

SCHEDULES

SCHEDULE 1

Article 2

AUTHORISED DEVELOPMENT

In the administrative area of Wiltshire Council

The authorised development is situated in the administrative area of Wiltshire Council.

A nationally significant infrastructure project as defined in sections 14 (nationally significant infrastructure projects: general) and 22 (highways) of the 2008 Act, and associated development within the meaning of section 115(2) (development for which development consent may be granted) of the 2008 Act, comprising—

Work No. 1 – as shown on sheets 1 to 11 of the works plans and being the construction of a new all-purpose dual carriageway (‘the new A303’) and of improvements to the existing A303 to include—

- (a) **Work No. 1A** – as shown on sheets 1, 2, 3 and 4 of the works plans and being the construction of the new A303 and of improvements to sections of the existing A303, to include—
 - (i) the improvement of the existing A303 eastbound and westbound single and dual lane carriageway;
 - (ii) the construction of a new bridge (Green Bridge One) to carry a new restricted byway and private means of access over the new A303 as shown illustratively on sheet 3 of the rights of way and access plans;
 - (iii) the construction of new restricted byways on the northern and southern sides of the new alignment of the A303 as shown illustratively on sheets 1, 2 and 3 of the rights of way and access plans;
 - (iv) the construction of a new byway open to all traffic as shown illustratively on sheets 2 and 3 of the rights of way and access plans;
 - (v) the construction of a new bridge to carry the new A303 over the realigned B3083 (forming part of Work No. 2);
 - (vi) the construction and installation of a new variable message sign; and
 - (vii) the construction of new private means of access, as shown illustratively on sheets 2 and 3 of the rights of way and access plans.
- (b) **Work No. 1B** – as shown on sheet 4 of the works plans and being the construction of the new A303, to include—
 - (i) the construction of a new viaduct crossing the River Till, to carry the new A303 over the River Till;
 - (ii) the construction of new private means of access, as shown illustratively on sheet 4 of the rights of way and access plans; and
 - (iii) the construction and installation of a new variable message sign.
- (c) **Work No. 1C** – as shown on sheets 4 and 5 of the works plans and being the construction of the new A303, to include—

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- (i) the construction of a new bridge (Green Bridge Two) to carry the realigned byway open to all traffic WSTO6B over the new A303 as shown illustratively on sheet 4 of the rights of way and access plans;
 - (ii) the construction of new eastbound and westbound merge and diverge slip roads for a new grade-separated junction ('the new Longbarrow Junction') between the realigned A360 and the new A303 (forming part of Work No. 4);
 - (iii) the construction of a new bridleway between the southern roundabout of the new Longbarrow Junction and the existing A360, as shown illustratively on sheet 5 of the rights of way and access plans;
 - (iv) the construction of crossovers within the new central reservation at the new Longbarrow Junction;
 - (v) the provision of a temporary electricity substation for the benefit of Southern Electric Power Distribution plc;
 - (vi) the construction and installation of a new variable message sign; and
 - (vii) the construction of new private means of access, as shown illustratively on sheets 4 and 5 of the rights of way and access plans.
- (d) **Work No. 1D** – as shown on sheets 5 and 6 of the works plans and being the construction of the new A303, to include—
- (i) the construction of a new bridge (Green Bridge Four), to carry a new restricted byway and private means of access (part of Work No. 6) over the new A303, as shown illustratively on sheet 5 of the rights of way and access plans;
 - (ii) the construction of new western portal approach retaining walls and associated works for the new A303;
 - (iii) the construction of new tunnel service buildings;
 - (iv) the provision of a temporary electricity substation;
 - (v) the construction of a crossover within the new central reservation at the new Longbarrow Junction;
 - (vi) the construction of a new bridleway running on the south side of the new A303 westbound carriageway and westbound diverge slip road as shown illustratively on sheet 5 of the rights of way and access plans; and
 - (vii) the construction of new private means of access, as shown illustratively on sheet 5 of the rights of way and access plans.
- (e) **Work No. 1E** – as shown on sheet 6 of the works plans and being the construction of the new A303, to include—
- (i) the construction of a new cut and cover section of tunnel; and
 - (ii) the construction of a western portal for the new A303 tunnel.
- (f) **Work No. 1F** – as shown on sheets 6, 7 and 8 of the works plans and being the construction of part of the new A303, comprising a new twin bore highway tunnel, comprising two bores, one for eastbound traffic and one for westbound traffic, with a two-lane carriageway in each direction, and including cross-passages connecting the two tunnels.
- (g) **Work No. 1G** – as shown on sheet 8 of the works plans and being the construction of the new A303, to include—
- (i) the construction of a new cut and cover section of tunnel;
 - (ii) the construction of new tunnel service buildings; and
 - (iii) the construction of an eastern portal for the new A303 tunnel.

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- (h) **Work No. 1H** – as shown on sheets 8, 9, 10 and 11 of the works plans and being the construction of the new A303 and of improvements to sections of the existing A303, and the improvement of connecting highway junctions, to include—
- (i) the construction of new tunnel service buildings;
 - (ii) the construction of new eastern portal approach retaining walls and associated works for the new A303;
 - (iii) the construction of new eastbound and westbound merge and diverge slip road connections between the new A303 and the existing junction of the A303 with the A345 (Countess Roundabout), together with retaining walls and associated works, and tie-ins to existing carriageway;
 - (iv) the construction of two new bridge structures to carry the new A303 on a flyover above the Countess Roundabout;
 - (v) the construction of a crossover within the new central reservation on the flyover above the Countess Roundabout;
 - (vi) the removal of an existing subway to the east of the existing Countess Roundabout and replacement provision of new at-grade crossing facilities for non-motorised users on the A345;
 - (vii) works associated with tie-ins to existing carriageways approaching and crossing the existing River Avon Bridge carrying the new and improved A303;
 - (viii) works to effect the stopping up of the existing A303 central reserve opening at the junction of the existing A303 with the existing side road known as Allington Track;
 - (ix) the construction of a new realigned eastbound access from the A303 into the existing Amesbury Road;
 - (x) works to effect the stopping up of the existing eastbound access from Amesbury Road onto the A303;
 - (xi) the construction of a new realigned A303 eastbound access from the existing A3028 Double Hedges Road onto the A303;
 - (xii) works to effect the stopping up of the existing access between byway AMES1 and the eastbound carriageway of the A303;
 - (xiii) works to effect the stopping up of the section of byways BULF12 and AMES2 between the existing A303 and the junction between the existing Amesbury Road and the existing A3028;
 - (xiv) the construction of new private means of access, as shown illustratively on sheets 8 and 11 of the rights of way and access plans;
 - (xv) the provision of a temporary electricity substation; and
 - (xvi) the construction and installation of new variable message signs.

Work No. 2 – as shown on sheets 3 and 12 of the works plans and comprising—

- (a) the realignment of the B3083, passing under the new A303 (Work No. 1A); and
- (b) the construction of new private means of access, as shown illustratively on sheet 3 of the rights of way and access plans.

