

## SCHEDULES

### SCHEDULE 1 **E+W+S**

Article 2

#### AUTHORISED DEVELOPMENT

##### Commencement Information

**II** Sch. 1 in force at 13.7.2022, see [art. 1](#)

The authorised development is a nationally significant infrastructure project as defined in sections 14 (nationally significant infrastructure projects: general)(**1**) and 22 (highways)(**2**) of the 2008 Act and associated development as defined in section 115(2) (development for which development consent may be granted)(**3**) of the 2008 Act, comprising—

##### **In the administrative areas of Norfolk County Council and Broadland District Council **E** **+W+S****

**Work No. 1** – alteration of the A47 shown on sheet 1-8 of the works plans, of 4570 metres in length, from a point 361 metres west of the junction of the existing A47 with Yarmouth Road over the existing A47 to a point 203 metres east of the junction of existing A47 with the unclassified road known as the Windle and including a retaining wall west of Yarmouth Road, Blofield, a lay-by, bunds and noise barriers;

**Work No. 2** – installation of ducts, cables and apparatus for utilities and electronic communications code operators of 987 metres, from a point 302 metres west of the existing A47 and Yarmouth Road, to a point 413 metres east of High Noon Lane junction, shown on sheet numbers 1 and 2 of the works plans;

**Work No. 3** – diversion underground of 11kV overhead electricity distribution network cables, crossing Work No. 1, west of the junction of the existing A47 with Yarmouth Road and east of Blofield, shown on sheet number 1 of the works plans;

**Work No. 4** – improvements to Yarmouth Road at its junction with the A47, south of Work No. 1, to the east of Blofield, shown on sheet number 1 of the works plans;

**Work No. 5** – diversion of an intermediate pressure gas main of 3754 metres in length between a point 62 metres south of the junction of the existing A47 with Yarmouth Road, east of Blofield and a point 250 metres southwest of the junction of the existing A47 with B1140 White House Lane, west of Acle Hall, together with accesses to highways and associated infrastructure including marker posts and inspection chambers shown on sheets numbers 1 to 7 of the works plans;

**Work No. 6** – new car park (of approximately 25 spaces) for Blofield Allotments including access to Work No. 7, together with a field access to Work No. 7, south of Work No. 7 and shown on sheet number 1 of the works plans;

(1) There are amendments to section 14 which are not relevant to this Order.

(2) Section 22 was substituted by [S.I. 2013/1883](#) and amended by section 1(6) of, and paragraph 153 of Schedule 1 to the Infrastructure Act 2015.

(3) Section 115(2) was amended by section 160(1) and (3) of the Housing and Planning Act 2016. There are other amendments to section 115(2) which are not relevant to this Order.

**Work No. 7** – new highway between the junction of the A47 with Yarmouth Road, Blofield, to a point 384 metres east of that junction, south of Work No. 1 and shown on sheet numbers 1 and 2 of the works plans;

**Work No. 8** – installation of potable water pipes of 446 metres in length, from a point east of Sparrow Hall, Blofield, south to a point to the east of the highway of Waterlow, shown on sheet number 2 of the works plans;

**Work No. 9** – improvements to Yarmouth Road of 419 metres in length and creation of a junction between High Noon Lane and Yarmouth Road, east of Blofield and north of Work No. 1, shown on sheet number 2 of the works plans;

**Work No. 10** – improvements to Waterlow including new junction with Work No. 7, 307 metres east of Yarmouth Road, Blofield, and south of Work No. 7, shown on sheet number 2 of the works plans;

**Work No. 11** — new highway, including bridge approaches to form the southern approach to the new Blofield Overbridge (Work No. 15), east of Blofield, and shown on sheet number 2 of the works plans;

**Work No. 12** – installation of ducts, cables, sewers and apparatus for utilities and electronic code communications operators of 570 metres in length, between Yarmouth Road and Waterlow, to the east of Blofield, shown on sheet numbers 1 and 2 of the works plans;

**Work No. 13** – infiltration basin, soakaways, pond and associated drainage, drivable swale and maintenance access track, south of Work No 11 and east of Waterlow, shown on sheet number 2 of the works plans;

**Work No. 14** – new highway from a junction with Work No. 15, east for 197 metres to a point 943 metres west of Lingwood Road and shown on sheet number 2 of the works plans;

**Work No. 14A** – access track and cycle track commencing at the termination of Work No. 14. east for 1270 metres to a junction with Footpath FP3, at a point 327 metres east of Lingwood Road and shown on sheet numbers 2, 3 and 4 of the works plans;

**Work No. 14B** – access track and cycle track, from a junction with Work No. 14A east for 92 metres to a point 328 metres east of Lingwood Road and shown on sheet number 4 of the works plans;

**Work No. 15** – bridge over Work No. 1 located 601 metres east of the existing junction of the A47 with Yarmouth Road, (Blofield Overbridge), together with approaches and shown on sheet no. 2 of the works plans;

**Work No. 16** – construction compound east of Blofield Overbridge (Work No.15) and south of work Nos. 1,4 and 14A, shown on sheet numbers 2 and 3 of the works plans;

**Work No. 17** – new highway and approach to form the northern approach to Blofield Overbridge (Work No. 15), north of Work No. 1 and shown on sheet number 2 of the works plans;

**Work No. 17A** – works to support the reclassification of the existing A47 and provision of cycle track, north of Work No. 1 and shown on sheet numbers 2, 3 and 4 of the works plans;

**Work No. 18** – drainage and soakaway to the east of the Blofield Overbridge (Work No. 15) and north of Work No. 1 shown on sheet numbers 2 and 3 of the works plans;

**Work No. 19** – diversion underground of electricity distribution network cables (33kV) of 397 metres, crossing Work No. 1, east of Blofield and shown on sheet no. 3 of the works plans;

**Work No. 20** – diversion underground of electricity distribution network cables (11kV) of 126 metres, crossing Work No. 1, north of Poplar Farm, shown on sheet no. 3 of the works plans;

**Work No. 21** – turning head on Lingwood Road south of Work No. 1, west of North Burlingham and shown on sheet no. 4 of the works plans;

**Work No. 22** – installation of ducts, cables and apparatus for utilities and electronic communications code operators and potable water pipes of 103 metres in length, between the existing A47 and

Lingwood Road, to the west of North Burlingham, shown on sheet [F1 numbers 3 and 4] of the works plans;

**Work No. 23** – cycle track, access track, soakaway, drivable swale and diversion of existing permissive equestrian and walking route south of Work No. 1, west of North Burlingham, and shown on sheet numbers 4 and 5 of the works plans;

**Work No. 24** – diversion underground of electricity distribution network cable of 292 metres (11kV) south of the existing A47, south of North Burlingham, shown on sheet numbers 4 and 5 of the works plans;

**Work No. 25** – turning head on Lingwood Lane, south of Work No. 1, south of North Burlingham and shown on sheet number 5 of the works plans;

**Work No. 26** – temporary compound west of Lingwood Lane and south of Work No. 1, south of North Burlingham and shown on sheet number 5 of the works plans;

**Work No. 26A** - temporary compound east of Lingwood Lane, south of Work No. 1, south of North Burlingham and shown on sheet numbers 5 and 6 of the works plans;

**Work No. 26B** – temporary diversion of permissive equestrian and walking route west of Lingwood Lane, south of Work No. 1, south of North Burlingham and shown on sheet numbers 4 and 5 of the works plans;

**Work No. 26C** – temporary haul road to connect Work No. 26A to White House Lane, east of North Burlingham, and shown on sheet numbers 5, 6 and 7 of the works plans;

**Work No. 27** – cycle track between Lingwood Lane and Work No. 35, south of Work No. 1 and shown on sheet numbers 5, 6 and 7 of the works plans;

**Work No. 28** – works to the existing A47 east of North Burlingham, to connect to the new proposed junction with the B1140 classified road to the north of Work No. 1 shown on sheet numbers 5, 6 and 7 of the works plans;

**Work No. 28A** – junction to connect the existing A47 to Main Road, North Burlingham and including installation of ducts, cables and apparatus for utilities and electronic communications code operators, to the north of Work No. 1 shown on sheet numbers 5, 6 and 7 of the works plans;

**Work No. 29** – realignment of B1140 South Walsham Road, North Burlingham, north of Work No. 1 and shown on sheet numbers 6 and 7 of the works plans;

**Work No. 30** – soakaway and access track south of Work No. 28, North Burlingham, shown on sheet numbers 5, 6 and 7 of the works plans;

**Work No. 31** – installation of ducts, potable water pipes, cables and apparatus for utilities and electronic communications code operators of 925 metres in length north of the existing A47 and east of North Burlingham, shown on sheet numbers 5, 6 and 7 of the works plans;

**Work No. 32** – westbound compact connector road from Work No. 1 to a junction with Work No. 35, east of North Burlingham, shown on sheet numbers 6 and 7 of the works plans;

**Work No. 33** – soakaway and access track north of Work No. 1, east of North Burlingham, shown on sheet numbers 6 and 7 of the works plans;

**Work No. 34** – overbridge (B1140 Overbridge), and bridge approaches, to carry the improved B1140 over Work No. 1, 88 metres west of the existing South Walsham Road junction with A47 shown on sheet numbers 6 and 7 of the works plans;

**Work No. 35** – southern approach to B1140 Overbridge, together with improvements to the highway of Coxhill Road and provision of junction with Acle Road, on the southern side of Work No. 1, and shown on sheet numbers 6 and 7 of the works plans;

**Work No. 36** – northern approach to B1140 Overbridge, on the northern side of Work No. 1 east of North Burlingham and associated tying in works to South Walsham Road and shown on sheet numbers 6 and 7 of the works plans;

**Work No. 37** – temporary compound east of South Walsham Road and north of Work No. 1, shown on sheet numbers 6 and 7 of the works plans;

**Work No. 38** – soakaways and associated access for drainage, to the north of Work No. 1 and west of B1140 South Walsham Road, shown on sheet numbers 6 and 7 of the works plans;

**Work No. 39** – compound, soakaways and associated access from White House Lane, east of Acle Road and south of Work No.1, shown on sheet numbers 6 and 7 of the works plans;

**Work No. 40** – realignment of White House Lane south of Work No.1, including turning head and shown on sheet numbers 6 and 7 of the works plans;

**Work No. 41** – soakaway and associated access west of Work No. 35 and shown on sheet 6 and 7 of the works plans;

**Work No. 42** – diversion underground of overhead electricity distribution network cables (33kV) of 260 metres east of North Burlingham and shown on sheet [F1number 6] of the works plans;

**Work No. 43** – diversion of utility apparatus from the layby to the north of the existing A47 and to the west of the junction of the A47 with The Windle and shown on sheet numbers 6, 7 and 8 of the works plans; and

**Work No. 44** – diversion of potable water pipes to the south of the A47, to the west of the junction of the A47 with The Windle and shown on sheet numbers 6, 7 and 8 of the works plans.

In connection with the construction of any of those works mentioned above, such ancillary development within the Order limits which does not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement consisting of—

- (a) alteration to the layout of any street permanently or temporarily, including but not limited to increasing or reducing the width of the carriageway of the street by reducing or increasing the width of any kerb, footpath, footway, cycle track or verge within the street; and altering the level of any such kerb, footpath, footway, cycle track or verge;
- (b) works required for the strengthening, improvement, maintenance or reconstruction of any street;
- (c) ramps, means of access, non-motorised links, footpaths, cycle tracks and crossing facilities;
- (d) embankments, aprons, abutments, shafts, foundations, piling, retaining walls, barriers, parapets, drainage, cofferdams, ditches, wing walls, highway lighting, fencing and culverts;
- (e) street works, including breaking up or opening up a street, or any sewer, drain or tunnel under it; tunnelling or boring under a street;
- (f) works to place, alter, remove or maintain street furniture or apparatus in a street, or apparatus in other land, including mains, sewers, drains, soakaways, pipes, cables, ducts and lights;
- (g) landscaping, noise bunds and barriers, works associated with the provision of ecological mitigation and other works to mitigate any adverse effects of the construction, maintenance or operation of the authorised development;
- (h) works for the benefit or protection of land affected by the authorised development;
- (i) site preparation works, site clearance (including fencing, vegetation removal, demolition of existing structures and the creation of alternative footpaths); earthworks (including soil stripping and storage, site levelling); remediation of contamination and lay down areas;
- (j) the felling of trees;

- (k) the establishment of construction compounds and working sites, storage areas, temporary vehicle parking, construction fencing, perimeter enclosures, security fencing, construction-related buildings, temporary worker accommodation facilities, welfare facilities, construction lighting, haulage roads and other buildings, machinery, apparatus, works and conveniences;
- (l) the provision of other works including pavement works, kerbing and paved areas works, signing, signals, road markings works, traffic management measures including temporary roads and such other works as are associated with the construction of the authorised development; and
- (m) such other works, working sites, storage areas and works of demolition, as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the authorised development which do not give rise to any materially new or materially different environmental effects to those assessed in the environmental statement.

#### Textual Amendments

- F1** Words in [Sch. 1](#) substituted (31.7.2023) by [The A47 Blofield to North Burlingham Development Consent \(Correction\) Order 2023 \(S.I. 2023/885\)](#), art. 1, [Sch.](#)

## SCHEDULE 2 **E+W+S**

Articles 5 and 25

### REQUIREMENTS

## PART 1 **E+W+S**

### REQUIREMENTS

#### *Interpretation*

**1.** In this Schedule—

“completed” means the relevant parts of the authorised development are completed and fully open to traffic and completion is to be construed accordingly;

“contaminated land” has the same meaning as that term is given in section 78A (preliminary)(4) of the Environmental Protection Act 1990;

“drainage strategy” means the document certified as the drainage strategy by the Secretary of State for the purposes of this Order under article 47 (certification of documents, etc.);

“DMRB” means the Design Manual for Roads and Bridges, which accommodates all current standards, advice and other documents relating to the design, assessment and operation of trunk roads and motorways, or any equivalent replacement to the DMRB published;

“EMP (First Iteration)” means the first iteration of the environmental management plan produced in accordance with the DMRB during the preliminary design stage and certified as the EMP (First Iteration) by the Secretary of State for the purposes of this Order under article 47 (certification of documents, etc.);

(4) 1990 c.43. Section 78A was inserted by section 57 of the Environment Act 1995 (c. 25) and amended by section 86(2) of the Water Act 2003 (c. 37).

*Changes to legislation: There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)*

“EMP (Second Iteration)” means the second iteration of the environmental management plan produced in accordance with the DMRB, which is to be a refined version of the EMP (First Iteration) including more detailed versions of the outline plans contained or listed within the EMP (First Iteration) or any other plans as required;

“EMP (Third Iteration)” means the third iteration of the environmental management plan produced in accordance with the DMRB, which is a refined version of the EMP (Second Iteration) and which relates to the operational and maintenance phase of the authorised development;

“European protected species” has the same meaning as in regulations 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017<sup>(5)</sup>;

“lead local flood authority” has the same meaning as in section 6 (other definitions)<sup>(6)</sup> of the Flood and Water Management Act 2010;

“the Manual of Contract Documents for Highway Works” means the document of that name published electronically by or on behalf of the strategic highway authority for England or any equivalent replacement published for that document;

“the masterplan” means the document certified as the masterplan by the Secretary of State for the purposes of this Order under article 47 (certification of documents, etc.);

“nationally protected species” means any species protected under the Wildlife and Countryside Act 1981<sup>(7)</sup>;

“the outline landscape and ecology management plan” means the outline landscape and ecology management plan included at paragraph 7 of Annex B to the EMP (First Iteration);

“the outline traffic management plan” means the document certified as the outline traffic management plan by the Secretary of State for the purposes of this Order under article 47 (certification of documents, etc.);

“REAC” means the Record of Environmental Actions and Commitments forming table 3.1 of the EMP (First Iteration).

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**Commencement Information**

**12** Sch. 2 para. 1 in force at 13.7.2022, see [art. 1](#)

*Time limits*

**2.** The authorised development must commence no later than the expiration of 5 years beginning with the date that this Order comes into force.

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**Commencement Information**

**13** Sch. 2 para. 2 in force at 13.7.2022, see [art. 1](#)

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(5) [S.I. 2017/1012](#).

(6) [2010 c. 29](#). There are amendments to section 6 which are not relevant to this Order.

(7) [1981 c. 69](#).

### *Detailed design*

3.—(1) The authorised development must be designed in detail and carried out so that it is compatible with the preliminary scheme design shown on the works plans and engineering drawings and sections unless otherwise agreed in writing by the Secretary of State, following consultation by the undertaker with the relevant planning authority and the local highway authority on matters related to their functions, provided that the Secretary of State is satisfied that any amendments to the engineering drawings and sections showing departures from the preliminary scheme design would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

(2) Except where paragraph (3) applies, where cycle tracks are shown on the Rights of Way and Access Plans the authorised development must be designed so that those cycle tracks are no less than 2.5 metres in width.

(3) Where—

- (a) there are existing physical constraints which mean that a 2.5 metre wide cycle track is not achievable; or
- (b) providing a cycle track 2.5 metres in width would give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement,

at those locations the authorised development must be designed so that those cycle tracks are no less than 2 metres in width for as short a length as is reasonably possible.

(4) Where amended details are approved by the Secretary of State under sub-paragraph (1), those details are deemed to be substituted for the corresponding engineering drawings and sections and the undertaker must make those amended details available in electronic form for inspection by members of the public.

#### **Commencement Information**

**I4** Sch. 2 para. 3 in force at 13.7.2022, see [art. 1](#)

### *Environmental Management Plan*

4.—(1) No part of the authorised development is to commence until an EMP (Second Iteration) for that part, substantially in accordance with the EMP (First Iteration), has been submitted to and approved in writing by the Secretary of State, following consultation by the undertaker with the relevant planning authority, the Environment Agency, the local highway authority and the lead local flood authority, to the extent that the content of the EMP (Second Iteration) relates to matters relevant to their functions.

(2) The EMP (Second Iteration) for a part must be written in accordance with ISO14001 and so far as is relevant to that part of the authorised development, must reflect the mitigation measures required by the REAC and set out in the Environmental Statement and must include as many of the following plans and strategies as are applicable to the part of the authorised development to which it relates—

- (a) Biosecurity management plan;
- (b) Construction communications strategy;
- (c) Construction noise and dust management plan;
- (d) Materials management plan;

*Changes to legislation: There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)*

- (e) Landscape and ecology management plan;
- (f) Site waste management plan;
- (g) Soil management plan to include soil resource plan and soil handling strategy;
- (h) Traffic management plan; and
- (i) Water monitoring and management plan.

(3) The relevant part of the authorised development must be constructed in accordance with the EMP (Second Iteration).

(4) On completion of construction of each part of the authorised development the EMP (Third Iteration) relating to that part must be submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority, the Environment Agency, the relevant local highway authority and the lead local flood authority, to the extent that the content of the EMP (Third Iteration) relates to matters relevant to their functions.

(5) The relevant part of the authorised development must be operated and maintained in accordance with the EMP (Third Iteration).

**Commencement Information**

**I5** Sch. 2 para. 4 in force at 13.7.2022, see [art. 1](#)

*Landscaping*

5.—(1) The authorised development must be landscaped in accordance with a landscaping scheme which sets out details of all proposed hard and soft landscaping works and which has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its functions.

(2) The landscaping scheme must reflect the mitigation measures set out in the REAC and must be based on the outline landscape and ecology management plan and the masterplan.

(3) The landscaping scheme prepared under sub-paragraph (1) must include details of—

- (a) location, number, species mix, size and planting density of any proposed planting;
- (b) cultivation, importing of materials and other operations to ensure plant establishment;
- (c) existing trees to be retained, with measures for their protection during the construction period;
- (d) proposed finished ground levels;
- (e) implementation timetables for all landscaping works; and
- (f) measures for the replacement, in the first available planting season, of any tree or shrub planted as part of the landscaping scheme that, within a period of 5 years after the completion of the part of the authorised development to which the relevant landscaping scheme relates, dies, becomes seriously diseased or is seriously damaged.

(4) All landscaping works must be carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.

**Commencement Information**

**I6** Sch. 2 para. 5 in force at 13.7.2022, see [art. 1](#)



### *Contaminated land and groundwater*

6.—(1) In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development which was not previously identified in the environmental statement, it must be reported as soon as reasonably practicable to the Secretary of State, the relevant planning authority and the Environment Agency, and the undertaker must complete a risk assessment of the contamination in consultation with the relevant planning authority and the Environment Agency.

