the Council's response to the objectors of the CPO (section 10).

### **Design of the Scheme**

- 2.2. Section 3 of my Proof of Evidence sets out the Scheme design in detail which has been designed in consultation with specialist geotechnical engineers and other professionals over several years.
- 2.3. The Scheme involves various measures to stabilise the slopes including; installation of soil nails, high tensile flexible facing system, high containment

kerb and hard slope fascia system, reprofiling of the slopes and drainage measures on the Order Land.

## **Background and Necessity of the Scheme**

- 2.4. Proposals for an improvement of the C13 through stabilisation of the Order Land have been discussed by the Council for over ten years. Section 4 sets out the background and provides a chronological timeline of events.
- 2.5. Section 5 provides detail on the necessity for the Scheme building on the background set out in the previous section. In accordance with the Department of Transport 'Well-managed Highway Infrastructure' October 2016 Code of Practice, the Council has sought specialist geotechnical advice which has confirmed that the slopes on the Order Land are in a state of *'unreliable temporary stability'*.
- 2.6. The C13 is a main route through Dorset used by a large proportion of the north-south traffic, including many HGVs as it is considered to be a better standard than the adjacent A350. The importance of the C13 was demonstrated during a temporary closure in 2014 which resulted in problems for local residents and travelling public, traffic increases on many surrounding roads and evidence indicating an increase in accidents on surrounding roads.
- 2.7. In accordance with the Code of Practice and its responsibilities as a Local Highways Authority, the Council maintains a risk register to identify significant risks within the Council. The risk of a landslide at Dinah's Hollow remains classified as a "medium" risk. The Council's highways team conducts weekly visual inspection of Dinah's Hollow to identify whether any material has slipped

from the Order Land and to ensure that the C13 highway is fit for use. As a result of such inspections, the Council has had to temporarily close the road on a number of occasions in recent years in order to clear material which has slipped from the Order Land onto the public highway (behind the temporary concrete barriers) with a vacuum excavator.

### **Alternatives to the Scheme**

- 2.8. The Council commissioned Parsons Brinkerhoff to produce an Options Report following the geotechnical investigations to propose options for mitigating the risk of landslip from the Order Land onto the public highway which was published in November 2014 ("**Options Report**"). The Options Report concluded that soil nailing the slopes was the most effective solution.
- 2.9. The Options Report did consider various alternative engineering solutions such as re-grading the slope, bioengineering, vertical realignment and use of other retaining structures. All of these options were dismissed due to adverse impact on ecology, not being possible to quantify or guarantee the effectiveness, not addressing the slope instability or unsympathetic to the environment of Dinah's Hollow. They would also all require the acquisition of at least some of the Order Land as they all involve works to the slopes on the Order Land. Therefore, none of the options would enable the works to be carried out solely within the existing public highway.

## **Environmental Impact**

2.10. Section 7 of my Proof of Evidence and Mr Alder's evidence at Appendix 1 of my Proof of Evidence set out in detail the environmental impacts of the Scheme.

2.11. The Council has considered the environment impacts and whilst the Council have mitigated the environmental risk as far as possible within their design of the Scheme, the road safety risks outweigh any environmental impact to the Order Land.

## **Justifications for the CPO**

2.12. Section 8 explains that whilst the Council very much consider the acquiring of the Order Land under the CPO as a last resort, the acquisition is essential to enable the Scheme to be undertaken.

2.13. Due to the safety concerns at Dinah's Hollow, the Council could not wait for negotiations to break down before commencing formal CPO proceedings and there is compelling evidence in the public interest for the Scheme to be carried out and the CPO confirmed.

## **Funding of the Scheme**

2.14. Section 9 of my Proof of Evidence explains in detail how the Council have followed Government Guidance on Compulsory Purchase Orders with respect of providing information on how the Scheme will be funded.

2.15. The Cabinet has approved full funding of £8,000,000 for the Scheme.

## **Responses to Objections to the CPO**

- 2.16. Section 10 of my Proof of Evidence details the three objectors to the CPO; Roy and Lavina Philips; Maurice Flowers & Son Ltd; and Brian Hughes. The Council's Statement of Case sets out in detail the Council's response to the objectors.
- 2.17. Negotiations have continued with the two statutory objectors, via the Council's appointed agents, Jones Lang LaSalle (JLL), as more particularly described in Mr John Davies' proof of evidence.

## **3 CONCLUSION**

- 3.1. My Proof of Evidence sets out in detail the Council's plan for the Scheme and the compelling evidence for why it is necessary.
- 3.2. It sets out that it is essential for the Council to acquire the Order Land to enable implementation of the Scheme.
- 3.3. The Scheme is the only viable method for stabilising the Order Land and there are no other alternatives.
- 3.4. The Council has fully approved the funding necessary for the Scheme and there are no impediments to it progressing following confirmation of the CPO.
- 3.5. None of the objectors present a compelling case for why the CPO should not be confirmed.