Work No. 3 – as shown on sheets 2, 3, 4 and 5 of the works plans and being the improvement of the existing A303, to include—

- (a) **Work No. 3A** – as shown on sheets 2, 3 and 4 of the works plans and comprising—
 - (i) the construction of a new byway open to all traffic, as shown illustratively on sheets 2 and 3 of the rights of way and access plans;

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- (ii) the construction of new private means of access, as shown illustratively on sheets 2 and 3 of the rights of way and access plans; and
 - (iii) works to support the reclassification of the existing A303 from a trunk road to a C road, including closure of an existing lay-by, and including the construction of a shared use cycle track.
- (b) **Work No. 3B** – as shown on sheet 4 of the works plans and being—
- (i) the construction of a new bridleway to the north of the existing A303, as shown illustratively on sheet 4 of the rights of way and access plans; and
 - (ii) the construction of new private means of access, as shown illustratively on sheet 4 of the rights of way and access plans.
- (c) **Work No. 3C** – as shown on sheets 4 and 5 of the works plans and being—
- (i) the construction of a new highway link from the existing A303 to the southern roundabout of the new Longbarrow Junction (Work No. 4), including the construction of a cycleway; and
 - (ii) the construction of new private means of access, as shown illustratively on sheets 4 and 5 of the rights of way and access plans.

Work No. 4 – as shown on sheets 5, 14 and 15 of the works plans and being the realignment of the existing A360 and forming part of the new Longbarrow Junction, to include—

- (a) the construction of a new bridge (Green Bridge Three) to carry the realigned A360 over the new A303;
- (b) the construction of two new roundabouts connected by a short length of dual carriageway;
- (c) the construction of a new single carriageway two-way link road and tie-in from the new northern roundabout (forming part of the new Longbarrow Junction) to the existing A360 (north);
- (d) the construction of a new single carriageway two-way link road and tie-in from the new southern roundabout (forming part of the new Longbarrow Junction) to the existing A360 (south);
- (e) the construction of new private means of access, as shown illustratively on sheets 5, 14 and 15 of the rights of way and access plans;
- (f) the construction of a new right of way, partly shared use cycle track and partly restricted byway running southwards from the existing Airman’s Corner roundabout, and broadly parallel with the alignment of the existing A360, save where it runs to the east of the dew pond, to its junction with the existing Longbarrow roundabout, as shown illustratively on sheets 5 and 14 of the rights of way and access plans;
- (g) the construction of a new restricted byway running northwards from the junction between byway BSJA9 and the A360, to the new A303, as shown illustratively on sheets 5 and 15 of the rights of way and access plans; and
- (h) the construction of a new bridleway running southwards from the western end point of byway BSJA9 and then south-eastwards to its junction with byway WFOR16, as shown illustratively on sheet 15 of the rights of way and access plans.

Work No. 5 – as shown on sheet 13 of the works plans and being the realignment and change to vehicle priority layout at the Rolleston Cross junction, to include—

- (a) the construction of a realigned section of the existing east-west length of the B3086, known as ‘the Packway’;
- (b) the construction of a realigned section of unclassified road from the north of the existing Rolleston Cross Junction;

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- (c) the construction of a realigned section of the existing north-south B3086;
- (d) the construction of a realigned section of the existing unclassified highway 094402 (the Packway); and
- (e) the construction of new private means of access, as shown illustratively on sheet 13 of the rights of way and access plans.

Work No. 6 – as shown on sheets 5, 6, 7 and 8 of the works plans and being the conversion of part of the existing A303 to a new restricted byway, to include—

- (a) the construction of a new restricted byway running from the existing Longbarrow roundabout eastwards, generally along the line of the existing A303 to the junction between Stonehenge Road and footpath AMES13, as shown illustratively on sheets 5, 6, 7 and 8 of the rights of way and access plans, and including the provision of a new turning head at the junction between Stonehenge Road and footpath AMES13;
- (b) the construction of a new restricted byway crossing over the new A303 on Green Bridge Four (Work No. 1D), then running westwards to meet the existing A360, as shown illustratively on sheet 5 of the rights of way and access plans; and
- (c) the construction of new private means of access, as shown illustratively on sheets 5, 6, 7 and 8 of the rights of way and access plans.

Work No. 7 – as shown on sheet 11 of the works plans and being the realignment of part of the existing unclassified Allington Track, to include—

- (a) works to effect the stopping up of part of bridleway AMES29 between Equinox Drive and byway AMES1 as shown illustratively on sheet 11 of the rights of way and access plans;
- (b) works to effect the stopping up of byway AMES1 as shown illustratively on sheet 11 of the rights of way and access plans;
- (c) works to support the reclassification of byway AMES1 as a footpath, as shown illustratively on sheet 11 of the rights of way and access plans;
- (d) works to effect the stopping up of Allington Track over a length between its existing junction with the A303 (including works to effect the stopping up of its access to the A303) and its junction with the existing access track running in parallel with the westbound carriageway of the A303, between Allington Track and byway AMES1;
- (e) the construction of a new length of byway open to all traffic between Equinox Drive and byway AMES1, as shown illustratively on sheet 11 of the rights of way and access plans;
- (f) the construction of a length of new unclassified road between Equinox Drive and Allington Track, as shown illustratively on sheet 11 of the rights of way and access plans; and
- (g) the construction of new private means of access, as shown illustratively on sheets 5, 6, 7 and 8 of the rights of way and access plans.

Work No. 8 – as shown on sheets 3 and 12 of the works plans and being—

- (a) works to effect the processing, deposition or use of excavated material, landscaping works and re-profiling works including the creation of chalk grassland habitat;
- (b) the construction of new private means of access as shown on sheets 3 and 12 of the rights of way and access plans.

Work No. 9 – as shown on sheets 9 and 10 of the works plans and being the extension of two existing substations and related electricity cabling for provision of power to the authorised development.

Ancillary Works

For the purposes of or in connection with the construction of any of the works and other development mentioned above, ancillary or related development which does not give rise to any materially new or

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materially different environmental effects in comparison with those reported in the environmental statement, consisting of—