(2) Where the risk assessment prepared in accordance with sub-paragraph (1) determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose and to prevent any impacts on controlled waters must be submitted to and approved in writing by the Secretary of State, following consultation by the undertaker with the relevant planning authority on matters related to its function and the Environment Agency.

(3) Remediation must be carried out in accordance with the approved scheme.

#### **Commencement Information**

**I7** Sch. 2 para. 6 in force at 13.7.2022, see [art. 1](#)

### *Protected species*

7.—(1) No part of the authorised development is to commence until, for that part, final preconstruction survey work has been carried out to establish whether European or nationally protected species are present on any of the land affected or likely to be affected by that part of the relevant works, or in any of the trees and shrubs to be lopped or felled as part of the relevant works.

(2) Following pre-construction survey work or at any time when carrying out the authorised development, where—

- (a) a protected species is shown to be present, or where there is a reasonable likelihood of it being present;
- (b) application of the relevant assessment methods used in the environmental statement show that a significant effect is likely to occur which was not previously identified in the environmental statement; and
- (c) that effect is not addressed by any prior approved scheme of protection and mitigation established in accordance with this paragraph,

the relevant parts of the relevant works must cease until a scheme of protection and mitigation measures has been submitted to and approved in writing by the Secretary of State.

(3) The undertaker must consult with Natural England on the scheme referred to in sub-paragraph (2) prior to submission to the Secretary of State for approval, except where a suitably qualified and experienced ecologist, holding where relevant and appropriate a licence relating to the species in question, determines that the relevant works do not require a protected species licence.

(4) The relevant works under sub-paragraph (2) must be carried out in accordance with the approved scheme, unless otherwise agreed by the Secretary of State after consultation by the undertaker with Natural England, and under any necessary licences.

#### **Commencement Information**

**I8** Sch. 2 para. 7 in force at 13.7.2022, see [art. 1](#)

### *Surface water drainage*

**8.—**(1) No part of the authorised development is to commence until, for that part, written details of the surface water drainage system, reflecting the drainage strategy and the mitigation measures set out in the REAC including means of pollution control, have been submitted and approved in writing by the Secretary of State following consultation by the undertaker with the Environment Agency, the relevant planning authority and the lead local flood authority, on matters related to their functions.

(2) The surface water drainage system must be constructed in accordance with the approved details, unless otherwise agreed in writing by the Secretary of State following consultation by the undertaker with the Environment Agency, the relevant planning authority and the lead local flood authority, on matters related to their functions, provided that the Secretary of State is satisfied that any amendments to the approved details would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

#### **Commencement Information**

**I9** Sch. 2 para. 8 in force at 13.7.2022, see [art. 1](#)

### *Archaeological remains*

**9.—**(1) No part of the authorised development is to commence until, for that part, a written scheme of investigation of areas of archaeological interest, reflecting the relevant mitigation measures set out in the REAC, has been submitted to and approved in writing by the Secretary of State, following consultation by the undertaker with the relevant planning authority and the Historic Buildings and Monuments Commission for England.

(2) The authorised development must be carried out in accordance with the scheme referred to in sub-paragraph (1).

#### **Commencement Information**

**I10** Sch. 2 para. 9 in force at 13.7.2022, see [art. 1](#)

### *Traffic management*

**10.—**(1) No part of the authorised development comprising the construction, alteration or improvement of Work No. 1 is to commence until a traffic management plan for that part, reflecting the outline traffic management plan, has been submitted to and approved in writing by the Secretary of State, following consultation by the undertaker with the relevant highway authority on matters related to its function.

(2) The authorised development must be constructed in accordance with the traffic management plan referred to in sub-paragraph (1).

#### **Commencement Information**

**I11** Sch. 2 para. 10 in force at 13.7.2022, see [art. 1](#)

### *Fencing*

11. Any permanent and temporary fencing and other means of enclosure for the authorised development must be constructed and installed in accordance with Manual of Contract Documents for Highway Works maintained by or on behalf of the undertaker except where any departures from that manual are agreed in writing by the Secretary of State in connection with the authorised development.

#### **Commencement Information**

**I12** Sch. 2 para. 11 in force at 13.7.2022, see [art. 1](#)

### *New Pond*

12.—(1) No part of Work No. 13 is to commence until the siting, design, method of construction and timetable for delivery of the new pond to be included within Work No. 13 and specified in W8 of the REAC has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority.

(2) The pond forming part of Work No. 13 must thereafter be carried out in accordance with the approved details.

#### **Commencement Information**

**I13** Sch. 2 para. 12 in force at 13.7.2022, see [art. 1](#)

### *Approvals and amendments to approved details*

13. With respect to any requirement which requires the authorised development to be carried out in accordance with the details or schemes approved under this Schedule, the approved details or schemes are taken to include any amendments that may subsequently be approved in accordance with the provisions of the relevant requirement.

#### **Commencement Information**

**I14** Sch. 2 para. 13 in force at 13.7.2022, see [art. 1](#)

## **PART 2** **E+W+S**

### **PROCEDURE FOR DISCHARGE OF REQUIREMENTS**

#### *Applications made under requirements*

14.—(1) Where an application has been made to the Secretary of State for any consent, agreement or approval required by a requirement (including consent, agreement or approval in respect of part of a requirement) included in this Order, the Secretary of State must give notice to the undertaker of the decision on the application within a period of 8 weeks beginning with—

- (a) the day immediately following that on which the application is received by the Secretary of State;

*Changes to legislation: There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)*

- (b) the day immediately following that on which further information has been supplied by the undertaker under paragraph 15 (further information); or
- (c) such longer period as may be agreed between the parties.

(2) Subject to sub-paragraph (3), in the event that the Secretary of State does not determine an application within the period set out in sub-paragraph (1), the Secretary of State is taken to have granted all parts of the application (without any condition or qualification) at the end of that period.

(3) Where—

- (a) an application has been made to the Secretary of State for any consent, agreement or approval required by a requirement included in this Order;
- (b) the Secretary of State does not determine such application within the period set out in sub-paragraph (1); and
- (c) the application is accompanied by a report from a body required to be consulted by the undertaker under the requirement that considers it likely that the subject matter of the application would give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement,

the application is taken to have been refused by the Secretary of State at the end of that period.

**Commencement Information**

**I15** Sch. 2 para. 14 in force at 13.7.2022, see [art. 1](#)

*Further information*

**15.**—(1) In relation to any part of an application made under this Schedule, the Secretary of State has the right to request such further information from the undertaker as is necessary to enable the Secretary of State to consider the application.

(2) In the event that the Secretary of State considers such further information to be necessary the Secretary of State must, within 21 business days of receipt of the application, notify the undertaker in writing specifying the further information required and (if applicable) to which part of the application it relates.

(3) In the event that the Secretary of State does not give such notification within the 21 day business period mentioned in sub-paragraph (2) the Secretary of State is deemed to have sufficient information to consider the application and is not subsequently entitled to request further information without the prior agreement of the undertaker.

(4) Where further information is requested under this paragraph in relation to part only of an application, that part is treated as separate from the remainder of the application for the purposes of calculating the time periods referred to in paragraph 14 (applications made under requirements) and in this paragraph.

(5) In this paragraph, “business day” means a day other than Saturday or Sunday, which is not Christmas Day, Good Friday or a bank holiday under section 1 (bank holidays)(8) of the Banking and Financial Dealings Act 1971.

**Commencement Information**

**I16** Sch. 2 para. 15 in force at 13.7.2022, see [art. 1](#)

(8) [1971 c. 80](#). There are amendments to section 1 which are not relevant to this Order.

### *Register of requirements*

**16.**—(1) The undertaker must, as soon as practicable following the making of this Order, establish and maintain in an electronic form suitable for inspection by members of the public a register of those requirements contained in Part 1 of this Schedule that provide for further approvals to be given by the Secretary of State.

(2) The register must set out in relation to each such requirement the status of the requirement, in terms of whether any approval to be given by the Secretary of State has been applied for or given, providing an electronic link to any document containing any approved details.

(3) The register must be maintained by the undertaker for a period of 3 years following completion of the authorised development.

#### **Commencement Information**

**I17** Sch. 2 para. 16 in force at 13.7.2022, see [art. 1](#)

### *Anticipatory steps towards compliance with any requirement*

**17.** If before the coming into force of this Order the undertaker or any other person has taken any steps that were intended to be steps towards compliance with any provision of Part 1 of this Schedule, those steps may be taken into account for the purpose of determining compliance with that provision if they would have been valid steps for that purpose had they been taken after this Order came into force.

#### **Commencement Information**

**I18** Sch. 2 para. 17 in force at 13.7.2022, see [art. 1](#)

### *Details of consultation*

**18.** With respect to any provision of this Schedule requiring details to be submitted to the Secretary of State for approval following consultation by the undertaker with another party, the undertaker must provide such other party with not less than 28 days for any response to the consultation and the details submitted to the Secretary of State for approval must be accompanied by a summary report setting out the consultation undertaken by the undertaker to inform the details submitted and the undertaker's response to that consultation.

#### **Commencement Information**

**I19** Sch. 2 para. 18 in force at 13.7.2022, see [art. 1](#)

SCHEDULE 3 **E+W+S**

Articles 13 and 19

CLASSIFICATIONS OF ROADS, ETC.

PART 1 **E+W+S**

TRUNK ROADS

**Commencement Information**

**I20** Sch. 3 Pt. 1 in force at 13.7.2022, see [art. 1](#)

(1) <i>Area</i>	(2) <i>Length of road</i>
<b>The classification of roads plans – sheets 1, 2, 3, 4, 5, 6 and 8</b>	
Blofield,  Lingwood and Burlingham, Beighton,  Acle.	The new A47 Trunk Road  A 4,570 metre length of new highway to be classified as part of the A47 Trunk Road (including existing highway to be improved), as identified in sub-paragraphs (a), (c), (d) and (f): (a) on the eastbound carriageway commencing from point A, 362 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point AM, a distance of 479 metres. (b) on the eastbound carriageway commencing from point AM, 841 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point AJ (sheet 6), a distance of 3,549 metres. (c) on the eastbound carriageway commencing from point AJ, 4,390 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point B (sheet 8), a distance of 538 metres. (d) on the westbound carriageway commencing from point C, 362 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point AN, a distance of 485 metres. (e) on the westbound carriageway commencing from point AN, 847 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point AK (sheet 6), a distance of 3,548 metres.

(1) Area	(2) Length of road
	(f) on the westbound carriageway commencing from point AK, 4,395 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point D (sheet 8), a distance of 441 metres.
<b>The classification of roads plans – sheet 1</b>	
Blofield	Yarmouth Road Junction Westbound Merge (including existing highway to be improved) to be classified as part of the A47 Trunk Road  From point E, 758 metres east of the centreline of the Plantation Road Overbridge, in a north-westerly direction to point F, a distance of 159 metres.
Blofield	Yarmouth Road Junction Westbound Diverge (including existing highway to be improved) to be classified as part of the A47 Trunk Road  From point E, 758 metres east of the centreline of the Plantation Road Overbridge, in a north-easterly direction to point G (sheet 2), a distance of 162.5 metres.
<b>The classification of roads plans – sheet 6</b>	
Lingwood and Burlingham	New slip road to the new B1140 overbridge diverge to be classified as part of the A47 Trunk Road  From point M, 4,034 metres east of the centreline of the Plantation Road overbridge, in a westerly and then south-westerly direction to point K, a distance of 165 metres.
Lingwood and Burlingham	New slip road to the new B1140 overbridge to be classified as part of the A47 Trunk Road  From point K, 3,978 metres east of the centreline of the Plantation Road overbridge, in a southerly and then easterly direction to point AG, a distance of 172 metres.
Lingwood and Burlingham	New slip road to the new B1140 Overbridge Merge to be classified as part of the A47 Trunk Road  From point K, 3,978 metres east of the centreline of the Plantation Road overbridge, in

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of road</i>
	a north-westerly and then westerly direction to point L (sheet 5), a distance of 311 metres.
Lingwood and Burlingham	<p>South Walsham Road junction eastbound diverge to be classified as part of the A47 Trunk Road</p> <p>From point I, 4,013 metres east of the centreline of the Plantation Road overbridge, in an easterly and then north-easterly direction to point H, a distance of 158 metres.</p>
Lingwood and Burlingham, Beighton	<p>South Walsham Road junction eastbound merge to be classified as part of the A47 Trunk Road</p> <p>From point H, 4,172 metres east of the centreline of the Plantation Road overbridge, in a south-easterly and then easterly direction to point J, a distance of 292 metres.</p>

**PART 2** **E+W+S**  
**CLASSIFIED B ROADS**

<p><b>Commencement Information</b>  <b>I21</b> Sch. 3 Pt. 2 in force at 13.7.2022, see <a href="#">art. 1</a></p>
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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of road</i>
<b>The classification of roads plans – sheet 6</b>	
Lingwood and Burlingham	<p>B1140 South Walsham Road</p> <p>A 236 metre length of new highway to be classified as part of the B1140 (including existing highway to be improved), as identified in sub-paragraphs (a) and (b):</p> <p>(a) from point AH, 270 metres north of its junction with the new A47 Trunk Road, in a southerly direction to point AI, a distance of 205 metres.</p> <p>(b) from point AI, 65 metres north of its junction with the new A47 Trunk Road, in a southerly direction to point H, a distance of 31 metres.</p>
Lingwood and Burlingham	New B1140 overbridge and approach roads



**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) Area	(2) Length of road
	<p>A 588 metre length of new highway to be classified as part of the B1140 (including existing highway to be improved), as identified in sub-paragraphs (a) and (b):</p> <p>(a) from point Z, 148 metres north of the junction of South Walsham Road with the new A47 Trunk Road, in a westerly and then southerly direction crossing the new B1140 overbridge to point AL, a distance of 485 metres.</p> <p>(b) from point AL in a southerly direction to point AA (sheet 7), a distance of 103 metres.</p>

**PART 2A** E+W+S  
**CLASSIFIED C ROADS**

**Commencement Information**

**I22** Sch. 3 Pt. 2A in force at 13.7.2022, see [art. 1](#)

(1) Area	(2) Length of road
<b>The classification of roads plans – sheet 1</b>	
Blofield	<p>Yarmouth Road (including existing highway to be improved) to be classified as part of the C458 Yarmouth Road</p> <p>From point N, 6 metres east of the private access into the Norwich Camping and Leisure garden centre, in an easterly and then northerly direction to point E, a distance of 153 metres.</p>
Blofield	<p>Waterlow (new alignment)</p> <p>From point O, 155 metres east of the private access into the Norwich Camping and Leisure garden centre, in an easterly direction to point P (sheet 2), a distance of 313 metres.</p>
<b>The classification of roads plans – sheet 2</b>	
Blofield	<p>Blofield Bridge and approach roads</p> <p>From point P, 313 metres east of the new junction of Waterlow with Yarmouth Road, in easterly direction crossing the new Blofield</p>

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) Area	(2) Length of road
	Overbridge to point Q on the de-trunked A47, a distance of 570 metres.
Blofield, Lingwood and Burlingham	De-trunked A47 (including existing highway to be improved)  From point Q, 570 metres east of the centreline of Waterlow, in easterly direction to point V (sheet 5), a distance of 1,972 metres.
Blofield	Waterlow (including existing highway to be improved)  From point S, 313 metres east of its junction with Yarmouth Road, in a southerly direction to point R, a distance of 69 metres.
Blofield	De-trunked A47 (including existing highway to be improved)  From point T, 7 metres west of the centreline of High Noon Lane, in an easterly direction to point U, north of the new Blofield overbridge, a distance of 414 metres.
<b>The classification of roads plans – sheet 4</b>	
Lingwood and Burlingham	Lingwood Road turning head  A turning head on Lingwood Road from point AS, 91 metres south of the southern boundary of the de-trunked A47, in an easterly direction to point AT, a distance of 13 metres.
<b>The classification of roads plans – sheet 5</b>	
Lingwood and Burlingham	De-trunked A47 East Side road realignment (including existing highway to be improved)  From point V, 2,537 metres east of its junction with High Noon Lane, in an easterly and then north-easterly direction to point W (sheet 6), a distance of 520 metres.
Lingwood and Burlingham	Lingwood Lane turning head  A turning head on Lingwood Lane from point AU, 111 metres south of the southern boundary of the de-trunked A47, in an easterly direction to point AV, a distance of 11 metres.
<b>The classification of roads plans – sheet 6</b>	
Lingwood and Burlingham	Main Road East

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Area</i>	(2) <i>Length of road</i>
	From point X, 121 metres east of the private access into the Old College, in an easterly and then southerly direction to point Y,, a distance of 55 metres.
Beighton	<p>Acle Road junction with the B1440 Coxhill Road (including existing highway to be improved)</p> <p>From point AC, 5 metres northeast of the junction of Acle Road with Coxhill Road, in a south-westerly direction to point AB (sheet 7), for a distance of 29 metres.</p>

**PART 3** **E+W+S**  
**UNCLASSIFIED ROADS**

<p><b>Commencement Information</b>  <b>I23</b> Sch. 3 Pt. 3 in force at 13.7.2022, see <a href="#">art. 1</a></p>
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(1) <i>Area</i>	(2) <i>Length of road</i>
<b>The classification of roads plans – sheet 2</b>	
Blofield	<p>Access road</p> <p>From point AO, 52 metres south west of the new Blofield Overbridge, in a south-easterly then north-easterly direction to point AP, a distance of 197 metres.</p>
Blofield	<p>Access road link to maintenance access track</p> <p>From point AQ, 22 metres west of the point AP in a southerly then westerly direction to point AR, a distance of 15 metres.</p>
<b>The classification of roads plans – sheet 6</b>	
Lingwood and Burlingham, Beighton	<p>White House Lane realignment</p> <p>From point AD, 66 metres northwest of the junction of Coxhill Road and Lingwood Long Lane in a north-easterly direction to point AE, a distance of 117 metres.</p>
Beighton	White House Lane

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) Area	(2) Length of road
	From point AE, 163 metres southwest of its junction with the southern boundary of the new A47 Trunk Road, in a north-easterly direction to point AF, a distance of 143 metres.
Beighton	White House Lane link to maintenance access track  From point AX on White House Lane, 45 metres south of the junction of the de-trunked A47 with the B1140 White House Lane, in a westerly direction to point AY, a distance of 24 metres.

## PART 4 E+W+S

### SPEED LIMITS

#### Commencement Information

**I24** Sch. 3 Pt. 4 in force at 13.7.2022, see [art. 1](#)

Note: where speed limits are indicated on the plans relating to this Part (the traffic regulation plans) but are not referenced in this Schedule, they indicate that national speed limits apply in accordance with either:

- (a) the national speed limit set out in—
  - (i) section 86 (speed limits for particular classes of vehicles)<sup>(9)</sup> of and Schedule 6 (speed limits for particular classes of vehicles)<sup>(10)</sup> to the 1984 Act; and
  - (ii) the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) Order 1977 as varied by the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) (Variation) Order 1978 and continued indefinitely by Regulation 2 of the 70 Miles Per Hour, 60 Miles Per Hour and 50 Miles Per Hour (Temporary Speed Limit) (Continuation) Order 1978<sup>(11)</sup>; or
- (b) sections 81 and 82 of the Road Traffic Regulation Act 1984 (which defines speed limits on ‘restricted roads’ by reference to street lighting),

and are not subject to this order. For details of the scheme lighting design, refer to the general arrangement plans.

<sup>(9)</sup> There are amendments to section 86 which are not relevant to this Order.

<sup>(10)</sup> There are amendments to Schedule 6 which are not relevant to this Order.

<sup>(11)</sup> [S.I. 1978/1548](#). The 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) Order 1977 and the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) (Variation) Order 1978 were not statutory instruments.

