
STATUTORY INSTRUMENTS

2022 No. 922

INFRASTRUCTURE PLANNING

The Manston Airport Development Consent Order 2022

Made - - - - 18th August 2022

Coming into force 8th September 2022

**THE MANSTON AIRPORT
DEVELOPMENT CONSENT ORDER 2022**

PART 1

PRELIMINARY

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2. Interpretation

PART 2

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11. Construction and maintenance of new, altered or diverted streets
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14. Access to works
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Status: This is the original version (as it was originally made).

PART 4

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 42. Service of notices
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SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

Interpretation

1. In this Schedule— “bellyhold” means the cargo hold of a...

Time limits

2. The authorised development must commence no later than the expiration...

Development masterplans

3. (1) No part of the authorised development is to be...

Detailed design

4. (1) No part of the authorised development is to commence...

Detailed design of fuel farm

5. (1) No part of Work No. 19 is to commence...

Construction environmental management plan

6. (1) No part of the authorised development is to commence...

Operation environmental management plan

7. (1) No part of the authorised development is to begin...

Ecological mitigation

8. (1) No part of the authorised development may be commenced...

Noise mitigation

9. (1) The undertaker must fully implement the noise mitigation plan...

Landscaping

10. (1) No part of the authorised development is to commence,...

Contaminated land and groundwater

11. (1) In the event that land affected by contamination, including...

Protected species

12. (1) No part of the authorised development is to commence...

Surface and foul water drainage

13. (1) No part of the authorised development is to commence...

Traffic management

14. (1) No part of the authorised development is to commence...

Piling and other intrusive works

15. (1) No operations consisting of piling or other intrusive works...

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Archaeological remains

16. (1) No part of the authorised development is to commence...

Amendments to approved details

17. With respect to any requirement which requires the authorised development...

Community consultative committee

18. (1) No part of the authorised development is to commence...

Airport-related commercial facilities

19. (1) Work Nos. 15, 16 and 17 must only be...

Education, employment and skills plan

20. (1) No part of the authorised development is to commence...

Airport operation

21. (1) The operation of the airport is subject to—

Highway improvements

22. Work Nos. 26 to 31 must be completed in accordance...

Monitoring

23. No part of the authorised development is to begin operation...

High Resolution Direction Finder

24. (1) No part of the authorised development must commence unless...
PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS

Applications made under requirements

25. (1) Where an application has been made to a relevant...

Fees

26. (1) Where an application is made to a relevant planning...

Appeals

27. (1) The undertaker may appeal to the Secretary of State...

Outcome of appeals

28. (1) On an appeal under paragraph 27, the appointed person...

Interpretation of Part 2 of Schedule 2

29. In Part 2 of Schedule 2— “the appeal parties” means...

PART 1 — PUBLIC RIGHTS OF WAY TO BE STOPPED UP AND FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

PART 2 — PUBLIC RIGHTS OF WAY TO BE STOPPED UP AND FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 4 — TRAFFIC REGULATION

SCHEDULE 5 — LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

SCHEDULE 6 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without limiting paragraph 1, the 1961 Act has effect...
3. (1) Without limiting paragraph 1, the Land Compensation Act 1973...

Application of Part 1 of the 1965 Act

4. Part 1 (compulsory purchase under Acquisition of Land Act 1946)...
5. (1) The modifications referred to in paragraph 4(a) are as...

SCHEDULE 7 — ACQUISITION OF SUBSOIL AND RIGHTS ONLY

PART 1 — LAND IN WHICH ONLY SUBSOIL OR RIGHTS OVER SUBSOIL MAY BE ACQUIRED

PART 2 — LAND IN WHICH ONLY NEW RIGHTS MAY BE ACQUIRED AT SURFACE LEVEL OR ABOVE

SCHEDULE 8 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 9 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWAGE UNDERTAKERS

1. The following provisions of this Part of this Schedule have...
2. In this Part of this Schedule— “alternative apparatus” means alternative...

On street apparatus

3. This Part of this Schedule does not apply to apparatus...

Apparatus in stopped up streets

4. (1) Where any street is stopped up under article 13...

Protective works to buildings

5. The undertaker, in the case of the powers conferred by...

Acquisition of land

6. Regardless of any provision in this Order or anything shown...

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Removal of apparatus

7. (1) If, in the exercise of the powers conferred by...

Facilities and rights for alternative apparatus

8. (1) Where, in accordance with the provisions of this Part...

Retained apparatus

9. (1) Not less than 28 days before starting the execution...

Expenses and costs

10. (1) Subject to the following provisions of this paragraph, the...
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...

Cooperation

12. Where in consequence of the proposed construction of any of...
13. Nothing in this Part of this Schedule affects the provisions...
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC
COMMUNICATIONS CODE NETWORKS
14. For the protection of any operator, the following provisions have...
15. In this Part of this Schedule— “the 2003 Act” means...
16. The exercise of the powers conferred by article 31 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as the...
PART 3 — FOR PROTECTION OF NETWORK RAIL
18. The following provisions of this Part of this Schedule shall...
19. In this Part of this Schedule— “construction” includes execution, placing,...
20. (1) Where under this Part of this Schedule Network Rail...
21. (1) The undertaker shall before commencing construction of any specified...
22. (1) Any specified work and any protective works to be...
23. The undertaker shall— (a) at all times afford reasonable facilities...
24. Network Rail shall at all times afford reasonable facilities to...
25. (1) If any permanent or temporary alterations or additions to...
26. The undertaker shall repay to Network Rail all reasonable fees,...
27. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
28. If at any time after the completion of a specified...
29. The undertaker shall not provide any illumination or illuminated sign...
30. Any additional expenses which Network Rail may reasonably and
properly...
31. (1) The undertaker shall pay to Network Rail all reasonable...
32. Network Rail shall, on receipt of a request from the...
33. In the assessment of any sums payable to Network Rail...
34. Nothing in this Order, or in any enactment incorporated with...
35. Any difference or dispute arising between the undertaker and Network...

SCHEDULE 10 — DOCUMENTS TO BE CERTIFIED

Explanatory Note