- (a) works within highways, including—
 - (i) alteration of the layout of any street permanently or temporarily, including increasing or reducing the width of the carriageway of any street by increasing or reducing the width of any kerb, footway, cycleway, or verge within the street; and altering the level or increasing the width of any such kerb, footway, cycleway or verge within the street, works for the strengthening, improvement, repair, maintenance or reconstruction of any street;
 - (ii) street works, including breaking up or opening a street, or any sewer, drain or tunnel under it, and tunnelling or boring under a street;
 - (iii) relocation or provision of new road traffic signs, signals, street lighting, road restraints and carriageway lane markings;
 - (iv) works to place, alter, remove or maintain street furniture or apparatus (including statutory undertakers' apparatus) in, under or above a street, including mains, sewers, drains, pipes, cables, cofferdams, lights, fencing and other boundary treatments; and
 - (v) works to facilitate traffic management, provide vehicle recovery services and to deliver information relating to the authorised development;
- (b) other works and development—
 - (i) for the strengthening, alteration or demolition of any building;
 - (ii) to place, alter, divert, relocate, protect, remove or maintain services, plant and other apparatus and equipment belonging to statutory undertakers, utility companies and others in, under or above land, including mains, sewers, drains, pipes, cables, lights, cofferdams, fencing and other boundary treatments including bollards;
 - (iii) comprising ramps, steps, footpaths, footways, shared use cycle tracks, cycleways, bridleways, equestrian tracks, non-motorised user routes or links, byways open to all traffic, restricted byways, private means of access, laybys and crossing facilities;
 - (iv) comprising embankments, cuttings, viaducts, bridges, aprons, abutments, shafts, foundations, retaining walls, drainage works, drainage treatment areas, ponds, lagoons, outfalls, pollution control devices, pumping stations, impounding sumps, culverts, wing walls, fire fighting system water tanks and associated plant and equipment, highway lighting and fencing;
 - (v) comprising settlement monitoring and mitigation measures for the benefit or protection of, or in relation to, any land, building or structure, including monitoring and safeguarding of existing infrastructure, utilities and services affected by the authorised development;
 - (vi) comprising landscaping, re-grading, re-profiling, contouring, noise barriers, works associated with the provision of ecological and archaeological mitigation, and other works to mitigate any adverse effects of the construction, operation or maintenance of the authorised development;
 - (vii) comprising the processing, deposition or use of excavated materials;
 - (viii) comprising areas of hard or soft landscaping works, or public realm, at various locations adjacent to the new or improved highway and associated works;
 - (ix) comprising site preparation works, site clearance (including fencing and other boundary treatments, vegetation removal, works of demolition, including demolition of existing structures, and the creation of alternative highways or footpaths) and earthworks (including soil stripping and storage and site levelling);

- (x) comprising construction compounds and working sites, temporary structures, storage areas (including storage of excavated material and other materials), temporary vehicle parking, construction fencing, perimeter enclosure, security fencing, construction-related buildings, temporary worker accommodation facilities, welfare facilities, office facilities, other ancillary accommodation, construction lighting, haulage roads and other buildings, machinery, apparatus, processing plant, works and conveniences;
- (xi) comprising service compounds, plant and equipment rooms, offices, staff mess rooms, welfare facilities, and other ancillary and administrative accommodation;
- (xii) comprising ground investigation works, including the installation and monitoring of associated apparatus;
- (xiii) comprising works for the benefit or protection of the authorised development; and
- (xiv) comprising works of whatever nature, as may be necessary or expedient for the purposes of, or for purposes associated with or ancillary to, the construction, operation or maintenance of the authorised development.

SCHEDULE 2

Article 4

REQUIREMENTS

PART 1

REQUIREMENTS

Interpretation

1.—(1) In this Schedule—

“British Standards” means standards, recommendations and procedures as drawn up and published by the British Standards Institution;

“contaminated land” has the same meaning as that given in section 78A(1) (preliminary) of the Environmental Protection Act 1990;

“detailed archaeological mitigation strategy” means the detailed archaeological mitigation strategy listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the detailed archaeological mitigation strategy for the purposes of this Order, which sets out the requirements for the overarching written scheme of investigation, heritage management plan, site specific written schemes of investigation and archaeological method statements and protections for the World Heritage Site and its setting with which the undertaker must comply according to the terms of the detailed archaeological mitigation strategy in carrying out, operating and maintaining the authorised development, as set out in paragraph 5;

“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(2);

“HEMP” means a handover environmental management plan;

(1) 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).

(2) S.I. 2017/1012.

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“main works” means those parts of the authorised development that are not comprised in the preliminary works;

“main works CEMP” means a construction environmental management plan to be submitted and approved under requirement 4(8) in relation to the main works;

“nationally protected species” means any species protected under the Wildlife and Countryside Act 1981(3);

“National Trust” means the National Trust for Places of Historic Interest or Natural Beauty;

“OEMP” means the outline environmental management plan referred to in Schedule 12 certified by the Secretary of State as the outline environmental management plan for the purposes of this Order, which sets out (i) at section 1.2.2 the scheme objectives and (ii) protections for the World Heritage Site and its setting with which the undertaker must comply according to the terms of the OEMP in carrying out operating and maintaining the authorised development, as set out in paragraph 4;

“preliminary highways works” means—

- (a) Work No. 1H(viii) to (xiv) inclusive;
- (b) Work No. 5; and
- (c) Work No. 7;

“preliminary works CEMP” means a construction environmental management plan to be submitted and approved under requirement 4(4) in relation to the preliminary works;

“preliminary works OEMP” means Table 3.2a and any other parts of the OEMP relating to the preliminary works; and

“scheme objectives” means the four scheme objectives drawn by the Secretary of State for the design, carrying out and maintenance of the authorised development being—

- (a) the transport objective, to create a high quality reliable route between the south east and the south west that meets the future needs of traffic;
- (b) the economic growth objective, to enable growth in jobs and housing by providing a free flowing and reliable connection between the south east and the south west;
- (c) the cultural heritage objective, to help conserve and enhance the World Heritage Site and to make it easier to reach and explore; and
- (d) the environment and community objective, to improve biodiversity and provide a positive legacy for nearby communities.

(2) Where any requirement in this Schedule—

- (a) refers to a scheme, drawing, document or plan, that scheme, document or plan is to be taken to be the version certified by the Secretary of State under article 55 (certification of plans etc.) of this Order or to any subsequent version of that scheme, drawing document or plan approved by the Secretary of State under a requirement; or
- (b) provides that the authorised development is to be carried out in accordance with details, or a scheme, plan or other document approved by the Secretary of State, the approved details, scheme, plan or other document must be taken to include any amendments or revisions subsequently approved by the Secretary of State.

Time limits

2. The authorised development must not commence later than the expiration of 5 years beginning with the date on which this Order comes into force.

(3) 1981 c. 69.

Preparation of detailed design, etc.

3.—(1) The authorised development must be designed in detail and carried out so that it is, subject to the limits of deviation, in accordance with the works plans, the engineering section drawings (plan and profiles) and the engineering section drawings (cross sections) unless otherwise agreed in writing by the Secretary of State, following consultation with the planning authority on matters related to its functions and any other person the Secretary of State considers appropriate having regard to the proposed amendment in question and the statutory roles and responsibilities of such person, and provided that the Secretary of State is satisfied that any amendments to the works plans, the engineering section drawings (plan and profiles) and the engineering section drawings (cross sections) would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

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

Outline Environmental Management Plan

4.—(1) The main works must be carried out in accordance with the OEMP.

(2) The preliminary works must be carried out in accordance with the preliminary works OEMP.

(3) The preliminary highways works must be carried out in accordance with sections 4.2 (design vision) and 4.3 (design principles) of the OEMP.

(4) Subject to sub-paragraphs (5) and (10), no part of the preliminary works is to begin until a preliminary works CEMP for that part has been submitted to and approved in writing by the Secretary of State, following the consultation specified in the preliminary works OEMP.

(5) No part of the preliminary works in respect of which a heritage management plan, site specific written scheme of investigation or archaeological method statement is required under the preliminary works OEMP is to begin until each of those documents required for that part has been submitted and approved in writing by the planning authority, following the consultation specified in the preliminary works OEMP and the detailed archaeological mitigation strategy.

(6) A preliminary works CEMP must be prepared so that it is substantially in accordance with the preliminary works OEMP.

(7) Each part of the preliminary works must be carried out in accordance with the preliminary works CEMP for that part.