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
<b>The traffic regulation plans – sheet 1</b>		
Blofield	<p>A47 Trunk Road westbound</p> <p>From point X1, 573 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point X2, a distance of 26 metres.</p> <p>For extent of lighting design see general arrangement plans sheet 1.</p>	Removal of Restricted Road Status
Blofield	<p>A47 Trunk Road including westbound diverge</p> <p>From point X5 (sheet 2) in a westerly and then south-westerly direction to point X4 (sheet 1), a distance of 163 metres.</p> <p>For extent of lighting design see general arrangement plans sheets 1 and 2.</p>	Removal of Restricted Road Status
Blofield	<p>A47 Trunk Road including westbound merge</p> <p>From point X3 in a north-westerly direction to point X2, a distance of 173 metres.</p> <p>For extent of lighting design see general arrangement plans sheet 1.</p>	Removal of Restricted Road Status
Blofield	<p>The realigned Waterlow</p> <p>From point O, 18 metres east of its junction with Yarmouth Road, in an easterly direction crossing the new Blofield Overbridge to point U (sheet 3) on the de-trunked A47, a total distance of 1045 metres.</p>	40 miles per hour
<b>The traffic regulation plans – sheet 2</b>		
Blofield	A47 Trunk Road westbound	Removal of Restricted Road Status

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	<p>From point X6, 944 metres east of the centreline of the Plantation Road Overbridge, in a westerly direction to point X5, a distance of 33 metres.</p> <p>For extent of lighting design see general arrangement plans sheet 2.</p>	
Blofield	<p>Access Road</p> <p>From point N, 554 metres east of the junction of Yarmouth Road and the realigned Waterlow, in a south-easterly and then north-easterly direction to point P, a distance of 196 metres.</p>	30 miles per hour
Blofield	<p>Access Road link to Maintenance Access Track</p> <p>From point AJ, 728 metres east of the junction of Yarmouth Road and the realigned Waterlow, in a southerly then westerly direction to point AK, a distance of 13 metres.</p>	30 miles per hour
Blofield	<p>Existing Waterlow</p> <p>From point T, 310 metres east of the junction with Yarmouth Road <sup>F2</sup>..., in a southerly direction to point S, a distance of 19 metres.</p>	40 miles per hour
Blofield	<p>High Noon Lane</p> <p>From point W, 1,027 metres east of the centreline of the Plantation Road Overbridge, in a northerly direction to point V, a distance of 19 metres.</p>	40 miles per hour
Blofield	<p>The de-trunked A47</p> <p>From point R, at the new junction between High Noon Lane and the de-trunked A47,</p>	40 miles per hour

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	in an easterly direction to point X north of the new Blofield Overbridge, a distance of 423 metres.	
<b>The traffic regulation plans – sheet 5</b>		
Lingwood and Burlingham	The de-trunked A47  From point Y, 697 metres east of its western junction with Main Road, in an easterly and then north-easterly direction to point X7 (sheet 6), a distance of 382 metres.	50 miles per hour
<b>The traffic regulation plans – sheet 6</b>		
Lingwood and Burlingham	The de-trunked A47  From point X7, 1,079 metres east of its western junction with Main Road, in a north-easterly and then easterly direction to point Z, a distance of 117 metres.	Removal of Restricted Road Status  50 miles per hour
Lingwood and Burlingham	Main Road  From point AA in an easterly and then southerly direction to point AB, a distance of 55 metres.	50 miles per hour
Lingwood and Burlingham	A47 Trunk Road eastbound  From point X8, 1,057 metres west of the centreline of The Windle Junction, in an easterly direction to point X9, a distance of 77 metres  For extent of lighting design see general arrangement plans sheet 6.	Removal of Restricted Road Status
Lingwood and Burlingham	A47 Trunk Road including eastbound diverge  From point X9 in an easterly and then northerly direction to point X10, a distance of 181 metres.	Removal of Restricted Road Status

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	For extent of lighting design see general arrangement plans sheet 6.	
Lingwood and Burlingham / Beighton	A47 Trunk Road including eastbound merge  From point X11 in a southerly and then easterly direction to point X12, a distance of 332 metres.  For extent of lighting design see general arrangement plans sheet 6.	Removal of Restricted Road Status
Beighton / Lingwood and Burlingham	A47 Trunk Road westbound  From point X13, 795 metres west of the centreline of The Windle Junction, in a westerly direction to point X14, a distance of 66 metres.  For extent of lighting design see general arrangement plans sheet 6.	Removal of Restricted Road Status
Lingwood and Burlingham	A47 Trunk Road including westbound diverge  From point X14 in a westerly and then south-westerly direction to point X15, a distance of 171 metres.  For extent of lighting design see general arrangement plans sheet 6.	Removal of Restricted Road Status
Lingwood and Burlingham	A47 Trunk Road including westbound merge  From point X16 in a north-westerly and then westerly direction to point X17, a distance of 322 metres.	Removal of Restricted Road Status



**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	For extent of lighting design see general arrangement plans sheet 6.	
Lingwood and Burlingham / Beighton	Coxhill Road from point AF, at its junction with Acle Road, in a southerly direction to point AG (sheet 7), a distance of 109 metres.	30 miles per hour
Beighton / Lingwood and Burlingham	White House Lane from point AC, 30 metres south of the A47 Trunk Road, in a southerly and then south-westerly direction to Point AD, a distance of 259 metres.	30 miles per hour
Beighton	White House Lane link to Maintenance Access Track  From point AH, 45 metres south of the junction of White House Lane with the de-trunked A47 in an westerly direction to point AI, a distance of 24 metres.	30 miles per hour
<b>The traffic regulation plans – sheet 7</b>		
Lingwood and Burlingham / Beighton	Acle Road from point AE, 798 metres northeast of its junction with Lingwood Lane, in a north easterly direction to point AF (sheet 6), a distance of 19 metres.	30 miles per hour

**Textual Amendments**

**F2** Words in [Sch. 3](#) omitted (31.7.2023) by virtue of [The A47 Blofield to North Burlingham Development Consent \(Correction\) Order 2023 \(S.I. 2023/885\)](#), art. 1, [Sch.](#)

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

**PART 5 E+W+S**

**REVOCATIONS & VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS**

**Commencement Information**  
**I25** Sch. 3 Pt. 5 in force at 13.7.2022, see [art. 1](#)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name and number</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Revocations or Variations</i>
<b>The traffic regulation plans – sheet 2</b>			
Blofield	Former A47 Trunk Road	The A47 Trunk Road (Wansford, City of Peterborough to Great Yarmouth, Norfolk) (24 Hour Clearway) Order 2013(12)	Paragraph 3 of the said order will not apply to the eastbound Former A47 Trunk Road from point Z1 876 metres east of the centreline of the Plantation Road Overbridge in an easterly direction to point Z3, a distance of 370 metres.
Blofield	Former A47 Trunk Road	The A47 Trunk Road (Wansford, City of Peterborough to Great Yarmouth, Norfolk) (24 Hour Clearway) Order 2013	Paragraph 3 of the said order will not apply to the westbound Former A47 Trunk Road from point Z2 979 metres east of the centreline of the Plantation Road Overbridge in an easterly direction to point Z3, a distance of 268 metres.
Blofield / Lingwood and Burlingham	Former A47 Trunk Road	The A47 Trunk Road (Wansford, City of Peterborough to Great Yarmouth, Norfolk) (24 Hour Clearway) Order 2013	Paragraph 3 of the said order will not apply to the Former A47 Trunk Road from point Z3 1,246 metres east of the centreline of the Plantation Road Overbridge in an easterly direction to point Z4 (sheet 5), a distance of 2,272 metres.

(12) SI 2013/394.

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name and number</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Revocations or Variations</i>
<b>The traffic regulation plans – sheet 5</b>			
Lingwood and Burlingham	Former A47 Trunk Road	The A47 Trunk Road (Wansford, City of Peterborough to Great Yarmouth, Norfolk) (24 Hour Clearway) Order 2013	Paragraph 3 of the said order will not apply to the eastbound Former A47 Trunk Road from point Z4 3518 metres east of the centreline of the Plantation Road Overbridge in an easterly direction to point Z5 (sheet 6), a distance of 826 metres.
Lingwood and Burlingham / Beighton	Former A47 Trunk Road	The A47 Trunk Road (Wansford, City of Peterborough to Great Yarmouth, Norfolk) (24 Hour Clearway) Order 2013	Paragraph 3 of the said order will not apply to the westbound Former A47 Trunk Road from point Z4 3518 metres east of the centreline of the Plantation Road Overbridge in an easterly direction to point Z6 (sheet 6), a distance of 721 metres.

## PART 6 E+W+S

### FOOTPATHS, CYCLE TRACKS, FOOTWAYS AND BRIDLEWAYS

**Commencement Information**

**I26** Sch. 3 Pt. 6 in force at 13.7.2022, see [art. 1](#)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Length of Footpath/Cycle track/Footway/ Bridleway</i>
<b>The rights of way and access plans – sheet 1</b>	
Blofield	Reference F1 to F2  A footway in the verge on the northern side of Yarmouth Road, opposite the access to Norwich Camping and Leisure garden centre from point F1 at the termination of the existing footway, in an easterly direction to point F2, a distance of 8 metres.

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Length of Footpath/Cycle track/Footway/ Bridleway</i>
Blofield	Reference F3 to F4  A footway in the verge on the southern side of Yarmouth Road and the realigned Waterlow from point F3 on Yarmouth Road, 6 metres east of the private access into the Norwich Camping and Leisure garden centre, in an easterly direction passing into the realigned Waterlow to point F4, a distance of 224 metres.
Blofield	Reference SU1 to SU2 (sheet 2)  A cycle track in the verge on the northern side of the realigned Waterlow from point SU1, 69 metres east of its junction with Yarmouth Road, in an easterly and then north-easterly direction over the new Blofield Overbridge to the de-trunked A47 at point SU2 (sheet 2), a distance of 627 metres.
<b>The rights of way and access plans – sheet 2</b>	
Blofield	Reference SU3 to SU4 (sheet 3)  A cycle track in the verge on the northern side of the de-trunked A47 from point SU3, 396 metres east of High Noon Lane junction, in an easterly direction to the Plantation Farm and Jary’s Farm access at point SU4 (sheet 3), a distance of 385 metres.
Blofield	Reference SU16 to SU17  A cycle track in the verge on the southern approach road to the new Blofield Overbridge from point SU16, 512 metres east of the junction of the realigned Waterlow and Yarmouth Road, in an easterly and then south-easterly direction onto the new Access Road to point SU17, a distance of 77 metres.
Blofield	Reference SU18 to SU21  A cycle track on the northern side of new Access Road from point SU18, 593 metres east of the junction of the realigned Waterlow and Yarmouth Road, in a north-easterly and then easterly direction to point SU21 (sheet 4) at Burlingham Footpath 3, a distance of 1,425 metres.
<b>The rights of way and access plans – sheet 3</b>	

(1) Parish	(2) Length of Footpath/Cycle track/Footway/ Bridleway
Lingwood and Burlingham	Reference SU5 to SU6  A cycle track in the verge on the northern side of the de-trunked A47 from point SU5, at the Plantation Farm and Jary's Farm access, in an easterly direction to Dell Corner Lane at point SU6 (sheet 4), a distance of 705 metres.
<b>The rights of way and access plans – sheet 4</b>	
Lingwood and Burlingham	Reference SU14 to SU15  A cycle track in the verge on the northern side of the de-trunked A47 from point SU14 at the eastern side of Dell Corner Lane, in an easterly direction to point SU15 at Main Road, a distance of 250 metres.
Lingwood and Burlingham	Reference SU19 to SU21  A cycle track from point SU19, 63 metres south of the former junction of the stopped up Lingwood Road with the de-trunked A47, in a southerly direction crossing the new agricultural access track to point SU21 at Lingwood Road, a distance of 9 metres.
Lingwood and Burlingham	Reference FP4 to FP5  A footpath from point FP4, 67 metres south of the junction of the stopped up Burlingham Footpath 3 with the de-trunked A47 in a southerly direction crossing the new agricultural access track to point FP5, a distance of 9 metres.
Lingwood and Burlingham	Reference SU21 to SU29 (sheet 5)  A cycle track: (a) on the northern side of new agricultural access track from point SU21, 67 metres south of the junction of stopped up Burlingham Footpath 3 with the de-trunked A47, in an easterly direction to point SU23, a distance of 97 metres; (b) then in a southerly direction, crossing from the northern to the southern side of new maintenance access track to point SU24, a distance of 9 metres; (c) then in an easterly direction, on the southern side of new maintenance access

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) Parish	(2) Length of Footpath/Cycle track/Footway/ Bridleway
	<p>track, in an easterly direction to point SU25 (sheet 5), a distance of 340 metres;</p> <p>(d) then in a southerly direction, to the south of the new maintenance access track, to point SU26 (sheet 5), a distance of 5 metres;</p> <p>(e) then in a south-easterly direction of the southern side of new maintenance access track to point SU27 (sheet 5), a distance of 145 metres;</p> <p>(f) then in a northerly direction to point SU28 (sheet 5), a distance of 39 metres; and</p> <p>(g) then in an easterly direction to point SU29 (sheet 5) at Lingwood Lane, a distance of 194 metres.</p>
<b>The rights of way and access plans – sheet 5</b>	
Lingwood and Burlingham	<p>Reference F9 to F10</p> <p>A footway in the verge on the northern side of Main Road from point FP9, at the eastern side of the private access to the Old College, in an easterly direction to point F10 (sheet 6), a distance of 96 metres.</p>
Lingwood and Burlingham	<p>Reference SU29 to SU34</p> <p>A cycle track:</p> <p>(a) from point SU29, at Lingwood Lane, 86 metres south, the southern boundary of the de-trunked A47, in a northerly direction along the line of the stopped up Lingwood Lane to point SU30, a distance of 22 metres;</p> <p>(b) then in an easterly direction, south of the A47 Trunk Road to point SU31 (sheet 6), a distance of 388 metres;</p> <p>(c) then in a south-easterly and then easterly direction, on the western side of new slip road onto the new A47 Trunk Road (south-west of the new B1140 Overbridge), to point SU32 (sheet 6), a distance of 263 metres;</p> <p>(d) then in a south-easterly direction, parallel to the new B1140 Overbridge southern approach road, to point SU33 (sheet 6), a distance of 65 metres; and</p> <p>(e) then in a easterly direction to point SU34 (sheet 6), a distance of 9 metres.</p>

(1) <i>Parish</i>	(2) <i>Length of Footpath/Cycle track/Footway/ Bridleway</i>
<b>The rights of way and access plans – sheet 6</b>	
Lingwood and Burlingham	<p>Reference SU7 to SU8</p> <p>A cycle track in the verge on the northern side of Main Road from point SU7, 96 metres east of the eastern side of the private access to the Old College, in an easterly and then north-easterly direction to point SU8 on the B1140 South Walsham Road (sheet 6), a distance of 414 metres.</p>
Lingwood and Burlingham	<p>Reference SU9 to SU10</p> <p>A cycle track in the verge on the southern side of the new road linking the de-trunked A47 to the new B1140 Overbridge northern approach from point SU9, 352 metres east of the eastern side of the private access to the Old Cottage on Main Road, in a north-easterly and then southerly direction, crossing the new B1140 Overbridge on its western side and then turning west at the new slip road onto the new A47 Trunk Road to point SU10, a distance of 326 metres.</p>
Lingwood and Burlingham	<p>Reference SU11 to SU13</p> <p>A cycle track in the verge on the southern side of the new slip road onto the new A47 Trunk Road (south of the new B1140 Overbridge):</p> <ul style="list-style-type: none"> <li>(a) from point SU11 in an easterly and then south-easterly direction to point SU12, a distance of 104 metres; and</li> <li>(b) then in a south-easterly and then south-westerly direction to point SU13 (sheet 7) at Acle Road, a distance of 72 metres.</li> </ul>

## PART 7 E+W+S

### ROADS TO BE DE-TRUNKED

**Commencement Information**

**I27** Sch. 3 Pt. 7 in force at 13.7.2022, see [art. 1](#)

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1)	(2)
<i>Parish</i>	<i>Length of Road</i>
<b>The de-trunking plans – sheets 1, 2, 3, 4, 5 and 6</b>	
	A length of 3,250 metres of the A47 Trunk Road from point A (sheet 2), 877 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point B (sheet 6) 123 metres east of South Walsham Road.

## PART 8 E+W+S

### TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

<p><b>Commencement Information</b>  <b>I28</b> Sch. 3 Pt. 8 in force at 13.7.2022, see <a href="#">art. 1</a></p>
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(1)	(2)	(3)
<i>Parish</i>	<i>Road name, number and length</i>	<i>Measures</i>
<b>The traffic regulation plans – sheets 1, 2, 3, 4, 5, 6, 7 and 8</b>		
Blofield / Lingwood and Burlingham / Beighton / Acle	A47 Trunk Road eastbound  From point A, 362 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point B (sheet 8), a distance of 4,570 metres.	Clearway (including verges, hard shoulders)
Blofield / Lingwood and Burlingham / Beighton / Acle	A47 Trunk Road westbound  From point C, 362 metres east of the centreline of the Plantation Road Overbridge, in an easterly direction to point D (sheet 8), a distance of 4,474 metres.	Clearway (including verges, hard shoulders)
<b>The traffic regulation plans – sheets 1</b>		
Blofield	A47 Trunk Road Yarmouth Road Junction Westbound Merge (including existing highway to be improved)  From point E in a north-westerly direction to point F, a distance of 173 metres.	Clearway (including verges, hard shoulders)



**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
<b>The traffic regulation plans – sheets 2</b>		
Blofield	A47 Trunk Road Yarmouth Road Junction Westbound Diverge (including existing highway to be improved)  From point G in a westerly and then south-westerly direction to point E (sheet 1), a distance of 163 metres.	Clearway (including verges, hard shoulders)
<b>The traffic regulation plans – sheets 6</b>		
Lingwood and Burlingham	A47 Trunk Road new Diverge to Southern Slip Road leading to New B1140 Overbridge  From point M in a westerly and then south-westerly direction to point K, a distance of 171 metres.	Clearway (including verges, hard shoulders)
Lingwood and Burlingham	A47 Trunk Road new Merge from Southern Slip Road leading to New B1140 Overbridge  From point K in a north-westerly and then westerly direction to point L (sheet 5), a distance of 322 metres.	Clearway (including verges, hard shoulders)
Lingwood and Burlingham	A47 Trunk Road South Walsham Road Junction Eastbound Diverge  From point I in an easterly and then northerly direction to point H, a distance of 181 metres.	Clearway (including verges, hard shoulders)
Lingwood and Burlingham / Beighton / Acle	A47 Trunk Road South Walsham Road Junction Eastbound Merge  From point H in a southerly and then easterly direction to point J, a distance of 332 metres.	Clearway (including verges, hard shoulders)

SCHEDULE 4 **E+W+S**

Articles 17, 28 and 29

PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS  
& PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

The provisions described in this Schedule are shown on the rights of way and access plans in the following manner—

- (a) Existing highways which are to be stopped up, as described in column (2) of Parts 1 and 2 of this Schedule, are shown by thick black diagonal hatching (as shown in the key on the rights of way and access plans) over the extent of the area to be stopped up, which is described in column (3) of Parts 1 and 2 of this Schedule and given a reference label in a square box (a capital A followed by a number).
- (b) New highways which are to be substituted for a highway to be stopped up (or which are otherwise to be provided), as are included in column (4) of Part 2 of this Schedule, are shown by—
  - (i) red honeycomb-hatching (for motorways and trunk roads),
  - (ii) blue cross-hatching (for other classified roads and highways),
  - (iii) orange dashes (for cycle tracks),
  - (iv) brown dashes (for footpaths),
  - (v) and green dashes (for footways),
 (as shown in the key on the rights of way and access plans) and are given a reference label in a square (D for new highway to be substituted or provided, SU for cycle tracks, FP for footpaths and F for footways in each case followed by a number) and will be a road unless the word “footpath”, “bridleway”, “footway” or “cycle track” appears beneath its reference letter in column (4) of Part 2 of this Schedule.
- (c) Private means of access which are to be stopped up, as described in column (2) of Parts 3 and 4 of this Schedule, are shown by solid black shading (as shown in the key on the rights of way and access plans) over the extent of stopping up described in column (3) of Parts 3 and 4 of this Schedule, and are given a reference label in a square (a capital B followed by a number).
- (d) New private means of access which are to be substituted for a private means of access to be stopped up (or which are otherwise to be provided), as are included in column (4) of Part 3 of this Schedule, are shown by black line hatching (as shown in the key on the rights of way and access plans) and are given a reference label in a square (a capital C followed by a number).
- (e) Private means of access which are to be altered are included in column (2) of Part 5 of this Schedule, are shown by purple line hatching (as shown in the key on the rights of way and access plans) and are given a reference label in a square (a capital C followed by a number).

