
STATUTORY INSTRUMENTS

2023 No. 218

INFRASTRUCTURE PLANNING

The A47 Wansford to Sutton Development Consent Order 2023

Made - - - - 17th February 2023

Coming into force 10th March 2023

**THE A47 WANSFORD TO SUTTON
DEVELOPMENT CONSENT ORDER 2023**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Disapplication of legislative provisions
4. Maintenance of drainage works

PART 2

PRINCIPAL POWERS

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

PART 3

STREETS

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

Status: This is the original version (as it was originally made).

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

PART 4

SUPPLEMENTAL POWERS

21. Discharge of water
22. Protective work to buildings
23. Authority to survey and investigate the land

PART 5

POWERS OF ACQUISITION

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

PART 6

OPERATIONS

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

PART 7

MISCELLANEOUS AND GENERAL

41. Application of landlord and tenant law
 42. Operational land for purposes of the 1990 Act
 43. Defence to proceedings in respect of statutory nuisance
 44. Disregard of certain improvements etc.
 45. Set off for enhancement in value of retained land
 46. Protection of interests
 47. Certification of documents, public register, etc.
 48. Service of notices
 49. Arbitration
 50. Crown Rights
 51. Removal of human remains
- Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

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

SCHEDULE 3 — CLASSIFICATION OF ROADS, ETC

PART 1 — TRUNK ROADS

PART 2 — CLASSIFIED C ROADS

PART 3 — UNCLASSIFIED ROADS

PART 4 — SPEED LIMITS

PART 5 — REVOCATIONS & VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS

PART 6 — FOOTPATHS, CYCLE TRACKS, FOOTWAYS AND BRIDLEWAYS

PART 7 — ROADS TO BE DETRUNKED

PART 8 — TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

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

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

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

PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW PRIVATE MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED

Status: This is the original version (as it was originally made).

PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 5 — ALTERATIONS TO PRIVATE MEANS OF ACCESS

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

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

Compensation enactments

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

Application of Part 1 of the 1965 Act

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

SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — REMOVAL OF HEDGEROWS AND TREES

PART 1 — REMOVAL OF HEDGEROWS

PART 2 — REMOVAL OF IMPORTANT HEDGEROWS

SCHEDULE 9 — PROTECTIVE PROVISIONS

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

1. For the protection of the utility undertakers referred to in...
2. In this Part of this Schedule— “alternative apparatus” means alternative...
3. On street apparatus
4. Apparatus in stopped up streets
5. Protective works to buildings
6. Acquisition of land
7. Removal of apparatus
8. Facilities and rights for alternative apparatus
9. Retained apparatus
10. Expenses and costs
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...
12. Cooperation
13. Nothing in this Part of this Schedule affects the provisions...

PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

14. For the protection of any operator, the following provisions have...
15. In this Part of this Schedule— “the 2003 Act” means...
16. The exercise of the powers conferred by article 36 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as the...

PART 3 — FOR THE PROTECTION OF ANGLIAN WATER

18. Application
19. Interpretation
20. On street apparatus

21. Schedule of apparatus
22. Apparatus in stopped up streets
23. Protective works to buildings
24. Acquisition of land
25. Removal of apparatus
26. Facilities and rights for alternative apparatus
27. Retained apparatus
28. Expenses and costs
29. (1) Subject to sub-paragraphs (2) and (3), if by reason...
30. Cooperation
31. Where the undertaker identifies any apparatus which may belong to...
32. Nothing in this Part of this Schedule affects the provisions...
33. Any time period in which an action must be taken...
PART 4 — FOR THE PROTECTION OF NGG AS GAS UNDERTAKER
34. Application
35. Interpretation
36. Except for paragraphs 37 (apparatus of NGG in stopped up...
37. Apparatus of NGG in stopped up streets
38. Protective works to buildings
39. Acquisition of land
40. Removal of apparatus
41. Facilities and rights for alternative apparatus
42. Retained apparatus: protection of gas undertaker
43. Expenses
44. Indemnity
45. Enactments and agreements
46. Co-operation
47. Access
48. Arbitration
49. Notices
PART 5 — FOR THE PROTECTION OF NATIONAL GRID ELECTRICITY
TRANSMISSION PLC AS ELECTRICITY UNDERTAKER
50. Application
51. Interpretation
52. Except for paragraphs 52 (apparatus of National Grid in stopped...
53. Apparatus of National Grid in stopped up streets
54. Protective works to buildings
55. Acquisition of land
56. Removal of apparatus
57. Facilities and rights for alternative apparatus
58. Retained apparatus: protection of electricity undertaker
59. Expenses
60. Indemnity
61. Enactments and agreements
62. Co-operation
63. Access
64. Arbitration
65. Notices
PART 6 — FOR THE PROTECTION OF NATIONAL GRID ELECTRICITY
DISTRIBUTION (EAST MIDLANDS) PLC AS ELECTRICITY
UNDERTAKER
66. Application
67. Interpretation

Status: This is the original version (as it was originally made).

68. Precedence of 1991 Act in respect of apparatus in streets
69. No acquisition except by agreement
70. Removal of apparatus
71. Facilities and rights for alternative apparatus
72. Retained apparatus
73. Expenses and costs
74. (1) Subject to sub-paragraph (2), if by reason or in...
75. Expert determination

SCHEDULE 10 — DOCUMENTS TO BE CERTIFIED
PART 1 — ENVIRONMENTAL STATEMENT
PART 2 — OTHER DOCUMENTS

Explanatory Note