(8) Subject to sub-paragraphs (9) and (10), no part of the main works is to commence until a main works CEMP for that part has been prepared and submitted to and approved in writing by the Secretary of State, following the consultation specified in the OEMP.

(9) Subject to sub-paragraph (11), no part of the main works in respect of which a heritage management plan, site specific written scheme of investigation or archaeological method statement is required under the OEMP is to commence until each of those documents required for that part has been submitted and approved in writing by the planning authority, following the consultation specified in the OEMP and the detailed archaeological mitigation strategy.

(10) The approval of the Secretary of State under sub-paragraph (4) or (8) is not required in respect of any heritage management plan, site specific written scheme of investigation or archaeological method statement forming part of any preliminary works CEMP or main works CEMP.

(11) A main works CEMP must be prepared so that it is substantially in accordance with the OEMP and must include as many of the following plans, policies, strategies or schemes as are applicable to the part of the main works to which it relates—

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- (a) site waste management plan;
- (b) heritage management plan;
- (c) site specific written schemes of investigation;
- (d) any archaeological method statement required under the OEMP;
- (e) emergency preparedness and response plan (to include a pollution incident control plan);
- (f) ground movement monitoring strategy;
- (g) landscape and ecology management plan;
- (h) arboricultural mitigation strategy;
- (i) noise and vibration management plan;
- (j) noise insulation and temporary rehousing policy;
- (k) soils management strategy;
- (l) water management plan (to include a flood risk management plan);
- (m) groundwater management plan;
- (n) invasive non-native species management plan (if required);
- (o) material management plan; and
- (p) traffic management plan (to include a construction workforce travel plan, a site access plan, construction traffic routeing details and a site travel plan).

(12) The Groundwater Management Plan referred to in sub-paragraph (11)(m) above must include details of how any potential adverse hydrological effects on the archaeological site, known as Blick Mead, shall be considered in accordance with the requirements to be addressed by that Plan as set out in the OEMP, and must make specific provision for—

- (a) monitoring of groundwater levels at Blick Mead;
- (b) monitoring of soil moisture levels at Blick Mead;
- (c) trigger levels for both groundwater levels and soil moisture content that take into account the aforementioned monitoring data and below which the archaeological resource at Blick Mead would be liable to be endangered; and
- (d) a remediation plan to provide for the re-watering of the site should groundwater levels or soil moisture levels fall below the trigger levels set.

(13) The main works CEMPs, when taken together, must be prepared so that they are substantially in accordance with all of the requirements of the OEMP and must include all of the plans, policies, strategies and schemes listed in sub-paragraph (11) and must not contain any conflicting provision.

(14) Nothing in sub-paragraphs (11) or (12) affects the requirement in paragraph 5 that the authorised development must be carried out, operated and maintained in accordance with the detailed archaeological mitigation strategy.

(15) Each part of the main works must be carried out in accordance with the main works CEMP approved for that part.

(16) Upon completion of construction of the authorised development the CEMPs must be converted into one or more HEMPs and the authorised development must be operated and maintained in accordance with the relevant HEMP.

(17) The undertaker must make each preliminary works CEMP, main works CEMP and HEMP available in an electronic form suitable for inspection by members of the public.

Archaeology

5.—(1) The authorised development must be carried out, operated and maintained in accordance with the detailed archaeological mitigation strategy.

(2) Appeals in respect of those matters listed in the detailed archaeological mitigation strategy as grounds for appeal (including a decision of the planning authority on the application for approval under paragraph 4 of a heritage management plan, site specific written scheme of investigation or archaeological method statement) must be made to the Secretary of State and the Secretary of State must determine such appeals in accordance with the procedure set out in that strategy.

(3) Part 2 of this Schedule does not apply in respect of appeals in respect of the detailed archaeological mitigation strategy.

Protected species

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

(2) Where a protected species is shown to be present, or where there is a reasonable likelihood of it being present, the relevant parts of the relevant works must not begin until a scheme of protection and mitigation measures (including their design and management) has been submitted to and approved in writing by the Secretary of State after consultation with Natural England. Except to the extent otherwise approved, the scheme of protection and mitigation measures including their design and management must be in accordance with the guidance in section 4 of volume 10 of the Design Manual for Roads and Bridges.

(3) The relevant works must be carried out in accordance with the approved scheme or with any amended scheme that may subsequently be approved in writing by the Secretary of State, after consultation with Natural England, and in accordance with any necessary licence.

Contaminated land and groundwater

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

(2) The undertaker must provide to the planning authority and the Environment Agency a copy of any risk assessment referred to in sub-paragraph (1) as soon as reasonably practicable after its completion.

(3) Where the undertaker determines that remediation of the contaminated land is necessary, as soon as reasonably practicable after making that determination a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose, must be submitted to and approved in writing by the Secretary of State, following consultation with the planning authority and the Environment Agency.

(4) Remediation must be carried out in accordance with the approved scheme and programme.

Implementation and maintenance of landscaping

8.—(1) Except for Work No. 5, no part of the authorised development is to commence within the World Heritage Site or as part of Work No. 4 until a landscaping scheme applicable to all of the

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authorised development which is situated within the World Heritage Site (except for Work No.5) and Work No.4 has been submitted to and approved in writing by the Secretary of State, following consultation with the planning authority, Historic England and (on matters related to its functions) the National Trust.

(2) No part of the authorised development which—

- (a) is situated outside of the World Heritage Site and does not form part of Work No.4; or
- (b) comprises Work No. 5,

is to commence until a landscaping scheme applicable to that part has been submitted to and approved in writing by the Secretary of State, following consultation with the planning authority and (on matters related to its functions) Historic England and, in respect of Work No. 5 only (on matters related to its functions), the National Trust.

(3) Each landscaping scheme must be based on the mitigation measures included in the environmental statement and set out details of all proposed hard and soft landscaping works, including—

- (a) location, number, species, size and planting density of any proposed aquatic or terrestrial planting;
- (b) landscaping works associated with any fences and walls (as appropriate);
- (c) cultivation, importing of materials and other operations to ensure plant establishment;
- (d) proposed finished ground levels;
- (e) hard surfacing materials;
- (f) details of existing trees to be retained, with measures for their protection during the construction period;
- (g) implementation timetable for the landscaping works;
- (h) 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 in the construction of the authorised development; and
- (i) retained historic landscape features and proposals for restoration, where relevant.

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

Traffic management

9.—(1) No part of the authorised development is to commence until a traffic management plan which makes provision for traffic management proposals required to facilitate the construction of that part and which is substantially in accordance with the OEMP has been submitted to and approved in writing by the Secretary of State, following consultation with the local highway authority and the Royal Mail Group Limited.

(2) The relevant part of the authorised development must be constructed in accordance with the approved plan referred to in sub-paragraph (1).

Drainage

10.—(1) No part of the authorised development is to commence until written details of the drainage system to be constructed for that part, based on the mitigation measures included in the environmental statement and including a timetable for implementation and means of pollution

control and for the management of flood risk, have been submitted to and approved in writing by the Secretary of State, following consultation with the planning authority on matters related to its functions, and the Environment Agency.