PART 1 **E+W+S**HIGHWAYS TO BE STOPPED UP FOR WHICH  
NO SUBSTITUTE IS TO BE PROVIDED**Commencement Information**

**129** Sch. 4 Pt. 1 in force at 13.7.2022, see [art. 1](#)

(1) <i>Area</i>	(2) <i>Highway to be stopped up</i>	(3) <i>Extent of stopping up</i>
<b>The rights of way and access plans – sheet 1</b>		
Blofield	Reference A2  See sheet 2	Reference A2  See sheet 2
<b>The rights of way and access plans – sheet 2</b>		
Blofield	Reference A2  De-trunked A47	Reference A2  From a point 48 metres east of the Yarmouth Road junction in an easterly direction to a point 10 metres east of the improved private means of access into the Atlantic Truck and Van Centre (see reference C3), a distance of 285 metres.
Blofield	Reference A3  De-trunked A47	Reference A3  From a point 382 metres east of High Noon Lane in an easterly direction for a distance of 106 metres.
<b>The rights of way and access plans – sheet 4</b>		
Lingwood and Burlingham	Reference A4 (see inset D)  Lingwood Road	Reference A4 (see inset D)  From its junction with the southern boundary of the de-trunked A47 in a southerly direction to the southern boundary of the new private means of access (reference C4), a distance of 72 metres.
<b>The rights of way and access plans – sheet 5</b>		
Lingwood and Burlingham	Reference A6  Lingwood Lane	Reference A6  From its junction with the southern boundary of the de-trunked A47 in a southerly direction to the northern boundary of the new cycle track where it turns north along Lingwood Lane, a distance of 86 metres.
<b>The rights of way and access plans – sheet 6</b>		
Beighton	Reference A9  Part of White House Lane	Reference A9

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Highway to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>
		From its junction with the new A47 Trunk Road in a southerly direction for a distance of 22 metres.
<b>The rights of way and access plans – sheet 8</b>		
Acle	Reference A10  A47 Trunk Road eastbound lay-by	Reference A10  A length of lay-by from a point 384 metres east of the junction of the de-trunked A47 with the B1140 South Walsham Road in an easterly direction for a distance of 335 metres.

## PART 2 **E+W+S**

### HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

#### Commencement Information

**I30** Sch. 4 Pt. 2 in force at 13.7.2022, see [art. 1](#)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Highway to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New highway to be substituted/provided</i>
<b>The rights of way and access plans – sheet 1</b>			
Blofield	Reference A1  Part of the existing Waterlow	Reference A1  A length from a point 27 metres east of its junction with Yarmouth Road in an easterly and then southerly direction for a distance of 292 metres (sheet 2)	Reference D1  Realigned Waterlow  To be substituted by a length of new highway from a point 27 metres east of the junction of Waterlow with Yarmouth Road in an easterly and then south-easterly direction to the part of Waterlow which is not being stopped up (sheet 2), a distance of 270 metres.

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Highway to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New highway to be substituted/provided</i>
<b>The rights of way and access plans – sheet 2</b>			
Blofield	Reference A1 See sheet 1		Reference D1 See sheet 1
<b>The rights of way and access plans – sheet 4</b>			
Lingwood and Burlingham	Reference A5 (see inset E)  Burlingham Footpath 3	Reference A5 (see inset E)  From its junction with the de-trunked A47 in a southerly direction for a distance of 76 metres to the southern boundary of the new agricultural access track	Reference SU18 (sheet 2) to FP5 (a) A cycle track on the northern side of new Access Road from point SU18 (sheet 2), 593 metres east of the junction of the realigned Waterlow and Yarmouth Road, in a north-easterly and then easterly direction to point SU21 (sheet 4) at Burlingham Footpath 3, a distance of 1,425 metres; and (b) A footpath from point FP4, 67 metres south of the junction of the stopped up Burlingham Footpath 3 with the de-trunked A47 in a southerly direction crossing the new agricultural access track to FP5, at Burlingham Footpath 3, a distance of 9 metres.
<b>The rights of way and access plans – sheet 5</b>			

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Highway to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New highway to be substituted/provided</i>
Lingwood and Burlingham	Reference A7  Part of the de-trunked A47	Reference A7  A length from a point 59 metres east of its junction with Lingwood Lane in an easterly direction for a distance of 706 metres	References D2, D3, D4, D5, D6, D7  To be substituted by the following lengths of new highway: (a) Reference D2 from a point 59 metres east of the junction of the de-trunked A47 with Lingwood Lane in an easterly direction for a distance of 520 metres; (b) Reference D3 (sheet 6) a length of new highway from a point 579 metres east of the junction of the de-trunked A47 with Lingwood Lane in an easterly direction for a distance of 70 metres to a new junction with B1140 South Walsham Road; (c) Reference D4 (sheet 6, see inset F) a length of improved South Walsham Road from a point 649 metres east of the junction of the de-trunked A47 with Lingwood Lane in a southerly direction for 91 metres to the northern boundary of the

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Area</i>	(2) <i>Highway to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New highway to be substituted/provided</i>
			<p>junction of South Walsham Road with the stopped up de-trunked A47;</p> <p>(d) Reference D5 (sheet 6, see inset F) a length of new highway from the northern boundary of the junction of South Walsham Road with the stopped up de-trunked A47 in a southerly direction for 58 metres to the northern boundary of the new A47 Trunk Road;</p> <p>(e) Reference D6 (sheet 6) a length of new highway from a point 579 metres east of the junction of the de-trunked A47 with Lingwood Lane in a southerly direction (over but not including the structure of the new B1140 Overbridge) for 268 metres; and</p> <p>(f) Reference D7 (sheet 6) a length of new highway from a point 177 metres south of the southern boundary of the de-trunked A47 in a westerly and then northerly</p>

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Highway to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New highway to be substituted/provided</i>
			direction to the new A47 Trunk Road, a distance of 209 metres.
<b>The rights of way and access plans – sheet 6</b>			
Lingwood and Burlingham	Reference A7 See sheet 5		References D2, D3, D4, D5, D6, D7  See sheet 5
Beighton	Reference A8  Part of White House Lane	Reference A8  A length from its junction with the B1140 Coxhill Road in a north-easterly direction for a distance of 101 metres	Reference D8, D9  To be substituted by the following lengths of new highway: (a) Reference D8 from a point 101 metres north-east of the junction of White House Lane with the B1140 Coxhill Road in a south-westerly direction for a distance of 110 metres; and (b) Reference D9 from a point 64 metres north-west of the junction of White House Lane with the B1140 Coxhill Road in a south-easterly direction for a distance of 64 metres.



**PART 3 E+W+S**

**PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH  
A SUBSTITUTE IS TO BE PROVIDED AND NEW PRIVATE  
MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED**

**Commencement Information**

**I31** Sch. 4 Pt. 3 in force at 13.7.2022, see [art. 1](#)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Private means of access to be stopped</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New private means of access to be substituted or provided</i>
<b>The rights of way and access plans – sheet 1</b>			
Blofield	Reference B4 (see inset A)  Access to the Blofield Allotments and adjacent field from the southern boundary of the existing Waterlow, 48 metres east of its junction with Yarmouth Road	Reference B4 (see inset A)  The whole of the private access from a point 48 metres east of the junction of the existing Waterlow with Yarmouth Road eastwards for a distance of 11 metres	Reference C1  To be substituted by a new private access to the Blofield Allotments and adjacent field from the southern boundary of the realigned Waterlow from a point 53 metres east of its junction with Yarmouth Road in an easterly direction for a distance of 25 metres
<b>The rights of way and access plans – sheet 2</b>			
Blofield	Reference B6  Agricultural access from the southern boundary of the de-trunked A47, 485 metres east of High Noon Lane	Reference B6  The whole of the private access from a point 485 metres east of High Noon Lane eastwards for a distance of 8 metres	Reference C4  New private means of access to agricultural land and infiltration pond from the eastern end of the Access Road in an easterly direction for a distance of 251 metres (sheet 3)  (NOTE: the measurement given above is to the gate shown on the general arrangement plans sheet 3)
<b>The rights of way and access plans – sheet 3</b>			

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Private means of access to be stopped</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New private means of access to be substituted or provided</i>
Blofield	Reference B7  Agricultural access from the southern boundary of the de-trunked A47, 620 metres east of High Noon Lane	Reference B7  The whole of the private access from a point 620 metres east of High Noon Lane eastwards for a distance of 8 metres	Reference C4  New private means of access to agricultural land and infiltration pond from the eastern end of the Access Road in an easterly direction for a distance of 251 metres (Sheet 3)  (NOTE: the measurement given above is to the gate shown on the general arrangement plans sheet 3)
Blofield	Reference B8  Agricultural access from the southern boundary of the de-trunked A47, 946 metres east of High Noon Lane	Reference B8  The whole of the private access from a point 946 metres east of High Noon Lane eastwards for a distance of 10 metres	Reference C4  New private means of access to agricultural land from the eastern end of the Access Road in an easterly direction for a distance of 251 metres (Sheet 3)  (NOTE: the measurement given above is to the gate shown on the general arrangement plans sheet 3)
Blofield	Reference B9  Agricultural access from the southern boundary of the de-trunked A47, 1,127 metres east of High Noon Lane	Reference B9  The whole of the private access from a point 1,127 metres east of High Noon Lane eastwards for a distance of 10 metres	Reference C4  New private means of access to agricultural land from the eastern end of the Access Road in an easterly direction for a distance of 251 metres (Sheet 3)  (NOTE: the measurement given

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Private means of access to be stopped</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New private means of access to be substituted or provided</i>
			above is to the gate shown on the general arrangement plans sheet 3)
<b>The rights of way and access plans – sheet 4</b>			
Lingwood and Burlingham	Reference B10  Agricultural access from the eastern boundary of Lingwood Road, 53 metres south of the junction of Lingwood Lane and the de-trunked A47	Reference B10  The whole of the private access from a point 53 metres south of the junction of Lingwood Lane and the de-trunked A47 southwards for a distance of 6 metres	Reference C4  New private means of access to agricultural land from the eastern end of the Access Road in an easterly direction for a distance of 1,337 metres (Sheet 4)  (NOTE: the measurement given above is to the gate shown on the general arrangement plans sheet 4)
Blofield	Reference B11  Agricultural access from the southern boundary of the de-trunked A47, 1,774 metres east of High Noon Lane	Reference B11  The whole of the private access from a point 1,774 metres east of High Noon Lane eastwards for a distance of 11 metres	Reference C4  New private means of access to agricultural land from the eastern end of the Access Road in an easterly direction for a distance of 1,337 metres (Sheet4)  (NOTE: the measurement given above is to the gate shown on the general arrangement plans sheet 4)
Blofield	Reference B12  Agricultural access from the southern boundary of the de-trunked A47, 2,004 metres east of High Noon Lane	Reference B12  The whole of the private access from a point 2,004 metres east of High Noon Lane eastwards for a distance of 6 metres	Reference C4  New private means of access to agricultural land from the eastern end of the Access Road in an easterly direction

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Private means of access to be stopped</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New private means of access to be substituted or provided</i>
			for a distance of 1,337 metres (Sheet 4)  (NOTE: the measurement given above is to the gate shown on the general arrangement plans sheet 4)
<b>The rights of way and access plans – sheet 5</b>			
Blofield	Reference B13  Agricultural access from the southern boundary of the de-trunked A47, 2,210 metres east of High Noon Lane	Reference B13  The whole of the private access from a point 2,210 metres east of High Noon Lane eastwards for a distance of 5 metres	Reference C4  New private means of access to agricultural land from the eastern end of the Access Road in an easterly direction for a distance of 1,337 metres (Sheet 4)  (NOTE: the measurement given above is to the gate shown on the general arrangement plans sheet 4)
<b>The rights of way and access plans – sheet 6</b>			
Lingwood and Burlingham	Reference B18  Agricultural access on the north-western side of the junction of Acle Road with the B1140 Coxhill Road, 291 metres south-west of the junction of White House Lane with the new A47 Trunk Road	Reference B18  The whole of the private access from a point 291 metres south-west of the junction of White House Lane with the new A47 Trunk Road for a distance of 5 metres	Reference C5 (sheet 7)  To be substituted by a new private access from the western boundary of Acle Road from a point 77 metres south west of the junction of White House Lane with the B1140 Coxhill Road south-westwards for a distance of 5 metres
Lingwood and Burlingham	None	None	Reference C6  New private means of access to agricultural land from the eastern

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) Area	(2) Private means of access to be stopped	(3) Extent of stopping up	(4) New private means of access to be substituted or provided
			boundary of White House Lane from a point 105 metres north-east of the junction of the White House Lane with B1140 Coxhill Road in a north-easterly direction for a distance of 5 metres

## PART 4 E+W+S

### PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

**Commencement Information**

**I32** Sch. 4 Pt. 4 in force at 13.7.2022, see [art. 1](#)

(1) Area	(2) Private means of access to be stopped up	(3) Extent of stopping up
<b>The rights of way and access plans – sheet 1</b>		
Blofield	Reference B1  Access to Plantation Park football fields to the south of the all-weather pitch from the northern boundary of the existing A47, 323 metres west of Yarmouth Road junction	Reference B1  The whole of the private access from a point 323 metres west of Yarmouth Road junction eastwards for a distance of 10 metres
Blofield	Reference B2  Access to the Plantation Park football fields from the northern boundary of the existing A47, 193 metres west of Yarmouth Road junction	Reference B2  The whole of the private access from a point 193 metres west of Yarmouth Road junction eastwards for a distance of 7 metres
Blofield	Reference B3  Access to the High Noon Lane private road from the northern	Reference B3  The whole of the private access from a point 20 metres north

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Private means of access to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>
	boundary of the existing A47, 20 metres north of Yarmouth Road junction	of Yarmouth Road junction eastwards for a distance of 27 metres.
<b>The rights of way and access plans – sheet 2</b>		
Blofield	Reference B5 (see inset C)  Agricultural access on the eastern side of the existing Waterlow from a point 297 metres from the junction of Waterlow and Yarmouth Road	Reference B5 (see inset C)  The whole of the private access from a point 297 metres east of the existing Waterlow and Yarmouth Road junction, for a distance of 8 metres in a south-easterly direction
<b>The rights of way and access plans – sheet 6</b>		
Lingwood and Burlingham	Reference B14  Agricultural access on the eastern side of the South Walsham Road, 21 metres north of its junction with the de-trunked A47	Reference B14  The whole of the private access from a point 21 metres north of the junction with the de-trunked A47 northwards for a distance of 8 metres
Lingwood and Burlingham	Reference B15 (see inset G)  Agricultural access on the northern side of the stopped up (see reference A7) de-trunked A47, 147 metres east of its junction with South Walsham Road	Reference B15 (see inset G)  The whole of the private access from a point 147 metres east of the junction of South Walsham Road the de-trunked A47 eastwards for a distance of 8 metres
Beighton	Reference B16  Agricultural access on the western side of White House Lane, 31 metres south of its junction with the new A47 Trunk Road	Reference B16  The whole of the private access from a point 31 metres south of the junction of White House Lane with the new A47 Trunk Road southwards for a distance of 14 metres
Beighton	Reference B17  Agricultural access on the western side of White House Lane, 148 metres south of its junction with the new A47 Trunk Road	Reference B17  The whole of the private access from a point 148 metres south of the junction of White House Lane with the new A47 Trunk Road southwards for a distance of 10 metres
<b>The rights of way and access plans – sheet 8</b>		

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>
Acle	Reference B19 (see inset H)  Agricultural access on the northern side of the A47 Trunk Road eastbound lay-by, 485 metres east of the junction of the A47 Trunk Road and South Walsham Road	Reference B19 (see inset H)  The whole of the private access from a point 485 metres east of the junction of the A47 Trunk Road and South Walsham Road southwards for a distance of 10 metres

## PART 5 **E+W+S**

### ALTERATIONS TO PRIVATE MEANS OF ACCESS

#### Commencement Information

**I33** Sch. 4 Pt. 5 in force at 13.7.2022, see [art. 1](#)

(1) <i>Parish(es)</i>	(2) <i>Private means of access to be altered</i>
<b>The rights of way and access plans – sheet 2</b>	
Blofield	Reference C2 (see inset B)  Modified access to the High Noon Lane private road 10 metres to the west of the southernmost point of High Noon Lane highway
Blofield	Reference C3  Modified access to Atlantic Truck and Van Centre 44 metres east of High Noon Lane

## SCHEDULE 5 **E+W+S**

Article 27

### LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

#### Commencement Information

**I34** Sch. 5 in force at 13.7.2022, see [art. 1](#)

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
<b>Land Plans – Sheet No. 1</b>		
1/2d	<p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 2
1/7	<p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 2
1/10b	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Installation, maintenance and use of ducts, cables and</p>	Work Nos. 5, 12



<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
	<p>apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	
1/11a	<p>Diversion of an intermediate pressure gas main together with accesses to highways and associated infrastructure including marker posts and inspection chambers.</p> <p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work Nos. 5, 12
1/12b	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p>	Work No. 5

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(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	<p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	
<b>Land Plans – Sheet No. 2</b>		
2/1b	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
2/1c	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting</p>	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.	
2/2b	<p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 2
2/3	<p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 2
2/4	Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.	Work Nos. 2, 12

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(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	<p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	
2/5	<p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 2
2/13a	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed</p>	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	apparatus being made materially more difficult.	
2/14a	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
2/17	<p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work Nos. 2, 8
2/17a	Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.	Work No. 2

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	<p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	
2/18c	<p>Installation, maintenance and use of ducts, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 2
2/19b	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed</p>	Work No. 5

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	apparatus being made materially more difficult.	
<b>Land Plans – Sheet No. 3</b>		
3/2b	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
3/2c	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 19
3/2d	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p>	Work No. 20

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(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.	
3/4c	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 19
3/7	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
<b>Land Plans – Sheet No. 4</b>		
4/2a	Installation, maintenance and use of an intermediate pressure gas main together	Work No. 5



**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	<p>with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	
4/4	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
4/7d	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p>	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.	
4/7e	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 24
<b>Land Plans – Sheet No. 5</b>		
5/1b	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
5/1d	Installation, maintenance and use of an intermediate pressure gas main together	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
	<p>with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	
5/1f	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
5/1g	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p>	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.	
5/5d	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5
5/5f	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
5/6a	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 28A
<b>Land Plans – Sheet No. 6</b>		
6/1h	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 42
6/1i	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p>	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.	
6/11	<p>Installation, maintenance and use of ducts, water pipes, cables and apparatus for utilities and electronic communications operators and including covenants for the protection of the installed apparatus.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 31
6/2d	<p>Installation, maintenance and use of ducts, water pipes, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 31

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
6/10a	<p>Installation of ducts, water pipes, cables and apparatus for utilities and electronic communications operators.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work Nos. 28, 31
6/10b	<p>Installation, maintenance and use of ducts, water pipes, cables and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 31
6/10c	<p>Works to the existing A47(T) east of North Burlingham, to connect to the new proposed junction with the B1140 classified road to the north of Work No. 1.</p> <p>Installation of ducts, water pipes, cables and apparatus for utilities and electronic communications operators and including restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the</p>	Work Nos. 28, 31

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
	installed apparatus being made materially more difficult.	
6/14	<p>Installation, maintenance and use of electricity distribution network cables and potable water pipes.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work Nos. 42, 44
6/14b	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 42
6/15a	<p>Installation maintenance and use of potable water pipes.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from</p>	Work No. 44



**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	excavation and to prevent access to the installed apparatus being made materially more difficult.	
6/15b	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 42
6/17	<p>Installation, maintenance and use of electricity distribution network cables.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 42
<b>Land Plans – Sheet No. 7</b>		
7/1b	<p>Installation, maintenance and use of an intermediate pressure gas main together with associated infrastructure including marker posts and inspection chambers.</p> <p>Right to pass and repass with or without plant and</p>	Work No. 5

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	<p>vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	
<b>Land Plans – Sheet No. 8</b>		
8/1	<p>Installation, maintenance and use of ducts, cables, potable water pipes and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 43
8/5a	<p>Installation, maintenance and use of ducts, cables, potable water pipes and apparatus for utilities and electronic communications operators.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed</p>	Work No. 43

(1) <i>Plot reference number shown on land plans</i>	(2) <i>Purpose for which rights and restrictive covenants over land may be acquired</i>	(3) <i>Relevant part of the authorised development</i>
	apparatus being made materially more difficult.	
8/6	<p>Installation, maintenance and use of potable water pipes.</p> <p>Right to pass and repass with or without plant and vehicles and including access to highways.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.</p>	Work No. 44

SCHEDULE 6 **E+W+S**

Article 27

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 to compensation for the compulsory purchase of land apply, with the necessary modifications as respects compensation, in the case of a compulsory acquisition under this Order of a right by the creation of a new right or imposition of a restrictive covenant as they apply in respect of compensation on the compulsory purchase of land and interests in land.

