

## SCHEDULES

### SCHEDULE 8

#### BYELAWS

#### PART 1

#### PRELIMINARY

1. These byelaws may be cited as the A303 (Amesbury to Berwick Down) Byelaws 2023 and are deemed to have been made by the undertaker under article 44(1) (byelaws relating to the tunnel area) of the A303 (Amesbury to Berwick Down) Development Consent Order 2023 and confirmed by the Secretary of State as provided for by article 44(2) of that Order.

#### Interpretation

2.—(1) In these byelaws unless the context otherwise requires—

“authorised person” means—

(a) a person acting in the course of that person’s duties who—

- (i) is an employee, agent, contractor or sub-contractor of the undertaker; or
- (ii) is authorised by the undertaker to exercise one or more of its functions under this Order; or

(b) a constable, Police Community Support Officer, an officer of the Driver and Vehicle Standards Agency, an officer of the Health and Safety Executive, a person authorised for the purposes of section 44 (powers of fire-fighters etc in an emergency etc) of the Fire and Rescue Services Act 2004(1), a person accredited by or under section 41 (accreditation under community safety accreditation schemes) of the Police Reform Act 2002(2), or a traffic officer, acting in the execution of that person’s duties within the tunnel;

“byelaws” means these byelaws;

“dangerous goods” means a substance or article of which the international carriage by road is prohibited, or authorised on certain conditions, by Annex A of the European Agreement Concerning the International Carriage of Dangerous Goods by Road as from time to time amended;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;

“notice” includes a sign, signal and a digital or other display, and in appropriate circumstances, an audible announcement;

“traffic officer” means an individual designated under section 2 (designation of traffic officers) of the Traffic Management Act 2004(3);

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(1) 2004 c. 21. Section 44 was amended by section 6 of the Emergency Workers (Obstruction) Act 2006 (c. 39).

(2) 2002 c. 30. Section 41 was amended by section 52 of, and paragraph 42 of Schedule 14 to, the Police and Justice Act 2006 (c. 48).

(3) 2004 c. 18.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

“trailer” means a vehicle (including a horse box) designed or adapted to be towed by a motor vehicle;

“tunnel” means the road tunnel to be constructed as part of Work No. 1 and as shown by a solid blue line on the tunnel area plan;

“tunnel approaches” means the western and eastern approaches to the tunnel, the linear extents of which are shown by dashed blue lines on the tunnel area plan;

“tunnel area” means the extent of the public highway to be comprised in and along the tunnel and the tunnel approaches;

“tunnel area plan” means the plans of that description certified by the Secretary of State under article 55 (certification of plans, etc) of the A303 (Amesbury to Berwick Down) Development Consent Order 2023;

“tunnel equipment” includes plant and machinery, and any emergency, safety or communications equipment;

“tunnel infrastructure” means the structure (including the carriageway) of the tunnel area;

“vaporiser” means an electronic device that can be used to deliver nicotine or other substances to a person inhaling from the device;

“undertaker” means Highways England Company Limited (Company No. 09346363) of Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ; and

“Work No. 1” means the work of that description in Schedule 1 (authorised development) to the A303 (Amesbury to Berwick Down) Development Consent Order 2023.

(2) The Interpretation Act 1978<sup>(4)</sup> applies to the interpretation of these byelaws as it applies to the interpretation of an Act of Parliament.

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(4) 1978 c. 30.