(2) The drainage system must be constructed in accordance with the approved details referred to in sub-paragraph (1) prior to that part of the authorised development becoming open for public use.

Details of consultation

11.—(1) With respect to any requirement which requires details to be submitted to the Secretary of State for approval under this Schedule following consultation with another party, the details submitted must be accompanied by a summary report enclosing the written responses received and setting out the consultation undertaken by the undertaker pursuant to that requirement to inform the details submitted and the undertaker's response to that consultation.

(2) Promptly after submission to the Secretary of State for approval, the undertaker must provide a copy of the summary report to the relevant consultees referred to in the requirement in relation to which approval is being sought from the Secretary of State.

(3) If any consultation responses are not reflected in the details submitted to the Secretary of State for approval under this Schedule, the summary report must state the undertaker's reasons for not including them.

Stone curlew breeding plots

12.—(1) No part of the preliminary works shall begin until—

- (a) written details have been submitted to the Secretary of State—
 - (i) demonstrating that the undertaker has secured land to ensure the provision of the replacement stone curlew breeding plot in accordance with the stone curlew breeding plot specification;
 - (ii) including in relation to that plot, a regime of management measures substantially in accordance with those contained in the stone curlew breeding plot specification; and
- (b) the Secretary of State, following consultation with Natural England, has approved the matters listed in sub-paragraph (a).

(2) The undertaker must—

- (a) provide the replacement stone curlew breeding plot prior to the beginning of any works to remove the existing stone curlew breeding plot; and
- (b) maintain the replacement stone curlew breeding plot,

in accordance with the details approved by the Secretary of State under sub-paragraph (1)(b).

(3) No part of the authorised development may be commenced until—

- (a) written details have been submitted to the Secretary of State—
 - (i) demonstrating that the undertaker has secured land to enable the provision of the additional stone curlew breeding plots in accordance with the stone curlew breeding plot specification; and
 - (ii) including in relation to those plots, a regime of management measures substantially in accordance with those contained in the stone curlew breeding plot specification and a timetable for their implementation; and
- (b) the Secretary of State, following consultation with Natural England, has approved the matters listed in sub-paragraph (a).

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(4) The undertaker must provide and maintain the additional stone curlew breeding plots in accordance with the timetable and details approved by the Secretary of State under sub-paragraph (3) (b).

(5) In this paragraph—

“stone curlew breeding plot specification” means the stone curlew breeding plot specification listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the stone curlew breeding plot specification for the purposes of this Order, and “replacement stone curlew breeding plot”, “existing stone curlew breeding plot” and “additional stone curlew breeding plots” have the same meaning as in the stone curlew breeding plot specification.

PART 2

PROCEDURE FOR DISCHARGE OF REQUIREMENTS

Applications made under requirements

13.—(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;
- (b) the day immediately following that on which further information has been supplied by the undertaker under paragraph 15; 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 that considers it likely that the subject matter of the application is to give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement,

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

Determination of applications by the planning authority

14. Where an application has been made to the planning authority under paragraph 4 for approval of a heritage management plan, a site specific written scheme of investigation or an archaeological method statement, the planning authority must determine the application in accordance with the procedure set out in the detailed archaeological mitigation strategy.

Further information

15.—(1) In relation to any part of an application made under this Schedule, the Secretary of State may, having regard to the scheme objectives and all other relevant matters, 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. In the event that the Secretary of State does not give such notification within that 21 business day period 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.

(3) 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 13 (applications made under requirements) and in this paragraph.

(4) 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) of the Banking and Financial Dealings Act 1971(4).

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 or the planning authority.

(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 or the planning authority 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 three years following completion of the authorised development.

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.

SCHEDULE 3

Article 10

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

Note: In relating this Schedule 3 to its corresponding rights of way and access plans, the provisions described in Schedule 3 are shown on the rights of way and access plans in the following manner—

- (a) existing highways to be stopped up, as described in column 2 of Part 1 and Part 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 Part 1 and Part 2 of this Schedule;

(4) 1971 c. 80.

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- (b) new and improved highways (side roads) which are to be substituted for a highway to be stopped up (or which are otherwise to be provided) other than the new and/or the improved A303 Trunk Road, as are included in column 4 of Part 1 of this Schedule, are shown by black stipple with a zig-zag overlaid (as shown in the key on the rights of way and access plans) and are given a reference label (a capital letter in a circle);
- (c) new rights of way (other than side roads and other than the new and/or the improved A303 Trunk Road) 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 1 of this Schedule, are shown by black stipple with a centreline (as shown in the key on the rights of way and access plans) and are given a reference label (a capital letter in a circle) and will be a road unless the words ‘footpath’, ‘bridleway’, ‘restricted byway’ or ‘byway open to all traffic’ appear beneath or alongside the reference letter in column 4;
- (d) private means of access to be stopped up, as described in column 2 of Parts 3 and 4 of this Schedule, are shown by a solid black band (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, and are given a reference label (a lower-case letter in a circle); and
- (e) new private means of access to be substituted for a private means of access to be stopped up (or which are otherwise to be provided) in relation to the new and/or the improved A303 Trunk Road, as are included in column 4 of Part 3 of this Schedule, are shown by thin diagonal hatching (as shown in the key on the rights of way and access plans), or, where they are to be provided (in part) along the route of a restricted byway, are shown by black stipple with a centreline overlaid by thin diagonal hatching (as shown in the key on the rights of way and access plans), and are given a reference label (a number in a circle).

PART 1

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

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>Area</i>	<i>Highway to be stopped up</i>	<i>Extent of stopping up</i>	<i>New highway to be substituted / provided</i>
In the administrative area of Wiltshire Council; in the parishes of Steeple Langford and Berwick St James			Reference A A length of new restricted byway from a point 20 metres south of the junction of the existing A303 and the existing byway SLAN3, in a generally easterly direction to a point 15 metres south of the junction between the existing A303 and the existing bridleway BSJA3, a distance of 1.32 kilometres (as shown on sheets 1 and 2 of the rights of way and access plans)

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(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>In the administrative area of Wiltshire Council; in the parishes of Steeple Langford, Berwick St James and Winterbourne Stoke</p>			<p>Reference B</p> <p>A length of new restricted byway from a point 20 metres north of the junction of the existing A303 and the existing byway SLAN3, in a generally easterly direction, crossing Green Bridge One, to a point 400 metres west of the junction of the existing A303 and the B3083 south, a distance of 3.3 kilometres</p> <p>(as shown on sheets 1, 2 and 3 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Berwick St James</p>	<p>Bridleway BSJA3</p>	<p>A length from its intersection with the southern boundary of the existing A303 in a southerly direction for a distance of 215 metres, to the intersection of byway BSJA3A with bridleway BSJA3</p> <p>(shown on sheet 2 of the rights of way and access plans)</p>	<p>Reference C</p> <p>To be substituted by a new byway open to all traffic</p> <p>(as shown on sheet 2 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parishes of Berwick St James and Winterbourne Stoke</p>			<p>Reference D</p> <p>A length of new byway open to all traffic from its intersection with existing bridleway BSJA3 in a generally easterly direction to a point 575 metres west of the junction between the existing A303 and the B3083 South, a distance of 1.37 kilometres</p> <p>(as shown on sheets 2 and 3 of the rights of way and access plans)</p>
	<p>A 303(T)</p>	<p>A length from a point 1.48 kilometres west of the junction of the</p>	<p>The new and improved A303(T)</p>