**Commencement Information**

**I35** Sch. 6 para. 1 in force at 13.7.2022, see [art. 1](#)

2.—(1) Without limitation on the scope of paragraph 1, the 1961 Act has effect subject to the modification set out in sub-paragraph (2).

(2) For section 5A(5A) (relevant valuation date)(**I3**) of the 1961 Act substitute—

“(5A) If—

**(I3)** Section 5A was inserted by section 103 of the Planning and Compulsory Purchase Act 2004 (c. 5) and amended by section 199(2) of, and paragraph 9 of Schedule 18 to, the Housing and Planning Act 2016. There are other amendments to section 5A which are not relevant to this Order.

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

- (a) the acquiring authority enters on land for the purposes of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act (as modified by paragraph 5(5) of Schedule 6 (modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictive covenants) to the A47 Blofield to North Burlingham Development Consent Order 2022 (“the A47 Blofield to North Burlingham Order”));
  - (b) the acquiring authority is subsequently required by a determination under paragraph 12 of Schedule 2A to the 1965 Act (as substituted by paragraph 5(8) of Schedule 6 to the A47 Blofield to North Burlingham Order) to acquire an interest in the land; and
  - (c) the acquiring authority enters on and takes possession of that land,
- the authority is deemed for the purposes of subsection (3)(a) to have entered on that land when it entered on that land for the purpose of exercising that right.”.

**Commencement Information**

**I36** Sch. 6 para. 2 in force at 13.7.2022, see [art. 1](#)

**3.—(1)** Without limitation on the scope of paragraph 1, the Land Compensation Act 1973<sup>(14)</sup> has effect subject to the modifications set out in sub-paragraph (2).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 (measure of compensation in case of severance) of the 1965 Act as substituted by paragraph 5(3)—

- (a) for “land is acquired or taken from” substitute “a right or restrictive covenant over land is purchased from or imposed on”; and
- (b) for “acquired or taken from him” substitute “over which the right is exercisable or the restrictive covenant enforceable”.

**Commencement Information**

**I37** Sch. 6 para. 3 in force at 13.7.2022, see [art. 1](#)

*Application of Part 1 of the 1965 Act*

**4.** Part 1 (compulsory purchase under Acquisition of Land Act 1946) of the 1965 Act, as applied by section 125 (application of compulsory acquisition provisions) of the 2008 Act (and modified by article 30 (modification of Part 1 of the 1965 Act)) to the acquisition of land under article 24 (compulsory acquisition of land), applies to the compulsory acquisition of a right by the creation of a new right, or to the imposition of a restrictive covenant under article 27(1) (compulsory acquisition of rights and imposition of restrictive covenants)—

- (a) with the modifications specified in paragraph 5; and
- (b) with such other modifications as may be necessary.

**Commencement Information**

**I38** Sch. 6 para. 4 in force at 13.7.2022, see [art. 1](#)

(14) 1973 c. 26.

5.—(1) The modifications referred to in paragraph 4(a) are as follows.

(2) References in the 1965 Act to land are, in the appropriate contexts, to be read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired, or the restrictive covenant imposed or to be imposed; or
- (b) the land over which the right is or is to be exercisable, or the restriction is or is to be enforceable.

(3) For Section 7 (measure of compensation in case of severance) of the 1965 Act substitute—

“7. In assessing the compensation to be paid by the acquiring authority under this Act, regard must be had not only to the extent (if any) to which the value of the land over which the right is to be acquired or the restrictive covenant is to be imposed is depreciated by the acquisition of the right or the imposition of the restrictive covenant but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of the owner, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”.

(4) The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) section 9(4) (failure by owners to convey);
- (b) paragraph 10(3) of Schedule 1 (owners under incapacity);
- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners); and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

are modified so as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired or the restrictive covenant which is to be imposed is vested absolutely in the acquiring authority.

(5) Section 11 (powers of entry)(**15**) of the 1965 Act is modified so as to secure that, where the acquiring authority has served notice to treat in respect of any right or restrictive covenant, as well as the notice of entry required by subsection (1) of that section (as it applies to compulsory acquisition under article 24), it has power, exercisable in equivalent circumstances and subject to equivalent conditions, to enter for the purpose of exercising that right or enforcing that restrictive covenant; and sections—

- (a) 11A (powers of entry: further notices of entry)(**16**),
- (b) 11B (counter-notice requiring possession to be taken on specified date)(**17**),
- (c) 12 (unauthorised entry)(**18**), and
- (d) 13 (refusal to give possession to acquiring authority)(**19**),

of the 1965 Act are modified correspondingly.

(6) Section 20 (tenants at will, etc.)(**20**) of the 1965 Act applies with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in

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(15) Section 11 was amended by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c. 67); section 3 of, and part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c. 71); section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (No. 1); sections 186(2), 187(2) and 188 of, and paragraph 6 of Schedule 14 and paragraph 3 of Schedule 16 to, the Housing and Planning Act 2016; and S.I. 2009/1307.

(16) Section 11A was inserted by section 186(3) of the Housing and Planning Act 2016.

(17) Section 11B was inserted by section 187(2) of the Housing and Planning Act 2016.

(18) Section 12 was amended by section 56(2) of, and Part 1 of Schedule 9 to, the Courts Act 1971 (c. 23).

(19) Section 13 was amended by sections 62(3), 139(4) to (9) and 146 of, and paragraphs 27 and 28 of Schedule 13 and Part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).

(20) Section 20 was amended by paragraph 4 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34) and S.I. 2009/1307.

a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right or the enforcement of the restrictive covenant in question.

(7) Section 22 (interests omitted from purchase) of the 1965 Act is modified by article 30(4) so as to enable the acquiring authority in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

(8) For Schedule 2A of the 1965 Act substitute—

“SCHEDULE 2A **E+W+S**

COUNTER-NOTICE REQUIRING PURCHASE OF LAND NOT IN NOTICE TO TREAT

*Introduction*

1.—(1) This Schedule applies where an undertaker serves a notice to treat in respect of a right over, or a restrictive covenant affecting, the whole or part of a house, building or factory and has not executed a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 as applied by article 31 (application of the 1981 Act) of the A47 Blofield to North Burlingham Development Consent Order 2022 in respect of the land to which the notice to treat relates.

(2) But see article 32(3) (acquisition of subsoil or airspace only) of the A47 Blofield to North Burlingham Development Consent Order 2022 which excludes the acquisition of subsoil or airspace only from this Schedule.

2. In this Schedule, “house” includes any park or garden belonging to a house.

*Counter-notice requiring purchase of land*

3. A person who is able to sell the house, building or factory (“the owner”) may serve a counter-notice requiring the acquiring authority to purchase the owner’s interest in the house, building or factory.

4. A counter-notice under paragraph 3 must be served within the period of 28 days beginning with the day on which the notice to treat was served.

*Response to counter-notice*

5. On receiving a counter-notice, the acquiring authority must decide whether to—

- (a) withdraw the notice to treat,
- (b) accept the counter-notice, or
- (c) refer the counter-notice to the Upper Tribunal.

6. The acquiring authority must serve notice of their decision on the owner within the period of 3 months beginning with the day on which the counter-notice is served (“the decision period”).

7. If the acquiring authority decides to refer the counter-notice to the Upper Tribunal it must do so within the decision period.

8. If the acquiring authority does not serve notice of a decision within the decision period it is to be treated as if it had served notice of a decision to withdraw the notice to treat at the end of that period.

9. If the acquiring authority serves notice of a decision to accept the counter-notice, the compulsory purchase order and the notice to treat are to have effect as if they are included the owner's interest in the house, building or factory.

*Determination by the Upper Tribunal*

10. On a referral under paragraph 7, the Upper Tribunal must determine whether the acquisition of the right or the imposition of the restrictive covenant would—

- (a) in the case of a house, building or factory, cause material detriment to the house, building or factory, or
- (b) in the case of a park or garden, seriously affect the amenity or convenience of the house to which the park or garden belongs.

11. In making the determination, the Upper Tribunal must take into account—

- (a) the effect of the acquisition of the right or the imposition of the covenant,
- (b) the use to be made of the right or covenant proposed to be acquired or imposed, and
- (c) if the right or covenant is proposed to be acquired or imposed for works or other purposes extending to other land, the effect of the whole of the works and the use of the other land.

12. If the Upper Tribunal determines that the acquisition of the right or the imposition of the covenant would have either of the consequences described in paragraph 10, it must determine how much of the house, building or factory the acquiring authority ought to be required to take.

13. If the Upper Tribunal determines that the undertaker ought to be required to take some or all of the house, building or factory, the compulsory purchase order and the notice to treat are to have effect as if they included the owner's interest in that land.

14.—(1) If the Upper Tribunal determines that the acquiring authority ought to be required to take some or all of the house, building or factory, the acquiring authority may at any time within the period of 6 weeks beginning with the day on which the Upper Tribunal makes its determination withdraw the notice to treat in relation to that land.

(2) If the acquiring authority withdraws the notice to treat under this paragraph it must pay the person on whom the notice was served compensation for any loss or expense caused by the giving and withdrawing of the notice.

15. Any dispute as to the compensation is to be determined by the Upper Tribunal.”.

**Commencement Information**

**I39** Sch. 6 para. 5 in force at 13.7.2022, see [art. 1](#)

SCHEDULE 7 **E+W+S**

Articles 20 and 34

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

**Commencement Information**

**I40** Sch. 7 in force at 13.7.2022, see [art. 1](#)

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
<b>Land plans – Sheet No. 1</b>			
Norfolk County Council, Parish of Blofield	1/3a	<p>Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.</p> <p>Also required to facilitate Installation of ducts, cables and apparatus for utilities and electronic communications operators to the east of Blofield; and to facilitate diversion underground of 11kV overhead electricity distribution network cable.</p>	Work Nos. 1, 2, 3
Norfolk County Council, Parish of Blofield	1/3b	<p>Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.</p> <p>Also required to facilitate Installation of ducts, cables and apparatus for utilities and electronic communications operators; and to facilitate diversion underground of 11kV overhead electricity distribution network cable.</p>	Work Nos. 1, 2, 3
Norfolk County Council, Parish of Blofield	1/4b	<p>Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.</p> <p>Also required to facilitate installation of ducts, cables and apparatus for utilities and electronic communications operators; and to facilitate diversion underground of</p>	Work Nos. 1, 2, 3



**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
		11kV overhead electricity distribution network cable.	
Norfolk County Council, Parish of Blofield	1/4c	<p>Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.</p> <p>Also required to facilitate installation of ducts, cables and apparatus for utilities and electronic communications operators; and to facilitate diversion underground of 11kV overhead electricity distribution network cable.</p>	Work Nos. 1, 2
Norfolk County Council, Parish of Blofield	1/7a	<p>Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas and working space.</p> <p>Also required to facilitate installation of ducts, cables and apparatus for utilities and electronic communications operators; and to facilitate diversion underground of 11kV overhead electricity distribution network cable.</p>	Work Nos. 1, 2
Norfolk County Council, Parish of Blofield	1/9a	<p>Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.</p> <p>Also required to facilitate a diversion of an intermediate pressure gas main.</p>	Work Nos. 1, 4, 5, 12
Norfolk County Council, Parish of Blofield	1/9b	Required to facilitate alteration of the A47 and to provide temporary storage,	Work Nos 1, 4

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
		laydown areas, access and working space.	
Norfolk County Council, Parish of Blofield	1/12a	Required to facilitate diversion of an intermediate pressure gas main together and to provide temporary storage laydown areas, working space and access.	Work Nos. 5, 7
Norfolk County Council, Parish of Blofield	1/13	Required to facilitate alteration of the A47 and to provide temporary access and working space.  Also required to facilitate a diversion underground of 11kV overhead electricity distribution network cable.	Work Nos. 1, 3, 4
Norfolk County Council, Parish of Blofield	1/14	Required to facilitate alteration of the A47 and to provide temporary access and working space.  Also required to facilitate a diversion underground of 11kV overhead electricity distribution network cable.	Work Nos. 1, 3, 4
Norfolk County Council, Parish of Blofield	1/15	Required to facilitate alteration of the A47 and to provide temporary access and working space.  Also required to facilitate a diversion underground of 11kV overhead electricity distribution network cable.	Work Nos. 1, 3, 4
Norfolk County Council, Parish of Blofield	1/16	Required to facilitate alteration of the A47 and to provide temporary access and working space.	Work Nos. 1, 3

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
		Also required to facilitate a diversion underground of 11kV overhead electricity distribution network cable.	
<b>Land plans – Sheet No. 2</b>			
Norfolk County Council, Parish of Lingwood and Burlingham	2/1a	Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.  Also required to facilitate a diversion of an intermediate pressure gas main.  And required to facilitate Installation of ducts, cables and apparatus for utilities and electronic communications cables.	Work Nos. 1, 5, 7, 10, 12
Norfolk County Council, Parish of Lingwood and Burlingham	2/1d	Required to facilitate a diversion of an intermediate pressure gas main and to provide temporary storage laydown areas, working space and access	Work No. 5
Norfolk County Council, Parish of Blofield	2/1e	Required to facilitate a diversion of an intermediate pressure gas main and to provide temporary storage laydown areas, working space and access	Work No. 5
Norfolk County Council, Parish of Blofield	2/3a	Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.  Also required to facilitate installation of ducts, cables and apparatus for	Work Nos. 1, 2, 12

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
		utilities and electronic communications operators.	
Norfolk County Council, Parish of Blofield	2/3b	Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.  Also required to facilitate installation of ducts, cables and apparatus for utilities and electronic communications operators.	Work Nos. 1, 2, 12
Norfolk County Council, Parish of Blofield	2/3c	Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.  Also required to facilitate installation of ducts, cables and apparatus for utilities and electronic communications operators.	Work Nos. 1, 2, 12
Norfolk County Council, Parish of Blofield	2/5a	Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.  Also required to facilitate installation of ducts, cables and apparatus for utilities and electronic communications operators.	Work Nos. 1, 2, 12
Norfolk County Council, Parish of Blofield	2/13b	Required to facilitate installation of water pipes ducts, cables and apparatus for utilities and electronic communications cables. Also required to facilitate Infiltration pond,	Work Nos. 8, 13

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
		soakaways and associated drainage, drivable swale and maintenance access track, and to provide temporary laydown areas, working space and access.	
Norfolk County Council, Parish of Blofield	2/14b	Required to facilitate a diversion of an intermediate pressure gas main and to provide temporary storage laydown areas, working space and access.	Work No. 5
Norfolk County Council, Parish of Blofield	2/18c	Required to facilitate installation of, ducts, cables and apparatus for utilities and electronic communications cables. Also required to provide temporary laydown areas, working space and access for the purposes of adjoining works.	Work Nos 2, 9
Norfolk County Council, Parish of Blofield	2/19a	Required to facilitate a temporary construction compound.	Work Nos. 1-44
<b>Land plans – Sheet No. 3</b>			
Norfolk County Council, Parish of Lingwood and Burlingham	3/2a	Required to facilitate a temporary construction compound.  Also required to facilitate diversion underground of electricity distribution network cables underground.	Work nos. 1-44
Norfolk County Council, Parish of Lingwood and Burlingham	3/4	Required to facilitate works to adjoining street and to provide temporary laydown areas, working space and work access.	Work No. 17A
Norfolk County Council, Parish of	3/4a	Required to facilitate works to adjoining street and to provide temporary	Work No. 17A

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
Lingwood and Burlingham		laydown areas, working space and work access.	
Norfolk County Council, Parish of Lingwood and Burlingham	3/4b	Required to facilitate works to adjoining street and to provide temporary laydown areas, working space and work access.	Work No 17A
Norfolk County Council, Parish of Lingwood and Burlingham	3/4d	Required to facilitate works to adjoining street and to provide temporary laydown areas, working space and work access.  Also required to facilitate a diversion underground of electricity distribution network cable.	Work Nos. 17A, 19
<b>Land plans – Sheet No. 4</b>			
Norfolk County Council, Parish of Lingwood and Burlingham	4/7c	Required to facilitate a diversion of an intermediate pressure gas main and to provide temporary storage laydown areas, working space and access.  Also required to facilitate works to adjacent streets and new roads.	Work Nos 1, 5, 14A 14B, 21 and 23
Norfolk County Council, Parish of Lingwood and Burlingham	4/9	Required to facilitate works to adjoining street and to provide temporary laydown areas, working space and work access.  Also required to facilitate installation of ducts, cables and apparatus for utilities and electronic communications operators and potable water pipes.	Work Nos. 17A and 22
<b>Land plans – Sheet No. 5</b>			
Norfolk County Council, Parish of	5/1a	Required to facilitate alteration of the A47 and to provide temporary	Work Nos 1-44

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
Lingwood and Burlingham		<p>storage, laydown areas, access and working space.</p> <p>Also required to facilitate cycle track, access track, soakaway, drivable swale and diversion of existing permissive equestrian and walking route and to facilitate construction for highway turning head on Lingwood Lane,</p> <p>Required for temporary compound.</p>	
Norfolk County Council, Parish of Lingwood and Burlingham	5/1c	<p>Required to facilitate alteration of the A47 and to provide temporary storage, laydown areas, access and working space.</p> <p>Also required to facilitate cycle track, access track, soakaway, drivable swale and diversion of existing permissive equestrian and walking route and to facilitate construction for highway turning head on Lingwood Lane,</p> <p>required for temporary compound.</p>	Work Nos 1-44
Norfolk County Council, Parish of Lingwood and Burlingham	5/5a	Required for temporary compound.	Work Nos. 1-44
<b>Land plans – Sheet No. 6</b>			
Norfolk County Council, Parish of Lingwood and Burlingham	6/1a	Required for Temporary compound.	Work Nos. 1-44
Norfolk County Council, Parish of	6/1c	Required to facilitate works to neighbouring	Work Nos. 1-44

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
Lingwood and Burlingham		land to provide temporary compound.	
Norfolk County Council, Parish of Lingwood and Burlingham	6/1f	Required to facilitate improvements to neighbouring street.	Work No. 29
Norfolk County Council, Parish of Lingwood and Burlingham	6/1g	Required to facilitate works to neighbouring land to provide temporary compound.	Work Nos 1-44
Norfolk County Council, Parish of Lingwood and Burlingham	6/1j	Required to facilitate a diversion of an intermediate pressure gas main and to provide temporary storage laydown areas, working space and access.  Also required to facilitate a soakaway and associated access and works to adjoining streets.	Work Nos. 5, 35, 41
Norfolk County Council, Parish of Lingwood and Burlingham	6/2a	Required to facilitate installation of ducts, water pipes, cables and apparatus for utilities and electronic communications operators and to provide temporary lay down areas, working space and work access.	Work No. 31
Norfolk County Council, Parish of Lingwood and Burlingham	6/2c	Required to facilitate installation of ducts, water pipes, cables and apparatus for utilities and electronic communications operators and to provide temporary lay down areas, working space and work access.  Also required to facilitate improvements to neighbouring street.	Work Nos. 29, 31



**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
Norfolk County Council, Parish of Beighton	6/6	Required to carry out works to form an new street on adjoining land and to provide temporary lay down areas, working space and work access.	Work No. 35
Norfolk County Council, Parish of Beighton	6/9	Required to facilitate installation of ducts, water pipes, cables and apparatus for utilities and electronic communications operators and to provide temporary lay down areas, working space and work access.  Also required to facilitate improvements to neighbouring street.	Work No 31, 40
<b>Land plans – Sheet No. 7</b>			
Norfolk County Council, Parish of Lingwood and Burlingham	7/1	Required to facilitate a soakaway and to provide temporary storage laydown areas, working space and access.	Work No. 41
Norfolk County Council, Parish of Beighton	7/3	Required to facilitate works to adjoining street and to provide temporary storage laydown areas, working space and access.	Work No. 35
Norfolk County Council, Parish of Beighton	7/3a	Required to facilitate works to adjoining street and to provide temporary storage laydown areas, working space and access.	Work No. 35
Norfolk County Council, Parish of Beighton	7/5a	Required to facilitate works to adjoining street and to provide temporary storage laydown areas, working space and access.	Work No. 35
<b>Land plans – Sheet No. 8</b>			
Norfolk County Council, Parish of Acle	8/5	Required to facilitate alteration of the A47 and to provide temporary	Work Nos. 1, 43

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location</i>	(2) <i>Plot Reference Number shown on Land Plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
		storage, laydown areas, access and working space.  Also required to facilitate diversion of utility apparatus.	

