
STATUTORY INSTRUMENTS

2020 No. 121

INFRASTRUCTURE PLANNING

**The A30 Chiverton to Carland Cross
Development Consent Order 2020**

Made - - - - 6th February 2020

Coming into force 27th February 2020

**THE A30 CHIVERTON TO CARLAND CROSS
DEVELOPMENT CONSENT ORDER 2020**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Maintenance of drainage works
4. Disapplication of legislation, etc.

PART 2

PRINCIPAL POWERS

5. Development consent etc. granted by the Order
6. Maintenance of authorised development
7. Planning permission
8. Limits of deviation
9. Benefit of Order
10. Consent to transfer benefit of Order

PART 3

STREETS

11. Street works
12. Application of the 1991 Act
13. Construction and maintenance of new, altered or diverted streets and other structures
14. Classification of roads, etc.
15. Temporary stopping up and restriction of use of streets

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16. Permanent stopping up and restriction of use of streets and private means of access
17. Access to works
18. Clearways
19. Traffic regulation

PART 4

SUPPLEMENTAL POWERS

20. Discharge of water
21. Protective works to buildings
22. Authority to survey and investigate the land

PART 5

POWERS OF ACQUISITION

23. Compulsory acquisition of land
24. Compulsory acquisition of land – incorporation of the mineral code
25. Time limit for exercise of authority to acquire land compulsorily
26. Compulsory acquisition of rights
27. Public rights of way
28. Private rights over land
29. Modification of Part 1 of the 1965 Act
30. Application of the 1981 Act
31. Acquisition of subsoil or airspace only
32. Rights under or over streets
33. Temporary use of land for carrying out the authorised development
34. Temporary use of land for maintaining the authorised development
35. Statutory undertakers
36. Apparatus and rights of statutory undertakers in stopped up streets
37. Recovery of costs of new connections
38. Special category land

PART 6

OPERATIONS

39. Felling or lopping of trees and removal of hedgerows
40. Trees subject to tree preservation orders

PART 7

MISCELLANEOUS AND GENERAL

41. Application of landlord and tenant law
42. Operational land for purposes of the 1990 Act
43. Defence to proceedings in respect of statutory nuisance
44. Protective provisions
45. Certification of plans etc.
46. Service of notices
47. Arbitration
- Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

In the administrative area of Cornwall Council

SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

1. Interpretation
 2. Time limits
 3. Construction Environmental Management Plan
 4. Details of consultation
 5. Landscaping
 6. Implementation and maintenance of landscaping
 7. Fencing
 8. Land and groundwater contamination
 9. Archaeology
 10. Protected species
 11. Traffic management
 12. Detailed design
 13. Surface and foul water drainage
 14. Highway lighting
 15. Approvals and amendments to approved details
- #### PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
16. Applications made under requirements
 17. Further information
 18. Register of requirements
 19. Anticipatory steps towards compliance with any requirement

SCHEDULE 3 — CLASSIFICATION OF ROADS, ETC.

PART 1 — TRUNK ROADS

PART 2 — ROADS TO BE DE-TRUNKED

PART 3 — CLASSIFIED ROADS

PART 4 — UNCLASSIFIED ROADS

PART 5 — SPEED LIMITS

PART 6 — TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

PART 7 — REVOCATIONS AND VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS

PART 8 — PUBLIC RIGHTS OF WAY

SCHEDULE 4 — PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS AND PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

PART 1 — HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 2 — HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW

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PRIVATE MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED

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 AND IMPOSITION OF RESTRICTIVE COVENANTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

Application of Part 1 of the 1965 Act

4. Part 1 of the 1965 Act, as applied by section...
5. (1) The modifications referred to in paragraph 4(a) are as...

SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — TREES SUBJECT TO TREE PRESERVATION ORDERS

SCHEDULE 9 — PROTECTIVE PROVISIONS
PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

1. For the protection of the utility undertakers referred to in...
2. In this Part of this Schedule— “alternative apparatus” means— in...

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 16...

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...

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 part...
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 35 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as a...
18. This Part of this Schedule does not apply to—
19. Nothing in this Part of this Schedule affects the provisions...
PART 3 — FOR THE PROTECTION OF SCOTTISHPOWER RENEWABLES

Application

20. For the protection of ScottishPower Renewables and the Wind Farm,...

Interpretation

21. In this Part of this Schedule— “the Design Vehicle” means...

Construction Programme

22. (1) At least 56 days prior to the commencement of...

Chiverton Junction

23. (1) At least 28 days prior to the commencement of...

Chybucca Junction

24. (1) At least 28 days prior to the commencement of...

Carland Cross Junction

25. (1) At least 28 days prior to the commencement of...

Access during construction

26. (1) At all times during the construction of the authorised...

Over-run areas

27. (1) Following construction of the over-run areas comprised within Work...

Permanent rights

28. (1) Prior to transferring any benefit of this Order to...

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Costs and expenses

29. The undertaker will pay to ScottishPower Renewables its proper and...
30. (1) Subject to sub-paragraphs (2) and (3), if by reason...

Arbitration

31. Any difference arising between the undertaker and ScottishPower Renewables under...

SCHEDULE 10 — DOCUMENTS TO BE CERTIFIED

Explanatory Note