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(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>existing A303 and the existing B3083 South, on the western side of Winterbourne Stoke, in an easterly direction for a distance of 910 metres</p> <p>(shown on sheets 2 and 3 of the rights of way and access plans)</p>	
<p>In the parish of Winterbourne Stoke</p>	<p>B 3083</p>	<p>A length from a point 160 metres north of the junction of the B3083 with the existing A303 in a generally northerly direction for a distance of 710 metres to the intersection of the B3083 with the private access track leading to Cherry Lodge</p> <p>(shown on sheet 3 of the rights of way and access plans)</p>	<p>Reference E</p> <p>The realigned B3083 from a point 160 metres north of the junction of the existing A303 and B3083 North, in a generally northerly direction to the intersection of the B3083 with the private access track leading to Cherry Lodge, a distance of 725 metres</p> <p>(as shown on sheet 3 of the rights of way and access plans)</p>
	<p>Byway WST03</p>	<p>A length from a point 420 metres north of the junction of the B3083 South with the existing A303, in a northerly direction for a distance of 70 metres to a point 490 metres north of the junction of the B3083 South with the existing A303</p> <p>(shown on sheet 3 of the rights of way and access plans)</p>	<p>Reference EA</p> <p>A length of new byway open to all traffic from the west side of the realigned B3083 from a point 315 metres north of the junction of the existing A303 and the B3083 north, in a generally southerly direction to a point 310 metres north of the junction of the existing A303 and the B3083 north, a distance of 15 metres</p> <p>(as shown on sheet 3 of the rights of way and access plans)</p>
	<p>Byway WST06B</p>	<p>A length from the junction of byway open to all traffic WST06B with the existing A303, to</p>	<p>Reference F</p> <p>The realigned byway open to all traffic WST06B, from the junction of the existing byway</p>

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(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>the east side of Winterbourne Stoke, in a north-westerly direction for a distance of 385 metres</p> <p>(shown on sheet 4 of the rights of way and access plans)</p>	<p>WST06B and the existing A303, in a generally north westerly direction crossing the new A303 via Green Bridge Two to a point 385 metres north west of the junction between the existing byway WST06B and the existing A303, a distance of 440 metres</p> <p>(as shown on sheet 4 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke</p>			<p>Reference Z</p> <p>A length of new bridleway from a point 405 metres east of the junction of the A303 and the B3083 north, in a generally easterly direction to a point 275 metres east of its junction with the byway WST06B, a distance of 840 metres</p> <p>(as shown on sheet 4 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parishes of Winterbourne Stoke, Wilsford Cum Lake and Amesbury</p>	<p>A303 (T)</p>	<p>A length from a point 1.26 kilometres east of the junction of the existing A303 and the existing B3083 north, in a generally easterly direction to a point 615 metres west of the centre of Countess roundabout, a distance of 5.98 kilometres (including the existing Longbarrow) roundabout at the junction of the existing A303 with the existing A360</p> <p>(shown on sheets 4, 5, 6, 7 and 8 of the rights of way and access plans)</p>	<p>The new and improved A303</p> <p>(as shown on sheets 2, 3, 4, 5, 6, 7, 8, 9 and 11 of the rights of way and access plans)</p>

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<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>
In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke			Reference G A length of new side road between Winterbourne Stoke and the new Longbarrow Junction, from a point 650 metres south west of the existing Longbarrow roundabout (its junction with the new southern roundabout at Longbarrow Junction) in a generally westerly direction to a point 280 metres east of its junction with the byway WST06B, 1.20 kilometres to the south west of the existing Longbarrow roundabout, a distance of 615 metres (as shown on sheets 4 and 5 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parishes of Winterbourne Stoke and Berwick St James	A360 north and south of existing Longbarrow roundabout	A length from a point 905 metres north of the existing Longbarrow roundabout, in a southerly direction for a distance of 1.66 kilometres (including existing Longbarrow roundabout) to a point 755 metres south of the existing Longbarrow roundabout (shown on sheets 14, 5 and 15 of the rights of way and access plans)	Reference H The realigned A360 (north and south A360 link, the new northern and southern roundabouts and the link road in between) from a point 905 metres north of the existing Longbarrow roundabout, in a generally southerly direction for a distance of 2.18 kilometres to a point 755 metres south of the existing Longbarrow roundabout (as shown on sheets 14, 5 and 15 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parishes of Winterbourne Stoke,			Reference Y A length of new bridleway from a point 560 metres south-west of the existing Longbarrow roundabout for a distance of 520 metres in a generally easterly direction to a point 140 metres

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<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>
Wilsford Cum Lake; and Amesbury			south of the existing Longbarrow roundabout (as shown on sheet 5 of the rights of way and access plans)
			Reference IA A length of new restricted byway from a point 245 metres east of the centre of the existing Longbarrow roundabout, in a generally southerly direction to a point 1.07 kilometres south of the existing Longbarrow roundabout, including a link to the realigned A360, a distance of 1.37 kilometres (as shown on sheets 5 and 15 of the rights of way and access plans)
			Reference IB A length of new restricted byway from a point 245 metres to the east of the centre of the existing Longbarrow roundabout, in a generally westerly direction and then in a northerly direction, to a point 620 metres north of the centre of the existing Longbarrow Junction, including a link to the realigned A360, a distance of 845 metres (as shown on sheets 5 and 14 of the rights of way and access plans)
			Reference I A length of new restricted byway from a point 245 metres to the east of the centre of the existing Longbarrow roundabout, in a generally easterly direction to its junction with byway AMES12, a distance of 1.65 kilometres

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			(as shown on sheets 5 and 6 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parishes of Amesbury, Wilsford Cum Lake and Amesbury			Reference J A length of new restricted byway from its junction with byway AMES12, in a generally easterly direction to its junction with footpath AMES13, a distance of 2.33 kilometres (as shown on sheets 6, 7 and 8 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Amesbury			Reference K A length of improved side road (eastbound diverge slip road) from a point 520 metres south-west of the junction of the Amesbury Road and the A3028 Double Hedges, in a generally north-easterly direction to a point 500 metres south-west of the junction of the Amesbury Road and the A3028 Double Hedges, a distance of 20 metres (as shown on sheet 11 of the rights of way and access plans)
	A303 Double Hedges	A length from its junction with the existing A303 for a distance of 125 metres in a generally north-westerly direction (as shown on sheet 11 of the rights of way and access plans)	Reference L A length of new side road (eastbound merge slip road), from a point 465 metres south east of the junction of the Amesbury Road and the A3028 Double Hedges, in a generally south easterly direction to a point 590 metres south east of the junction of the Amesbury Road and the A3028 Double Hedges, a distance of 130 metres (as shown on sheet 11 of the rights of way and access plans)