SCHEDULE 8 **E+W+S**

Article 39

REMOVAL OF HEDGEROWS

**Commencement Information**

**I41** Sch. 8 in force at 13.7.2022, see [art. 1](#)

(1) <i>Location of hedgerow</i>	(2) <i>Relevant part of the authorised development</i>	(3) <i>Important hedgerow</i>
Shown as H1 on sheets 1 and 2 of the hedgerow plan: hedgerow south of Yarmouth Road, within Blofield Allotments, Blofield.	Work Nos. 5, 6 and 12	No
Shown as H2 on sheets 1 and 2 of the hedgerow plan: hedgerow west of Waterlow, within Blofield Allotments, Blofield.	Work No. 5, 6 and 12	No
Shown as H3 on sheet 2 of the hedgerow plan: hedgerow west of Waterlow, within Blofield Allotments, Blofield.	Work No. 5, 6 and 12	No
Shown as H4 on sheet 2 of the hedgerow plan: hedgerow west of Waterlow, on the eastern boundary of Blofield Allotments, Blofield.	Work No. 5, 6 and 12	Yes
Shown as H5 on sheet 2 of the hedgerow plan: hawthorn being the main species, parallel to and	Work Nos. 1, 2, 9 and 12	No

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location of hedgerow</i>	(2) <i>Relevant part of the authorised development</i>	(3) <i>Important hedgerow</i>
north of the A47 and south of High Noon Lane, Blofield.		
Shown as H6 on sheet 2 of the hedgerow plan: species poor hedgerow parallel to and south of the A47 and north of Waterlow, Blofield.	Work Nos. 1, 7 and 12	No
Shown as H7 on sheet 2 of the hedgerow plan: species poor hedgerow which is dominated by hybrid poplar south of the A47 and west of Waterlow, Blofield.	Work Nos. 5, 6, 7, 10 and 12	Yes
Shown as H8 on sheet 2 of the hedgerow plan: species rich intact hedgerow comprising mainly hawthorn and blackthorn on the south side of the existing A47 and east of Waterlow, Blofield.	Work No. 13	Yes
Shown as H9 on sheet 3 of the hedgerow plan: isolated species poor hedgerow surrounded by arable with a species poor margin including false oat and common couch grass, south of the A47 and west of Lingwood Road.	Work No. 19	Yes
Shown as H10 on sheet 4 of the hedgerow plan: Species rich hedge with false oat and Yorkshire fog abundant margins including Lucerne and bird's foot trefoil on the eastern side of this hedge, separating arable fields perpendicular to existing A47, south of the A47 and west of Lingwood Road.	Work Nos. 1, 23 and 24	Yes
Shown as H11 on sheet 5 of the hedgerow plan: including a margin with common couch, perennial rye grass, false oat grass and several forbs, parallel to the existing A47 south of	Work No. 23	Yes

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Location of hedgerow</i>	(2) <i>Relevant part of the authorised development</i>	(3) <i>Important hedgerow</i>
the existing A47 and west of Lingwood Lane.		
Shown as H12 on sheet 5 of the hedgerow plan: species rich hedgerow located south of the A47 on the west side of Lingwood Lane.	Work No. 1, 23, 25 and 27	Yes
Shown as H13 on sheet 5 of the hedgerow plan: species poor hedge as it includes less than five woody species, located south of the A47 on the eastern side of Lingwood Lane, bordering an area of arable to the east.	Work Nos. 1, 25 and 27	Yes
Shown as H14 on sheet 6 of the hedgerow plan: species poor hedgerow with no standards located north of the A47 between Main Road and west of South Walsham Road, North Burlingham.	Work Nos. 28 and 31	No

SCHEDULE 9 **E+W+S**

Articles 37 and 47

PROTECTIVE PROVISIONS

PART 1 **E+W+S**

FOR THE PROTECTION OF ELECTRICITY,  
GAS, WATER AND SEWERAGE UNDERTAKERS

1. For the protection of the utility undertakers referred to in this Part of this Schedule the following provisions have effect, unless otherwise agreed in writing between the undertaker and the utility undertaker concerned.

**Commencement Information**

**I42** Sch. 9 para. 1 in force at 13.7.2022, see [art. 1](#)

2. In this Part of this Schedule—

“alternative apparatus” means alternative apparatus adequate to enable the utility undertaker in question to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means—

- (a) in the case of an electricity undertaker, electric lines or electrical plant (as defined in the Electricity Act 1989<sup>(21)</sup>), belonging to or maintained by that utility undertaker;
- (b) in that case of a gas undertaker, any mains, pipes or other apparatus belonging to or maintained by a gas transporter within the meaning of Part 1 of the Gas Act 1986<sup>(22)</sup> for the purposes of gas supply;
- (c) in the case of water undertaker, mains, pipes or other apparatus belonging to or maintained by that utility undertaker for the purposes of water supply; and
- (d) in the case of a sewerage undertaker—
  - (i) any drain or works vested in the utility undertaker under the Water Industry Act 1991<sup>(23)</sup>; and
  - (ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) (adoption of sewers and disposal works)<sup>(24)</sup> of that Act or an agreement to adopt made under section 104 (agreement to adopt sewers, drains or sewage disposal works, at future date)<sup>(25)</sup> of that Act,

and includes a sludge main, disposal main (within the meaning of section 219 (general interpretation)<sup>(26)</sup> of that Act) or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

“functions” includes powers and duties;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land;

“plan” include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe the works to be executed; and

“utility undertaker” means—

- (a) any licence holder within the meaning of Part 1 (electricity supply) of the Electricity Act 1989;
- (b) a gas transporter within the meaning of Part 1 (gas supply) of the Gas Act 1986;
- (c) a water undertaker within the meaning of the Water Industry Act 1991; and
- (d) a sewerage undertaker within the meaning of Part 1 (preliminary) of the Water Industry Act 1991,

for the area of the authorised development, and in relation to any apparatus, means the utility undertaker to whom it belongs or by whom it is maintained.

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(21) 1989 c. 29. The definition of “electrical plant” (in section 64) was amended by section 108 of, and paragraphs 24 and 38(1) and (3) of Schedule 6 to, the Utilities Act 2000 (c. 27).

(22) 1986 c. 44. A new section 7 was substituted by section 5 of the Gas Act 1995 (c. 45), and was further amended by sections 3(2) and 76 of, and paragraphs 1 and 4 of Schedule 6, and Schedule 8 to, the Utilities Act 2000 (c. 27), sections 149(1) and (5) and 197(9) of, and part 1 of Schedule 23 to, the Energy Act 2004 (c. 20) and S.I. 2011/2704.

(23) 1991 c. 56.

(24) 1991 c. 56. Section 102(4) was amended by section 96(1)(c) of the Water Act 2003 (c. 37) and section 56 of, and paragraph 90 of Schedule 7 to, the Water Act 2014 (c. 21).

(25) Section 104 was amended by sections 96(4) and 101(2) of, and Part 3 of Schedule 9 to, the Water Act 2003; section 42(3) of the Flood and Water Management Act 2010 (c. 29); and sections 11(1) and (2) and 56 of, and paragraphs 2 and 91 of Schedule 7 to, the Water Act 2014.

(26) There are amendments to section 219 which are not relevant to this Order.

*Changes to legislation: There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)*

**Commencement Information**

**I43** Sch. 9 para. 2 in force at 13.7.2022, see [art. 1](#)

*On street apparatus*

**3.** This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and the utility undertaker are regulated by the provisions of Part 3 (street works in England and Wales) of the 1991 Act.

**Commencement Information**

**I44** Sch. 9 para. 3 in force at 13.7.2022, see [art. 1](#)

*Apparatus in stopped up streets*

**4.—(1)** Where any street is stopped up under article 17 (permanent stopping up and restriction of use of streets and private means of access), any utility undertaker whose apparatus is in the street has the same powers and rights in respect of that apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to the utility undertaker legal easements reasonably satisfactory to the utility undertaker in respect of such apparatus and access to it, but nothing in this paragraph affects any right of the undertaker or of the utility undertaker to require the removal of that apparatus under paragraph 7 or the power of the undertaker to carry out works under paragraph 9.

**(2)** Regardless of the temporary alteration, diversion or prohibition of the use of or restriction of the use of any highway under the powers conferred by article 16 (temporary alteration, diversion, prohibition and restriction of use of streets), a utility undertaker is at liberty at all times to take all necessary access across any such altered, diverted, prohibited or restricted highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the alteration, diversion or prohibition of use of or restriction of use was in that highway.

**Commencement Information**

**I45** Sch. 9 para. 4 in force at 13.7.2022, see [art. 1](#)

*Protective works to buildings*

**5.** The undertaker, in the case of the powers conferred by article 22 (protective work to buildings), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus.

**Commencement Information**

**I46** Sch. 9 para. 5 in force at 13.7.2022, see [art. 1](#)

*Acquisition of land*

**6.** Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.

**Commencement Information**

**I47** Sch. 9 para. 6 in force at 13.7.2022, see [art. 1](#)

*Removal of apparatus*

7.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed or requires that the utility undertaker's apparatus is relocated or diverted, that apparatus must not be removed under this Part of this Schedule, and any right of a utility undertaker to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the utility undertaker in question in accordance with sub-paragraphs (2) to (5).

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, the undertaker must give to the utility undertaker in question 28 days' written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order a utility undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to the utility undertaker the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed, the utility undertaker in question must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between the utility undertaker in question and the undertaker or in default of agreement settled by arbitration in accordance with article 49 (arbitration).

(5) The utility undertaker in question must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 49 (arbitration), and after the grant to the utility undertaker of any such facilities and rights as are referred to in sub-paragraph (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(6) Regardless of anything in sub-paragraph (5), if the undertaker gives notice in writing to the utility undertaker in question that the undertaker desires itself to execute any work, or part of any work in connection with the construction or removal of apparatus in any land of the undertaker, that work, instead of being executed by the utility undertaker, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of the utility undertaker.

**Commencement Information**

**I48** Sch. 9 para. 7 in force at 13.7.2022, see [art. 1](#)

### *Facilities and rights for alternative apparatus*

8.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to a utility undertaker facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and the utility undertaker in question or in default of agreement settled by arbitration in accordance with article 49 (arbitration).

(2) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to the utility undertaker in question than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to that utility undertaker as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

#### **Commencement Information**

**149** Sch. 9 para. 8 in force at 13.7.2022, see [art. 1](#)

### *Retained apparatus*

9.—(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus the removal of which has not been required by the undertaker under paragraph 7(2), the undertaker must submit to the utility undertaker in question a plan of the works to be executed.

(2) Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by the utility undertaker for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the utility undertaker is entitled to watch and inspect the execution of those works.

(3) Any requirements made by a utility undertaker under sub-paragraph (2) are to be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.

(4) If a utility undertaker, in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 1 to 3 and 6 to 8 apply as if the removal of the apparatus had been required by the undertaker under paragraph 7(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(6) The undertaker is not required to comply with sub-paragraph (5) in a case of emergency but in that case it must give to the utility undertaker in question notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (3) in so far as is reasonably practicable in the circumstances.

(7) In relation to works which will or may be situated on, over, under or within 10 metres measured in any direction of any electricity apparatus, or involve embankment works within 10 metres of any electricity apparatus, the plan to be submitted to the utility undertaker under sub-paragraph (1) must be detailed, include a method statement and describe—



- (a) the exact position of the works;
- (b) the level at which they are proposed to be constructed or renewed;
- (c) the manner of their construction or renewal;
- (d) the position of all electricity apparatus; and
- (e) by way of detailed drawings, every alteration proposed to be made to such apparatus.

**Commencement Information**

**I50** Sch. 9 para. 9 in force at 13.7.2022, see [art. 1](#)

*Expenses and costs*

**10.**—(1) Subject to the following provisions of this paragraph, the undertaker must repay to a utility undertaker all expenses reasonably incurred by that utility undertaker in, or in connection with, the inspection, removal, alteration or protection of any apparatus or the construction of any new apparatus which may be required in consequence of the execution of any such works as are referred to in paragraph 7(2).

(2) The value of any apparatus removed under the provisions of this Part of this Schedule must be deducted from any sum payable under sub-paragraph (1), that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 49 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the utility undertaker in question by virtue of sub-paragraph (1) must be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus must not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole must be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to a utility undertaker in respect of works by virtue of sub-paragraph (1), if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the utility undertaker any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, is to be reduced by the amount which represents that benefit.

**Commencement Information**

**I51** Sch. 9 para. 10 in force at 13.7.2022, see [art. 1](#)

**11.**—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any such works referred to in paragraphs 5 or 7(2) any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of a utility undertaker, or there is any interruption in any service provided, or in the supply of any goods, by any utility undertaker, the undertaker must—

- (a) bear and pay the cost reasonably incurred by that utility undertaker in making good such damage or restoring the supply; and
- (b) make reasonable compensation to that utility undertaker for any other expenses, loss, damages, penalty or costs incurred by the utility undertaker,

by reason or in consequence of any such damage or interruption.

(2) The fact that any act or thing may have been done by a utility undertaker on behalf of the undertaker or in accordance with a plan approved by a utility undertaker or in accordance with any requirement of a utility undertaker or under its supervision does not, subject to sub-paragraph (3), excuse the undertaker from liability under the provisions of sub-paragraph (1).

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of a utility undertaker, its officers, servants, contractors or agents.

(4) A utility undertaker must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made without the consent of the undertaker and, if such consent is withheld, has the sole conduct of any settlement or compromise of any proceedings necessary to resist the claim or demand.

**Commencement Information**

**I52** Sch. 9 para. 11 in force at 13.7.2022, see [art. 1](#)

*Cooperation*

**12.** Where in consequence of the proposed construction of any part of the authorised development, the undertaker or a utility undertaker requires the removal of apparatus under paragraph 7(2) or a utility undertaker makes requirements for the protection or alteration of apparatus under paragraph 9, the undertaker must use its best endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of the utility undertaker’s undertaking and each utility undertaker must use its best endeavours to co-operate with the undertaker for that purpose.

**Commencement Information**

**I53** Sch. 9 para. 12 in force at 13.7.2022, see [art. 1](#)

13. Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and a utility undertaker in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

**Commencement Information**

**I54** Sch. 9 para. 13 in force at 13.7.2022, see [art. 1](#)

**PART 2** **E+W+S**

**FOR THE PROTECTION OF OPERATORS OF  
ELECTRONIC COMMUNICATIONS CODE NETWORKS**

14. For the protection of any operator, the following provisions have effect, unless otherwise agreed in writing between the undertaker and the operator.

**Commencement Information**

**I55** Sch. 9 para. 14 in force at 13.7.2022, see [art. 1](#)

15. In this Part of this Schedule—

“the 2003 Act” means the Communications Act 2003;

“the code rights” has the same meaning as in paragraph 3 of the electronic communications code;

“electronic communications apparatus” has the same meaning as in the electronic communications code;

“the electronic communications code” has the same meaning as in Chapter 1 (electronic communications, networks and services) of Part 2 (networks, services and the radio spectrum) (27) of the 2003 Act;

“electronic communications code network” means—

- (a) so much of an electronic communications network or infrastructure system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106 (application of the electronic communications code) of the 2003 Act; and
- (b) an electronic communications network which the undertaker is providing or proposing to provide;

“electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106 of the 2003 Act;

“infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code; and

“operator” means the operator of an electronic communications code network.

(27) See section 106 of the 2003 Act, which was amended by section 4(3) to (9) of the Digital Economy Act 2017 (c. 30). See also Schedule 3A to the 2003 Act, which was inserted by section 4 of, and Schedule 1 to, the Digital Economy Act 2017.

**Commencement Information**

**I56** Sch. 9 para. 15 in force at 13.7.2022, see [art. 1](#)

**16.** The exercise of the powers conferred by article 36 (statutory undertakers) is subject to Part 10 (undertakers' works affecting electronic communications apparatus) of the electronic communications code.

**Commencement Information**

**I57** Sch. 9 para. 16 in force at 13.7.2022, see [art. 1](#)

**17.—(1)** Subject to sub-paragraphs (2) and (4), if as the result of the authorised development or its construction, or of any subsidence resulting from the authorised development—

- (a) any damage is caused to any electronic communications apparatus belonging to an operator (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of the authorised development), or other property of an operator; or
- (b) there is any interruption in the supply of the service provided by an operator,

the undertaker must bear and pay the cost reasonably incurred by the operator in making good such damage or restoring the supply and make reasonable compensation to that operator for any other reasonable expenses, loss, damages, penalty or costs incurred by it, by reason, or in consequence of, any such damage or interruption.

(2) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of an operator, its officers, servants, contractors or agents.

(3) The operator must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise of the claim or demand is to be made without the consent of the undertaker which, if it withholds such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

(4) Any difference arising between the undertaker and the operator under this Part of this Schedule must be referred to and settled by arbitration under article 49 (arbitration).

(5) This Part of this Schedule does not apply to—

- (a) any apparatus in respect of which the relations between the undertaker and an operator are regulated by the provisions of Part 3 (street works in England and Wales) of the 1991 Act; or
- (b) any damage, or any interruption, caused by electro-magnetic interference arising from the construction or use of the authorised development.

(6) Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and an operator in respect of any apparatus in land belonging to the undertaker on the date on which this Order is made.

**Commencement Information**

**I58** Sch. 9 para. 17 in force at 13.7.2022, see [art. 1](#)

## PART 3 **E+W+S**

### FOR THE PROTECTION OF ANGLIAN WATER

#### *Application*

**18.**—(1) For the protection of Anglian Water, the following provisions have effect, unless otherwise agreed in writing between the undertaker and Anglian Water.

(2) Before commencement of any work set out in Schedule 1 to divert any apparatus the undertaker will provide Anglian Water with a schedule of apparatus which will be diverted as part of the authorised development setting out for each piece of apparatus whether those works are to be undertaken under this Schedule or under the 1991 Act and, where a diversion is to be carried out partly under this Schedule and partly under the 1991 Act, details of which part of the diversion is to be carried out under which power.

(3) The undertaker may from time to time provide to Anglian Water amendments to the schedule referred to in paragraph (2).

(4) No amendment may be submitted under paragraph (3) in respect of apparatus which is to be diverted as part of a work set out in Schedule 1, or which comprises such a work, after that work has commenced.

#### **Commencement Information**

**I59** Sch. 9 para. 18 in force at 13.7.2022, see [art. 1](#)

#### *Interpretation*

**19.** In this part of this Schedule –

“1991 Act” means the New Roads and Street Works Act 1991;

“alternative apparatus” means alternative apparatus adequate to enable Anglian Water to fulfil its statutory functions in a manner no less efficient than previously;

“Anglian Water” means Anglian Water Services Limited (company number 02366656), whose registered office is Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, PE29 6YJ;

“apparatus” means—

- (a) any works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage;
- (b) any drain or works vested in Anglian Water under The Water Industry Act 1991;
- (c) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) (adoption of sewers and disposal works) of that Act or an agreement to adopt made under section 104 (agreements to adopt sewer, drain or sewage disposal works, at future date) of that Act; and
- (d) includes a sludge main, disposal main or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus,

and for the purpose of this definition, where words are defined by section 219 (general interpretation) of the Water Industry Act 1991 they shall be taken to have the same meaning.

“functions” includes powers and duties;

“in” in a context referring to apparatus or alternative apparatus in land, includes a reference to apparatus or alternative apparatus under, over or upon land;

“plan” includes all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe the works to be executed.

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**Commencement Information**

**I60** Sch. 9 para. 19 in force at 13.7.2022, see [art. 1](#)

*On street apparatus*

**20.** This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and Anglian Water are regulated by the provisions of Part 3 of the 1991 Act.

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**Commencement Information**

**I61** Sch. 9 para. 20 in force at 13.7.2022, see [art. 1](#)

*Apparatus in stopped up streets*

**21.—(1)** Where any street is stopped up under article 17 (permanent stopping up and restriction of use of streets and private means of access), where Anglian Water has apparatus in the street or accessed by virtue of that street, it has the same powers and rights in respect of that apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to Anglian Water legal easements reasonably satisfactory to Anglian Water in respect of such apparatus and access to it, but nothing in this paragraph affects any right of the undertaker or of Anglian Water to require the removal of that apparatus under paragraph 24 or the power of the undertaker to carry out works under paragraph 26.

(2) Regardless of the temporary alteration, diversion or prohibition of the use of or restriction of the use of any highway under the powers conferred by article 16 (temporary alteration, diversion, prohibition and restriction of the use of streets), Anglian Water is at liberty at all times to take all necessary access across any such altered, diverted, prohibited or restricted highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the alteration, diversion or prohibition of use of or restriction of use was in that highway.