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<p>In the administrative area of Wiltshire Council; in the parish of Amesbury</p>	<p>Bridleway AMES29</p>	<p>A length from its junction with Equinox Drive for a distance of 105 metres in a generally south-easterly direction</p> <p>(shown on sheet 11 of the rights of way and access plans)</p>	<p>To be substituted by—</p> <p>Reference M</p> <p>A length of new side road from a point 435 metres south east of the junction of the existing A303 and the Allington Track, in a generally westerly direction to a point 525 metres south west of the junction of the existing A303 and the byway AMES 1, a distance of 985 metres; and</p> <p>Reference N</p> <p>A length of new byway open to all traffic from a point 295 metres south of the junction of the existing bridleway AMES29 and the byway AMES 1, in a generally northerly direction to a point 195 metres south west of the junction of the existing bridleway AMES29 and the existing byway AMES1, a distance of 105 metres; and</p> <p>Reference O</p> <p>A length of new side road from a point 20 metres south of the junction of Equinox Drive and Solar Way, in a generally southerly direction to a point 290 metres south of the junction of Equinox Drive and Solar Way, a distance of 285 metres</p> <p>(all as shown on sheet 11 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Amesbury</p>	<p>Byway AMES1</p>	<p>From its junction with the A303 for a distance of 770 metres in a generally southerly direction</p>	<p>To be substituted by—</p> <p>Reference P</p> <p>A length of new footpath from a point 10 metres south of the junction of the existing byway</p>

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(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>
		(shown on sheet 11 of the rights of way and access plans)	<p>AMES1 and the A303, in a generally southerly direction to a point 330 metres south of the junction of the A303 with the existing byway AMES 1, a distance of 320 metres (as shown on sheet 11 of the rights of way and access plans); and</p> <p>Reference M (as above); and</p> <p>Reference N (as above); and</p> <p>Reference O (as above)</p> <p>(all as shown on sheet 11 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Shrewton</p>	<p>Unclassified 094402 (The Packway)</p>	<p>From the junction of the existing B3086 South with B3086 (The Packway) at Rollestone Cross, a distance of 200 metres in an easterly direction</p> <p>(shown on sheet 13 of the rights of way and access plans)</p>	<p>Reference Q</p> <p>To be substituted by the re-aligned B3086 from a point 85 metres east of the junction of the existing B3086 and the existing Unclassified 094402 (The Packway), in a generally easterly direction to a point 205 metres east of the junction of the existing B3086 and the existing Unclassified 094402 (The Packway), a distance of 135 metres</p> <p>(as shown on sheet 13 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Shrewton</p>	<p>B3086 (south)</p>	<p>From the junction of the existing B3086 south with B3086 (The Packway) at Rollestone Cross, a distance of 240 metres in a southerly direction</p> <p>(shown on sheet 13 of the rights of way and access plans)</p>	<p>To be substituted by—</p> <p>Reference R</p> <p>The re-aligned B3086 from a point 240 metres south of the junction of the existing B3086 and the existing Unclassified 094402 (The Packway), in a generally northerly direction to a point 85 metres east of the junction of the existing B3086 and the existing Unclassified</p>

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			<p>094402 (The Packway), a distance of 230 metres; and</p> <p>Reference S</p> <p>A length of re-aligned highway from a point 50 metres west of its junction with the existing Unclassified 094402 (The Packway), in a generally easterly direction to a point 85 metres east of the junction of the B3086 and the Unclassified 094402 (The Packway), a distance of 140 metres</p> <p>(both as shown on sheet 13 of the rights of way and access plans)</p>
			<p>Reference T</p> <p>A length of re-aligned highway from its junction with the existing Unclassified 094402 (The Packway), in a generally northerly direction to a point 50 metres north of the junction of the B3086 and the Unclassified 094402 (The Packway), a distance of 50 metres</p> <p>(as shown on sheet 13 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke</p>			<p>Reference U</p> <p>A length of new restricted byway from a point 300 metres south of the junction of the A360 with the B3086 (Airman’s Corner), in a generally southerly direction to a point 840 metres south of the junction of the A360 with the B3086, a distance of 545 metres</p> <p>(as shown on sheet 14 of the rights of way and access plans)</p>
			<p>Reference UA</p>

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<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>
			A length of new shared use cycle track from a point 45 metres east of the junction of the A360 with the B3086 (Airman's Corner), in a generally southerly direction to a point 300 metres south of the junction of the A360 with the B3086, a distance of 305 metres (as shown on sheet 14 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parishes of Berwick St James and Woodford			Reference V A length of new bridleway from a point 10 metres east of the junction of the existing A360 and the byway BSJA9, in a generally southerly direction to a point 985 metres south east of the junction of the existing A360 and the byway BSJA9, a distance of 1.08 kilometres (as shown on sheet 15 of the rights of way and access plans)

PART 2

HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>
In the administrative area of Wiltshire Council; in the parish of Berwick St James	Bridleway BSJA3A	A length from its intersection with the southern boundary of the existing A303 in a south-easterly direction, for a distance of 40 metres (as shown on sheet 2 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the	Stonehenge Road	A length from its junction with the existing A303 for a distance of 430 metres in a generally south-easterly direction (as shown on sheet 8 of the rights of way and access plans)

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>
parish of Amesbury	Allington Track	A length from its junction with the existing A303 for a distance of 410 metres in a generally south-easterly direction (as shown on sheet 11 of the rights of way and access plans)
	Amesbury Road	A length of east-bound access onto the existing A303 from its junction with the existing A303 for a distance of 15 metres in a generally northerly direction (as shown on sheet 11 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Bulford	Byway BULF12	A length from its junction with the A3028 for a distance of 105 metres in a generally southerly direction (as shown on sheet 11 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Amesbury	Byway AMES 2	A length from its junction with the existing A303 for a distance of 270 metres in a generally northerly direction (as shown on sheet 11 of the rights of way and access plans)

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

<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>	<i>(4)</i> <i>New private means of access to be substituted / provided</i>
In the administrative area of Wiltshire Council; in the parish of Berwick St James	Reference a Access to field from the north side of the existing A303, 870 metres east of the junction of the A303 with the byway SLAN3 (shown on sheet 2 of the rights of way and access plans)	The whole access	Reference 1 To be substituted by a new private means of access in the same location as stopped up access Reference a but repositioned at the side road boundary of the new restricted byway Reference B, together with a right of vehicular access over Reference B to be granted for the benefit of the land affected by the stopping up of

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
			private means of access reference a (as shown on sheets 1, 2 and 3 of the rights of way and access plans)
	Reference b Access to field from the north side of the existing A303, 20 metres north of the junction of the A303 with the existing bridleway BSJA3 (shown on sheet 2 of the rights of way and access plans)	The whole access	Reference 2 To be substituted by a new private means of access in the same location as stopped up access Reference b, but repositioned at the side road boundary of the new restricted byway Reference B, together with a right of vehicular access over new restricted byway Reference B to be granted for the benefit of the land affected by the stopping up of private means of access reference b (as shown on sheets 1, 2 and 3 of the rights of way and access plans)
	Reference c Access to field from the south side of the existing A303, at a point where the A303 meets existing bridleway BSJA3 (shown on sheet 2 of the rights of way and access plans)	The whole access	Reference 3 To be substituted by a new private means of access in the same location as stopped up access Reference c, but repositioned at the side road boundary of the new restricted byway Reference A, together with a right of vehicular access over new restricted byway Reference A to be granted for the benefit of the land affected by the stopping up of private means of access reference c (as shown on sheets 1 and 2 of the rights of way and access plans)
In the administrative	Reference d	A length from its junction with the	Reference 4