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**Commencement Information**

**I62** Sch. 9 para. 21 in force at 13.7.2022, see [art. 1](#)

*Protective works to buildings*

**22.** The undertaker, in the case of the powers conferred by article 22 (protective work to buildings), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus.

**Commencement Information**

**I63** Sch. 9 para. 22 in force at 13.7.2022, see [art. 1](#)

*Acquisition of land*

**23.** Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.

**Commencement Information**

**I64** Sch. 9 para. 23 in force at 13.7.2022, see [art. 1](#)

*Removal of apparatus*

**24.—**(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed or requires that Anglian Water’s apparatus is relocated or diverted, that apparatus must not be removed under this Part of this Schedule, and any right of Anglian Water to maintain that apparatus in that land must not (without the prior written consent of Anglian Water) be extinguished, until—

- (a) alternative apparatus has been constructed and is in operation to the reasonable satisfaction of Anglian Water in accordance with sub-paragraphs (2) to (8); and
- (b) facilities and rights have been secured for that alternative apparatus in accordance with paragraph 25.

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, the undertaker must give to Anglian Water 28 days’ written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order an undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to Anglian Water the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed Anglian Water must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between Anglian Water and the undertaker or in default of agreement settled by arbitration in accordance with article 49 (arbitration).

(5) Anglian Water must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 49 (arbitration), and after the grant to Anglian Water of any such facilities and rights as are referred to in sub-paragraphs (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and

subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(6) Regardless of anything in sub-paragraph (5), if Anglian Water gives notice in writing to the undertaker that it desires the undertaker to execute any work, or part of any work in connection with the construction or removal of apparatus in any land of the undertaker, or to the extent that Anglian Water fails to proceed with that work in accordance with sub-paragraph (5) or the undertaker and Anglian Water otherwise agree, that work, instead of being executed by Anglian Water, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of Anglian Water.

(7) Notice under sub-paragraph (6) that Anglian Water desires the undertaker to execute any work, or part of any work, must be given within 14 days of agreement under sub-paragraph (4) or, in default of agreement, within 14 days of the date of settlement by arbitration under sub-paragraph (4).

(8) If Anglian Water fails either reasonably to approve, or to provide reasons for its failure to approve along with an indication of what would be required to make acceptable, any proposed details relating to required removal works under sub-paragraph (2) within 28 days of receiving a notice of the required works from the undertaker, then such details are deemed to have been approved. For the avoidance of doubt, any such “deemed consent” does not extend to the actual undertaking of the removal works, which shall remain the sole responsibility of Anglian Water or its contractors.

(9) Whenever alternative apparatus is to be or is being substituted for existing apparatus, the undertaker shall, before taking or requiring any further step in such substitution works, use best endeavours to comply with Anglian Water’s reasonable requests for a reasonable period of time to enable Anglian Water to—

- (a) make network contingency arrangements; or
- (b) bring such matters as it may consider reasonably necessary to the attention of end users of the utility in question.

#### **Commencement Information**

**I65** Sch. 9 para. 24 in force at 13.7.2022, see [art. 1](#)

#### *Facilities and rights for alternative apparatus*

**25.**—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to Anglian Water facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and Anglian Water or in default of agreement settled by arbitration in accordance with article 49 (arbitration).

(2) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to Anglian Water than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to Anglian Water as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.



(3) Such facilities and rights as are set out in this paragraph are deemed to include any statutory permits granted to the undertaker in respect of the apparatus in question, whether under the Environmental Permitting Regulations 2010(28) or other legislation.

**Commencement Information**

**I66** Sch. 9 para. 25 in force at 13.7.2022, see [art. 1](#)

*Retained apparatus*

**26.**—(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus (or any means of access to it) the removal of which has not been required by the undertaker under paragraph 24(2), the undertaker must submit to Anglian Water a plan of the works to be executed.

(2) Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by Anglian Water for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and Anglian Water is entitled to watch and inspect the execution of those works.

(3) Any requirements made by Anglian Water under sub-paragraph (2) must be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.

(4) If Anglian Water, in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, sub-paragraphs (1) to (3) and (6) to (7) apply as if the removal of the apparatus had been required by the undertaker under paragraph 24(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case must give to Anglian Water notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (3) in so far as is reasonably practicable in the circumstances and will keep the impact of those emergency works on Anglian Water's apparatus, on the operation of its water and sewerage network and on end-users of the services Anglian Water provides to a minimum.

(7) For the purposes of sub-paragraph (1), works are deemed to be in land near Anglian Water's apparatus (where it is a pipe) if those works fall within the following distances measured from the medial line of such apparatus:

- (a) 2.25 metres where the diameter of the pipe is less than 150 millimetres;
- (b) 3 metres where the diameter of the pipe is between 150 and 450 millimetres;
- (c) 4.5 metres where the diameter of the pipe is between 451 and 750 millimetres; and
- (d) 6 metres where the diameter of the pipe exceeds 750 millimetres.

**Commencement Information**

**I67** Sch. 9 para. 26 in force at 13.7.2022, see [art. 1](#)

*Expenses and costs*

**27.**—(1) Subject to the following provisions of this paragraph, the undertaker must repay to Anglian Water all expenses reasonably incurred by Anglian Water in, or in connection with, the inspection, removal, alteration or protection of any apparatus or the construction of any new apparatus which may be required in consequence of the execution of any such works as are referred to in this Part of the Schedule.

(2) There must be deducted from any sum payable under sub-paragraph (1) the value of any apparatus removed under the provisions of this Part of this Schedule that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated, and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 49 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to Anglian Water by virtue of sub-paragraph (1) must be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to Anglian Water in respect of works by virtue of sub-paragraph (1), if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on Anglian Water any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, is to be reduced by the amount which represents that benefit.

**Commencement Information**

**I68** Sch. 9 para. 27 in force at 13.7.2022, see [art. 1](#)

**28.**—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any such works referred to in paragraphs 22 or 24(2), or by reason of any subsidence resulting from such development or works, any damage is caused to any apparatus or alternative apparatus

(other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of Anglian Water, or there is any interruption in any service provided, or in the supply of any goods, by Anglian Water, the undertaker must—

- (a) bear and pay the cost reasonably incurred by Anglian Water in making good such damage or restoring the supply; and
- (b) make reasonable compensation to Anglian Water for any other expenses, loss, damages, penalty or costs incurred by the undertaker, by reason or in consequence of any such damage or interruption.

(2) The fact that any act or thing may have been done by Anglian Water on behalf of the undertaker or in accordance with a plan approved by Anglian Water or in accordance with any requirement of Anglian Water or under its supervision does not, subject to sub-paragraph (3), excuse the undertaker from liability under the provisions of sub-paragraph (1) unless Anglian Water fails to carry out and execute the works properly with due care and attention and in a skilful and professional like manner or in a manner that does not accord with the approved plan.

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of Anglian Water, its officers, servants, contractors or agents.

(4) Anglian Water must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made, without the consent of the undertaker (such consent not to be unreasonably withheld or delayed) who, if withholding such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

**Commencement Information**

**I69** Sch. 9 para. 28 in force at 13.7.2022, see [art. 1](#)

*Cooperation*

**29.** Where in consequence of the proposed construction of any of the authorised development, the undertaker or Anglian Water requires the removal of apparatus under paragraph 24(2) or Anglian Water makes requirements for the protection or alteration of apparatus under paragraph 26, the undertaker must use all reasonable endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of Anglian Water’s undertaking and Anglian Water must use all reasonable endeavours to co-operate with the undertaker for that purpose.

**Commencement Information**

**I70** Sch. 9 para. 29 in force at 13.7.2022, see [art. 1](#)

**30.** Where the undertaker identifies any apparatus which may belong to or be maintainable by Anglian Water but which does not appear on any statutory map kept for the purpose by Anglian Water, it shall inform Anglian Water of the existence and location of the apparatus as soon as reasonably practicable.

**Commencement Information**

**I71** Sch. 9 para. 30 in force at 13.7.2022, see [art. 1](#)

*Changes to legislation: There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)*

**31.** Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and Anglian Water in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

**Commencement Information**

**I72** Sch. 9 para. 31 in force at 13.7.2022, see [art. 1](#)

**32.** Any time period in which an action must be taken in this part of the Schedule may be amended by written agreement between the undertaker and Anglian Water.

**Commencement Information**

**I73** Sch. 9 para. 32 in force at 13.7.2022, see [art. 1](#)

## PART 4 **E+W+S**

### FOR THE PROTECTION OF CADENT AS GAS UNDERTAKER

#### *Application*

**33.** For the protection of Cadent the following provisions will, unless otherwise agreed in writing between the undertaker and Cadent, have effect.

**Commencement Information**

**I74** Sch. 9 para. 33 in force at 13.7.2022, see [art. 1](#)

#### *Interpretation*

**34.** In this Part of this Schedule—

“alternative apparatus” means appropriate alternative apparatus to the reasonable satisfaction of Cadent to enable Cadent to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means any gas mains, pipes, pressure governors, ventilators, cathodic protections, cables or other apparatus belonging to or maintained by Cadent for the purposes of Cadent’s undertaking together with any replacement apparatus and such other apparatus constructed pursuant to this Order that becomes operational apparatus of Cadent for the purposes of Cadent’s undertaking and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus;

“Cadent” means Cadent Gas Limited (company number 10080864), whose registered office is at Pilot Way, Ansty, Coventry, CV7 9JU, and includes its successors in title or any successor as a gas transporter within the meaning of Part 1 (introductory) of the Gas Act 1986;

“Cadent’s undertaking” means the rights, duties and obligations of Cadent Gas Limited as a public gas transporter within the meaning of Section 7 (licensing of public gas transporters)(**29**) of the Gas Act 1986 (as amended by the Gas Act 1995);

(29) Section 7 was substituted by section 5 of the Gas Act 1996 (c. 45). There are further amendments to section 7 which are not relevant to this Order.

“commence” has the same meaning as in article 2(1) of this Order and “commencement” shall be construed to have the same meaning save that for the purposes of this Part of this Schedule the terms “commence” and “commencement” include any below ground surveys, monitoring, work operations, remedial work in respect of any contamination or other adverse ground conditions, the receipt and erection of construction plant and equipment, and non-intrusive investigations for the purpose of assessing ground conditions;

“deed of consent” means a deed of consent, crossing agreement, deed of variation or new deed of grant agreed between the undertaker and Cadent acting reasonably in order to vary or replace existing easements, agreements, enactments and other such interests so as to secure land rights and interests as are necessary to carry out, maintain, operate and use the apparatus in a manner consistent with the terms of this Part of this Schedule;

“facilities and rights” for construction and for maintenance include any appropriate working areas required to reasonably and safely undertake that construction or maintenance, and any necessary rights of access;

“functions” includes powers and duties;

“ground mitigation scheme” means a scheme approved by Cadent (such approval not to be unreasonably withheld or delayed) setting out the necessary measures (if any) for a ground subsidence event;

“ground monitoring scheme” means a scheme for monitoring ground subsidence which sets out the apparatus which is to be subject to such monitoring, the extent of land to be monitored, the manner in which ground levels are to be monitored, the timescales of any monitoring activities and the extent of ground subsidence which, if exceeded, requires the undertaker to submit for Cadent’s approval a ground mitigation scheme;

“ground subsidence event” means any ground subsidence identified by the monitoring activities set out in the ground monitoring scheme that has exceeded the level described in the ground monitoring scheme as requiring a ground mitigation scheme;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over, across, along or upon such land;

“maintain” and “maintenance” for the purposes of this Part of this Schedule have effect as if Cadent’s existing apparatus was authorised development and as if the term maintain includes protect and use, improve, landscape, preserve, decommission, refurbish or replace;

“plan” or “plans” include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe and assess the works to be executed;

“rights” includes restrictive covenants and, in relation to decommissioned apparatus, the surrender of rights, release of liabilities and transfer of decommissioned apparatus; and

“specified works” means any of the authorised development or activities (including maintenance) undertaken in association with the authorised development which—

- (a) will or may be situated over, or within 15 metres measured in any direction of any apparatus the removal of which has not been required by the undertaker under sub-paragraph 38(2) (removal of apparatus) or otherwise; or
- (b) may in any way adversely affect any apparatus the removal of which has not been required by the undertaker under sub-paragraph 38(2) (removal of apparatus) or otherwise.

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#### **Commencement Information**

**I75** Sch. 9 para. 34 in force at 13.7.2022, see [art. 1](#)

### *On Street apparatus*

**35.**—(1) This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and Cadent are regulated by the provisions of Part 3 (street works in England and Wales) of the 1991 Act, except for—

- (a) paragraphs 36 (apparatus of Cadent in stopped up streets), 41 (retained apparatus: protection of Cadent), 42 (expenses) and 43 (indemnity); and
- (b) where sub-paragraph (2) applies, paragraphs 39 (removal of apparatus) and 34 (facilities and rights for alternative apparatus).

(2) This sub-paragraph applies where any apparatus is diverted from an alignment within the existing adopted public highway but not wholly replaced within the existing adopted public highway, notwithstanding that any diversion may be carried out under the provisions of Part 3 of the 1991 Act.

(3) Paragraph 42 (expenses) does not apply where the authorised development constitutes major highway works, major bridge works or major transport works for the purposes of Part 3 of the 1991 Act, but instead—

- (a) the allowable costs of the relocation works are to be determined in accordance with section 85 (sharing of cost of necessary measures) of that Act and any regulations for the time being having effect under that section; and
- (b) the allowable costs are to be borne by the undertaker and Cadent in such proportions as may be prescribed by any such regulations.

#### **Commencement Information**

**I76** Sch. 9 para. 35 in force at 13.7.2022, see [art. 1](#)

### *Apparatus of Cadent in stopped up streets*

**36.**—(1) Where any street is stopped up under article 17 (permanent stopping up and restriction of use of streets and private means of access), if Cadent has any apparatus in the street or accessed via that street Cadent is entitled to the same rights in respect of such apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to Cadent, or procure the granting to Cadent of, legal easements reasonably satisfactory to Cadent in respect of such apparatus and access to it prior to the stopping up of any such street or highway, but nothing in this paragraph shall affect any right of the undertaker or of Cadent to require the removal of that apparatus under [<sup>F3</sup>paragraph 39] (removal of apparatus).

(2) Notwithstanding the temporary alteration, diversion or restriction of use of any street under the powers of article 16 (temporary alteration, diversion, prohibition and restriction of use of streets), Cadent will be at liberty at all times to take all necessary access across any such street and to execute and do all such works and things in, upon or under any such street as it would have been entitled to do immediately before such temporary alteration, diversion or restriction of use in respect of any apparatus which at the time of the stopping up or diversion was in that street.

#### **Textual Amendments**

**F3** Words in Sch. 9 para. 36(1) substituted (31.7.2023) by [The A47 Blofield to North Burlingham Development Consent \(Correction\) Order 2023 \(S.I. 2023/885\)](#), art. 1, [Sch.](#)

**Commencement Information**

**I77** Sch. 9 para. 36 in force at 13.7.2022, see [art. 1](#)

*Protective works to buildings*

**37.** The undertaker must exercise the powers conferred by article 22 (protective work to buildings) so as not to obstruct or render less convenient the access to any apparatus without the written consent of Cadent (such consent not to be unreasonably withheld or delayed).

**Commencement Information**

**I78** Sch. 9 para. 37 in force at 13.7.2022, see [art. 1](#)

*Acquisition of land*

**38.—(1)** Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to the Order, the undertaker may not appropriate or acquire any interest in land or appropriate, acquire, extinguish, interfere with or override any easement or other interest in land of Cadent otherwise than by agreement.

(2) As a condition of agreement between the parties in sub-paragraph (1), prior to the carrying out or maintenance of any part of the authorised development (or in such other timeframe as may be agreed between Cadent and the undertaker) that is subject to the requirements of this Part of this Schedule that will cause any conflict with or breach the terms of any easement or other legal or land interest of Cadent or affect the provisions of any enactment or agreement regulating the relations between Cadent and the undertaker in respect of any apparatus laid or erected in land belonging to or secured by the undertaker, the undertaker must as Cadent reasonably requires enter into such deeds of consent upon such terms and conditions as may be agreed between Cadent and the undertaker acting reasonably and which must be no less favourable on the whole to Cadent unless otherwise agreed by Cadent, and it will be the responsibility of the undertaker to procure or secure the consent to and entering into of such deeds and variations by all other third parties with an interest in the land at that time who are affected by such authorised development or maintenance thereof.

(3) Where there is any inconsistency or duplication between the provisions set out in this Part of this Schedule relating to the relocation or removal of apparatus, including but not limited to the payment of costs and expenses relating to such relocation or removal of apparatus and the provisions of any existing easement, rights, agreements and licences granted, used, enjoyed or exercised by Cadent and other enactments relied upon by Cadent as of right or other use in relation to the apparatus, then the provisions in this Schedule prevail.

(4) Any agreement or consent granted by Cadent under paragraph 41 (retained apparatus: protection of Cadent) or any other paragraph of this Part of this Schedule, is not to be taken to constitute agreement under sub-paragraph (1).

(5) As a condition of an agreement under sub-paragraph (1) that involves de-commissioned apparatus being left in situ the undertaker must accept a surrender of any existing easement or other interest of Cadent in such decommissioned apparatus and release Cadent from all liabilities in respect of such de-commissioned apparatus from the date of such surrender.

(6) Where an undertaker acquires land which is subject to any Cadent right or interest (including, without limitation, easements and agreements relating to rights or other interests) and the provisions of paragraph 39 (removal of apparatus) do not apply, the undertaker must, unless Cadent agrees otherwise—

- (a) retain any notice of Cadent’s easement, right or other interest on the title to the relevant land when registering the undertaker’s title to such acquired land; and
- (b) (where no such notice of Cadent’s easement, right or other interest exists in relation to such acquired land or any such notice is registered only on the Land Charges Register) include (with its application to register title to the undertaker’s interest in such acquired land at the Land Registry) a notice of Cadent’s easement, right or other interest in relation to such acquired land.

#### Commencement Information

**I79** Sch. 9 para. 38 in force at 13.7.2022, see [art. 1](#)

#### *Removal of apparatus*

**39.**—(1) If, in the exercise of the powers conferred by this Order, including pursuant to any agreement reached in accordance with paragraph 38 (acquisition of land), the undertaker acquires any interest in any land in which any apparatus is placed, that apparatus must not be decommissioned or removed under this Part of this Schedule and any right of Cadent to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed, is in operation, and the facilities and rights referred to in sub-paragraph (2) have been provided, to the reasonable satisfaction of Cadent and in accordance with sub-paragraphs (2) to (5) inclusive.

(2) If, for the purpose of executing any works in, on, under or over any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it must give to Cadent advance written notice of that requirement, together with a plan and section of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order Cadent reasonably needs to move or remove any of its apparatus) the undertaker must afford to Cadent to its satisfaction (taking into account paragraph 39(1) (facilities and rights for alternative apparatus)) the necessary facilities and rights—

- (a) for the construction of alternative apparatus; and
- (b) subsequently for the maintenance of that apparatus.

(3) If the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2), in the land in which the alternative apparatus or part of such apparatus is to be constructed, Cadent must, on receipt of a written notice to that effect from the undertaker, take such steps as are reasonable in the circumstances in an endeavour to assist the undertaker in obtaining the necessary facilities and rights in the land in which the alternative apparatus is to be constructed save that this obligation does not extend to the requirement for Cadent to use its compulsory purchase powers to this end unless it (in its absolute discretion) elects to so do.

(4) Any alternative apparatus to be constructed in land of or land secured by the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between Cadent and the undertaker.

(5) Cadent must, after the alternative apparatus to be provided or constructed has been agreed, and subject to the prior grant to Cadent of such facilities and rights as are referred to in sub-paragraph (2) or (3), then proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to decommission or remove any apparatus required by the undertaker to be decommissioned or removed under the provisions of this Part of this Schedule.



**Commencement Information**

**180** Sch. 9 para. 39 in force at 13.7.2022, see [art. 1](#)

*Facilities and rights for alternative apparatus*

**40.**—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to or secures for Cadent facilities and rights in land for the access to, construction and maintenance of alternative apparatus in substitution for apparatus to be decommissioned or removed, those facilities and rights must be granted upon such terms and conditions as may be agreed between the undertaker and Cadent and must be no less favourable on the whole to Cadent than the facilities and rights enjoyed by it in respect of the apparatus to be decommissioned or removed unless otherwise agreed by Cadent.

(2) If the facilities and rights to be afforded by the undertaker and agreed with Cadent under sub-paragraph (1) in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are less favourable on the whole to Cadent than the facilities and rights enjoyed by it in respect of the apparatus to be decommissioned or removed, then the terms and conditions to which those facilities and rights are subject in the matter may be referred to arbitration in accordance with paragraph 49 (arbitration) of this Part of this Schedule and the arbitrator must make such provision for the payment of compensation by the undertaker to Cadent as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

**Commencement Information**

**181** Sch. 9 para. 40 in force at 13.7.2022, see [art. 1](#)

*Retained apparatus: protection of Cadent*

**41.**—(1) Not less than 56 days before the commencement of any specified works the undertaker must submit to Cadent a plan and, if reasonably required by Cadent, a ground monitoring scheme in respect of those works.

(2) The plan to be submitted to Cadent under sub-paragraph (1) must include a method statement and describe—

- (a) the exact position of the works;
- (b) the level at which these are proposed to be constructed or renewed;
- (c) the manner of their construction or renewal including details of excavation, positioning of plant etc.;
- (d) the position of all apparatus;
- (e) by way of detailed drawings, every alteration proposed to be made to or close to any such apparatus; and
- (f) any intended maintenance regimes.

(3) The undertaker must not commence any specified works until Cadent has given written approval of the plan so submitted (and the ground monitoring scheme if required).

(4) Any approval of Cadent given under sub-paragraph (3)—

- (a) may be given subject to reasonable conditions for any purpose mentioned in sub-paragraph (5); and
- (b) must not be unreasonably withheld or delayed and Cadent must meaningfully engage with the undertaker within 28 days of the date of submission of the plan under sub-paragraph (1).
- (5) Cadent may require such modifications to be made to the plan as may be reasonably necessary for the purpose of securing its apparatus against interference or risk of damage or for the purpose of providing or securing proper and convenient means of access to any apparatus.
- (6) Specified works must only be executed in accordance with—
- (a) the plan submitted under sub-paragraph (1) (and ground monitoring scheme if required), as approved or as amended from time to time by agreement between the undertaker and Cadent; and
- (b) all conditions imposed under sub-paragraph (4)(a), and Cadent will be entitled to watch and inspect the execution of those works.
- (7) Where Cadent requires any protective works to be carried out by itself or by the undertaker (whether of a temporary or permanent nature) such protective works, inclusive of any measures or schemes required and approved as part of the plan approved pursuant to this paragraph, must be carried out to Cadent’s satisfaction prior to the commencement of any specified works (or any relevant part thereof) for which protective works are required prior to commencement.
- (8) If Cadent, in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, [F4 paragraphs 33 to 35 and 38] to 40 apply as if the removal of the apparatus had been required by the undertaker under [F4 paragraph 39(2)] (removal of apparatus).
- (9) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 56 days before commencing the execution of the specified works, a new plan (and ground monitoring scheme if required), instead of the plan previously submitted, and having done so the provisions of this paragraph will apply to and in respect of the new plan (and ground monitoring scheme if required).
- (10) As soon as reasonably practicable after any ground subsidence event attributable to the authorised development (including such an event attributable to its maintenance)—
- (a) the undertaker must implement an appropriate ground mitigation scheme; and
- (b) Cadent retains the right to carry out any further necessary protective works for the safeguarding of its apparatus and can recover any such costs in line with [F5 paragraph 42] (expenses).
- (11) The undertaker is not required to comply with sub-paragraph (1) where it needs to carry out emergency works but in that case it must give to Cadent notice as soon as is reasonably practicable and a plan of those works and must comply with the conditions imposed under sub-paragraph (4)(a) insofar as is reasonably practicable in the circumstances.
- (12) In this paragraph, “emergency works” means works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property.

#### Textual Amendments

- F4** Words in Sch. 9 para. 41(8) substituted (31.7.2023) by The A47 Blofield to North Burlingham Development Consent (Correction) Order 2023 (S.I. 2023/885), art. 1, Sch.

**F5** Words in Sch. 9 para. 41(10)(b) substituted (31.7.2023) by The A47 Blofield to North Burlingham Development Consent (Correction) Order 2023 (S.I. 2023/885), art. 1, Sch.

#### Commencement Information

**I82** Sch. 9 para. 41 in force at 13.7.2022, see [art. 1](#)

### *Expenses*

**42.**—(1) Subject to the following provisions of this paragraph, the undertaker must pay to Cadent on demand, all charges, costs and expenses reasonably anticipated or reasonably incurred by Cadent in, or in connection with, the inspection, removal, relaying or replacing, alteration or protection of any apparatus or the construction of any new or alternative apparatus which may be required in consequence of the execution of any authorised development including without limitation—

- (a) any costs reasonably incurred by or compensation properly paid by Cadent in connection with the acquisition of rights or the exercise of statutory powers for such apparatus including without limitation all costs (including professional fees) incurred by Cadent as a consequence of Cadent—
  - (i) using its own compulsory purchase powers to acquire any necessary rights under [<sup>F6</sup>paragraph 39(3)] (removal of apparatus) if it elects to do so; or
  - (ii) exercising any compulsory purchase powers under this Order transferred to or benefitting Cadent;
- (b) in connection with the cost of the carrying out of any diversion work or the provision of any alternative apparatus;
- (c) the cutting off of any apparatus from any other apparatus or the making safe of redundant apparatus;
- (d) the approval of plans;
- (e) the carrying out of protective works, plus a capitalised sum to cover the cost of maintaining and renewing permanent protective works;
- (f) the survey of any land, apparatus or works, the inspection and monitoring of works or the installation or removal of any temporary works reasonably necessary in consequence of the execution of any such works referred to in this Part of this Schedule;
- (g) any watching brief pursuant to sub-<sup>F7</sup>[paragraph 41(6)] (retained apparatus: protection of Cadent).

(2) There will be deducted from any sum payable under sub-paragraph (1) the value of any apparatus removed under the provisions of this Part of this Schedule and which is not re-used as part of the alternative apparatus, that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with paragraph 49 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity

or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to Cadent by virtue of sub-paragraph (1) will be reduced by the amount of that excess save to the extent that it is not possible in the circumstances (or it would be unlawful due to a statutory or regulatory change) to obtain the existing type of apparatus at the same capacity and dimensions or place at the existing depth in which case full costs will be borne by the undertaker.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus will not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole will be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to Cadent in respect of works by virtue of sub-paragraph (1) will, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on Cadent any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

#### Textual Amendments

- F6** Words in Sch. 9 para. 42(1)(a)(i) substituted (31.7.2023) by The A47 Blofield to North Burlingham Development Consent (Correction) Order 2023 (S.I. 2023/885), art. 1, Sch.
- F7** Words in Sch. 9 para. 42(1)(g) substituted (31.7.2023) by The A47 Blofield to North Burlingham Development Consent (Correction) Order 2023 (S.I. 2023/885), art. 1, Sch.

#### Commencement Information

- I83** Sch. 9 para. 42 in force at 13.7.2022, see art. 1

### Indemnity

**43.**—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any such works authorised by this Part of this Schedule (including without limitation relocation, diversion, decommissioning, construction and maintenance of apparatus or alternative apparatus) or in consequence of the construction, use, maintenance or failure of any of the authorised development (including works carried out under article 22 (protective work to buildings)) by or on behalf of the undertaker or in consequence of any act or default of the undertaker (or any person employed or authorised by the undertaker) in the course of carrying out such works, including without limitation works carried out by the undertaker under this Part of this Schedule or any subsidence resulting from any of these works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of the authorised development) or property of Cadent, or there is any interruption in any service provided, or in the supply of any goods, by Cadent, or Cadent becomes liable to pay any amount to any third party, the undertaker will—

- (a) bear and pay on demand accompanied by an invoice or claim from Cadent, the cost reasonably incurred by Cadent in making good such damage or restoring the supply; and
- (b) indemnify Cadent for any other expenses, loss, demands, proceedings, damages, claims, penalty, compensation or costs properly incurred by, paid by or recovered from Cadent, by reason or in consequence of any such damage or interruption or Cadent becoming liable to any third party as aforesaid other than arising from any default of Cadent.

(2) The fact that any act or thing may have been done by Cadent on behalf of the undertaker or in accordance with a plan approved by Cadent or in accordance with any requirement of Cadent or under its supervision including under any watching brief will not (unless sub-paragraph (3) applies) excuse the undertaker from liability under the provisions of this sub-paragraph (1) unless Cadent fails to carry out and execute the works properly with due care and attention and in a skilful and workman like manner or in a manner that does not accord with the approved plan.

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker in respect of—

- (a) any damage or interruption to the extent that it is attributable to the neglect or default of Cadent, its officers, servants, contractors or agents; and
- (b) any part of the authorised development carried out by Cadent in the exercise of any functions conferred by this Order pursuant to a grant or transfer under article 10 (consent to transfer benefit of the Order).
- (c) any indirect or consequential loss of any third party (including but not limited to loss of use, revenue, profit, contract, production, increased cost of working or business interruption) arising from any such damage or interruption, which is not reasonably foreseeable at the commencement of the relevant works referred to in sub-paragraph (1).

(4) Cadent must give the undertaker reasonable notice of any such third party claim or demand and no settlement, admission of liability or compromise must, unless payment is required in connection with a statutory compensation scheme, be made without first consulting the undertaker and considering their representations.

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**Commencement Information**

**I84** Sch. 9 para. 43 in force at 13.7.2022, see [art. 1](#)

*Enactments and agreements*

44. Except where this Part of this Schedule provides otherwise or by agreement in writing between Cadent and the undertaker, nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and Cadent in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

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**Commencement Information**

**I85** Sch. 9 para. 44 in force at 13.7.2022, see [art. 1](#)

*Co-operation*

45.—(1) Where in consequence of the proposed construction of any part of the authorised development, the undertaker or Cadent requires the removal of apparatus under [<sup>F8</sup>paragraph 39(2)] (removal of apparatus) or Cadent makes requirements for the protection or alteration of apparatus under [<sup>F8</sup>paragraph 41] (retained apparatus: protection of Cadent), the undertaker must use its best endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of Cadent's undertaking and Cadent must use its best endeavours to co-operate with the undertaker for that purpose.

*Changes to legislation: There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)*

(2) For the avoidance of doubt whenever Cadent’s consent, agreement or approval is required in relation to plans, documents or other information submitted by Cadent or the taking of action by Cadent, it must not be unreasonably withheld or delayed.

#### Textual Amendments

**F8** Words in [Sch. 9 para. 45\(1\)](#) substituted (31.7.2023) by [The A47 Blofield to North Burlingham Development Consent \(Correction\) Order 2023 \(S.I. 2023/885\)](#), art. 1, [Sch.](#)

#### Commencement Information

**I86** Sch. 9 para. 45 in force at 13.7.2022, see [art. 1](#)

#### Access

**46.** If in consequence of any agreement reached in accordance with paragraph 38(1) (acquisition of land) or the powers conferred by this Order the access to any apparatus is materially obstructed, the undertaker must provide such alternative rights and means of access to such apparatus as will enable Cadent to maintain or use the apparatus no less effectively than was possible before such obstruction.

#### Commencement Information

**I87** Sch. 9 para. 46 in force at 13.7.2022, see [art. 1](#)

#### Arbitration

**47.** Save for differences or disputes arising under [<sup>F9</sup>paragraphs 39(2) and (4)] (removal of apparatus) and [41\(11\)](#) (retained apparatus: protection of Cadent) any difference or dispute arising between the undertaker and Cadent under this Part of this Schedule must, unless otherwise agreed in writing between the undertaker and Cadent, be determined by arbitration in accordance with article [49](#) (arbitration).

#### Textual Amendments

**F9** Words in [Sch. 9 para. 47](#) substituted (31.7.2023) by [The A47 Blofield to North Burlingham Development Consent \(Correction\) Order 2023 \(S.I. 2023/885\)](#), art. 1, [Sch.](#)

#### Commencement Information

**I88** Sch. 9 para. 47 in force at 13.7.2022, see [art. 1](#)

#### Notices

**48.** Notwithstanding article [48](#) (service of notices) any plans submitted to Cadent by the undertaker pursuant to [<sup>F10</sup>paragraph 41(1)] (retained apparatus: protection of Cadent) must be sent by email to Cadent Gas Limited Plant Protection at [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) as well as by post to Plant Protection, Cadent Gas Limited, Brick Kiln Street, Hinckley, Leicestershire, LE10 0NA, or such other address as Cadent may from time to time appoint instead for that purpose and notify to the undertaker in writing.

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

**Textual Amendments**

**F10** Words in Sch. 9 para. 48 substituted (31.7.2023) by The A47 Blofield to North Burlingham Development Consent (Correction) Order 2023 (S.I. 2023/885), art. 1, Sch.

**Commencement Information**

**I89** Sch. 9 para. 48 in force at 13.7.2022, see art. 1

SCHEDULE 10 **E+W+S**

Article 47

DOCUMENTS, ETC. TO BE CERTIFIED

PART 1 **E+W+S**

ENVIRONMENTAL STATEMENT

**Commencement Information**

**I90** Sch. 10 Pt. 1 in force at 13.7.2022, see art. 1

<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Document Reference</i>	<i>(3)</i> <i>Revision</i>
Environmental Statement - Chapter 1: Introduction	TR010040/APP/6.1	Rev 1
Environmental Statement - Chapter 2: The Proposed Scheme	TR010040/APP/6.1	Rev 2
Environmental Statement - Chapter 3: Assessment of Alternatives	TR010040/APP/6.1	Rev 1
Environmental Statement - Chapter 4: Environmental Assessment Methodology	TR010040/APP/6.1	Rev 0
Environmental Statement - Chapter 5: Air Quality	TR010040/APP/6.1	Rev 0
Environmental Statement - Chapter 6: Cultural Heritage	TR010040/APP/6.1	Rev 3
Environmental Statement - Chapter 7: Landscape and Visual Effects	TR010040/APP/6.1	Rev 0
Environmental Statement - Chapter 8: Biodiversity	TR010040/APP/6.1	Rev 2

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Document Reference</i>	<i>(3)</i> <i>Revision</i>
Environmental Statement - Chapter 9: Geology and Soils	TR010040/APP/6.1	Rev 0
Environmental Statement - Chapter 10: Materials Assets and Waste	TR010040/APP/6.1	Rev 1
Environmental Statement - Chapter 11: Noise and Vibration	TR010040/APP/6.1	Rev 1
Environmental Statement - Chapter 12: Population and Human Health	TR010040/APP/6.1	Rev 2
Environmental Statement - Chapter 13: Road Drainage and Water Environment	TR010040/APP/6.1	Rev 1
Environmental Statement - Chapter 14: Climate	TR010040/APP/6.1	Rev 2
Environmental Statement - Chapter 15: Cumulative Effects Assessment	TR010040/APP/6.1	Rev 0
Environmental Statement - Appendix 4.1 Scoping Opinion Responses	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 5.1 Air Quality Dispersion Modelling Process	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 5.2 Air Quality Verification and Model Adjustment	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 5.3 Air Quality Receptor Results	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 6.1 Cultural Heritage Information	TR010040/APP/6.2	Rev 1
Environmental Statement - Appendix 6.2 Geophysical and Metal Detector Survey	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 6.3 Geophysical Survey	TR010040/APP/6.2	Rev 0



<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Document Reference</i>	<i>(3)</i> <i>Revision</i>
Environmental Statement - Appendix 6.4 Archaeological Evaluation	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 7.1 Planning Policy Context	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 7.2 Landscape and Visual Assessment Criteria	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 7.3 ZTV and Verified Photomontage Methodology	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 7.4 Landscape Character Areas	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 7.5 Visual Receptors	TR010040/APP/6.2	Rev 1
Environmental Statement - Appendix 7.6 Representative Viewpoints	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 7.7 Arboricultural Impact Assessment	TR010040/APP/6.2	Rev 1
Environmental Statement - Appendix 7.8 Lighting Assessment	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.1 Legislation and policy framework	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.2 DMRB biodiversity evaluation assessment methodology	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.3 2018 Bat survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.4 2018 Breeding bird survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.5 Wintering bird survey report	TR010040/APP/6.2	Rev 0

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Document Reference</i>	<i>(3)</i> <i>Revision</i>
Environmental Statement - Appendix 8.6 Badger survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.7 Terrestrial invertebrate report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.8 Great Crested Newt report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.9 Reptile survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.10 2020 Bat survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.11 Bat activity crossing point survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.12 Breeding Bird and Barn Owl survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 8.13 Botanical Survey report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 9.1 Contaminated Land Preliminary Risk Assessment	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 10.1 Legislation and Policy Framework	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 10.2 Waste Disposal Assessment	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 10.3 Outline Site Waste Management Plan	TR010040/APP/6.2	Rev 1
Environmental Statement - Appendix 10.4 Minerals Impact Assessment	TR010040/APP/6.2	Rev 0

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Document Reference</i>	<i>(3)</i> <i>Revision</i>
Environmental Statement - Appendix 11.1 Glossary of Terms	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 11.2 Legislation and Policy Framework	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 11.3 Baseline Noise Survey	TR010040/APP/6.2	Rev 1
Environmental Statement - Appendix 11.4 Noise Sensitive Receptors	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 11.5 Construction Noise Assessment	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 13.1 Flood Risk Assessment	TR010040/APP/6.2	Rev 1
Environmental Statement - Appendix 13.2 Drainage Strategy	TR010040/APP/6.2	Rev 1
Environmental Statement - Appendix 13.3 Groundwater Assessment	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 14.1 Carbon Assessment Report	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 15.1 CEA Stage 2 Screening	TR010040/APP/6.2	Rev 0
Environmental Statement - Appendix 15.2 CEA Short List	TR010040/APP/6.2	Rev 0
Environmental Statement - Figures 1.1 to 2.1	TR010040/APP/6.3	Rev 0
Environmental Statement - Figures 5.1 to 5.9	TR010040/APP/6.3	Rev 0
Environmental Statement - Figures 6.1 to 6.4	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 6.5	TR010040/APP/6.3	Rev 0

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

(1) <i>Document</i>	(2) <i>Document Reference</i>	(3) <i>Revision</i>
Environmental Statement - Figure 6.6	TR010040/APP/6.3	Rev 0
Environmental Statement - Figures 7.1 to 7.5	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 7.6.1	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 7.6.2	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 7.6.3	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 7.6.4	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 7.6.5	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 7.6.6	TR010040/APP/6.3	Rev 0
Environmental Statement - Figure 7.6.7	TR010040/APP/6.3	Rev 0
Environmental Statement - Figures 7.6.8 to 7.6.9	TR010040/APP/6.3	Rev 0
Environmental Statement - Figures 7.6.10 to 7.6.13	TR010040/APP/6.3	Rev 0
Environmental Statement - Figures 8.1 to 9.1	TR010040/APP/6.3	Rev 1
Environmental Statement - Figures 11.1 to 11.10	TR010040/APP/6.3	Rev 0
Environmental Statement - Figures 12.1 to 12.3	TR010040/APP/6.3	Rev 1
Environmental Statement - Figures 13.1 to 15.1	TR010040/APP/6.3	Rev 0

**PART 2** E+W+S  
**OTHER DOCUMENTS**

**Commencement Information**

**191** Sch. 10 Pt. 2 in force at 13.7.2022, see [art. 1](#)

**Changes to legislation:** There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022. (See end of Document for details)

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Document</i>	<i>Document Reference</i>	<i>Revision</i>
Book of reference	TR010040/APP/4.3	Rev 7
Classification of roads plans	TR010040/APP/2.12	Rev 0
De-trunking plans	TR010040/APP/2.10	Rev 0
EMP (First Iteration)	TR010040/APP/7.7	Rev 6
Engineering drawings and sections	TR010040/APP/2.5	Rev 1
General arrangement plans	TR010040/APP/2.6	Rev 4
Hedgerow plan	TR010040/APP/2.9	Rev 1
Land plans	TR010040/APP/2.2	Rev 2
Masterplan	TR010040/APP/6.8	Rev 4
Outline traffic management plan	TR010040/APP/7.8	Rev 2
Report to Inform Habitats Regulations Assessment	TR010040/APP/6.9	Rev 3
Rights of way and access plans	TR010040/APP/2.4	Rev 4
Traffic regulation plans	TR010040/APP/2.11	Rev 0
Works plans	TR010040/APP/2.3	Rev 2

**Changes to legislation:**

There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022.