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
area of Wiltshire Council; in the parishes of Berwick St James and Winterbourne Stoke	Access to field from the north side of the existing A303, at a point 660 metres east of the junction of the existing A303 with the existing bridleway BSJA3 (shown on sheet 2 of the rights of way and access plans)	existing A303 for a distance of 10 metres	To be substituted by a new private means of access in the same location as stopped up access Reference d, but repositioned at the side road boundary of the new byway open to all traffic Reference D (as shown on sheets 2 and 3 of the rights of way and access plans)
	Reference e Access to field from the south side of the existing A303, at a point 795 metres east of the junction of the existing A303 with existing bridleway BSJA3 (shown on sheet 2 of the rights of way and access plans)	From its junction with the existing A303 for a length of 10 metres	Reference 5 To be substituted by a new private means of access in the same location as stopped up access Reference e, but repositioned at the side road boundary of the new byway open to all traffic Reference D (as shown on sheets 2 and 3 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke	Reference f Access to field from the west side of the existing B3083, at a point 375 metres north of the junction of the existing A303 with the B3083 north (shown on sheet 3 of the rights of way and access plans)	A length from its junction with the existing B3083 for a distance of 10 metres	Reference 6 To be substituted by a new private means of access to land on the west side of the realigned B3083, Reference E (as shown on sheet 3 of the rights of way and access plans)
			Reference 7 New private means of access to land on the west side of the realigned B3083 (Reference E) (including a drainage pond)

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
			(as shown on sheet 3 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke			Reference 8 New private means of access to land on the east side of the realigned B3083 (Reference E) (including a drainage pond) (as shown on sheet 3 of the rights of way and access plans)
			Reference 9 New private means of access on the north side of the existing A303 to land on the south side of the new A303 (including a drainage pond) (as shown on sheet 4 of the rights of way and access plans)
			Reference 10 New private means of access from the new byway open to all traffic reference F over Green Bridge Two, to be granted for the benefit of the land to the west of byway WST06B (including a drainage pond) (as shown on sheet 4 of the rights of way and access plans)
			Reference 11 New private means of access from the north side of the new link to Winterbourne Stoke to land on the south side of the new A303 (including a drainage pond and land between the new A303 and the new link to Winterbourne Stoke)

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(1) Area	(2) Private means of access to be stopped up	(3) Extent of stopping up	(4) New private means of access to be substituted / provided
			(as shown on sheet 5 of the rights of way and access plans)
			Reference 35 New private means of access to land on the north side of the new link to Winterbourne Stoke (between the new A303 and the new link to Winterbourne Stoke) (as shown on sheet 5 of the rights of way and access plans)
			Reference 36 New private means of access to land on the north side of the new link to Winterbourne Stoke (between the new A303 and the new link to Winterbourne Stoke) (as shown on sheet 5 of the rights of way and access plans)
			Reference 37 New private means of access to land on the north side of the new link to Winterbourne Stoke (between the new A303 and the new link to Winterbourne Stoke) (as shown on sheet 5 of the rights of way and access plans)
	Reference k Access to field from the north side of the existing A303, 80 metres east of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)	The whole access	Reference 12 To be substituted by a new private means of access in the same location as stopped up access Reference k, but repositioned at the side road boundary of the new restricted byway Reference IB, together with a right of vehicular access over new restricted byways References IB, I and IA to be granted for the benefit of the land affected by the stopping up of

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
			private means of access reference k (as shown on sheets 5 and 14 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke	Reference z Access to field from the south side of the existing A303, 190 metres east of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)	The whole access	Reference 13 To be substituted by a new private means of access in the same location as stopped up access Reference z, but repositioned at the side road boundary of the new restricted byway Reference IB together with a right of vehicular access over new restricted byways References I, IB and IA to be granted for the benefit of the land affected by the stopping up of private means of access reference z (as shown on sheets 5, 6 and 14 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Wilsford Cum Lake	Reference m Access to field from the north side of the existing A303, 400 metres east of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)	The whole access	Reference 14 To be substituted by a new private means of access in the same location as stopped up access Reference m, but repositioned at the side road boundary of the new restricted byway Reference I, together with a right of vehicular access over new restricted byways References I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference m (as shown on sheets 5, 6 and 14 of the rights of way and access plans)

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke	Reference n Access to field from the east side of the existing A360, 400 metres north of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)	The whole access	Reference 15 To be substituted by a new private means of access in the same location as stopped up access Reference n, but repositioned at the side road boundary of the new restricted byway Reference IB, together with a right of vehicular access over new restricted byways References I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference n (as shown on sheets 5, 6 and 14 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Wilsford Cum Lake	Reference l Access to field from the south side of the existing A303, 70 metres east of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)	The whole access	Reference 16 To be substituted by a new private means of access on the south side of the new restricted byway Reference IA, and crossing the new Green Bridge Four located at a point 280 metres south-east of the centre of the existing Longbarrow roundabout, together with a right of vehicular access over new restricted byways References I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference l (as shown on sheets 5, 6 and 14 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in	Reference i Access to field from the west side of the existing A360, 115	The whole access	Reference 17 To be substituted by new a private means of access on the west side of the new restricted

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
the parish of Winterbourne Stoke	metres south of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)		byway Reference IA, and located at a point 325 metres south of the centre of the existing Longbarrow roundabout together with a right of vehicular access over new restricted byways References I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference i (as shown on sheets 5, 6 and 14 of the rights of way and access plans)
	Reference j Access to field from the east side of the existing A360, 115 metres south of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)	The whole access	Reference 18 To be substituted by a new private means of access on the east side of the new restricted byway Reference IA, and located at a point 595 metres south of the centre of the existing Longbarrow roundabout, together with a right of vehicular access over new restricted byways References I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference j (as shown on sheets 5, 6 and 14 of the rights of way and access plans)
In the administrative area of Wiltshire Council; in the parish of Amesbury	Reference o Access to field from the south side of the existing A303, 665 metres west of its junction with the existing byway open to all traffic AMES12	The whole access	Reference 19 To be substituted by a new private means of access in the same location as stopped up access Reference o, but repositioned at the side road boundary of the new restricted byway Reference I, together with a right of vehicular access over new restricted byways References I, IA, IB and J to be

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(1) Area	(2) Private means of access to be stopped up	(3) Extent of stopping up	(4) New private means of access to be substituted / provided
	(shown on sheet 6 of the rights of way and access plans)		granted for the benefit of the land affected by the stopping up of private means of access reference o (as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)
	Reference p Access to field from the south side of the existing A303, at the junction of the existing A303 with the existing byway open to all traffic AMES11 (shown on sheet 7 of the rights of way and access plans)	The whole access	Reference 20 To be substituted by a new private means of access in the same location as stopped up access Reference p, but repositioned at the side road boundary of the new restricted byway Reference J, together with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference p (as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)
	Reference q Access to field from the south side of the existing A303, 470 metres to the east of its junction with the existing byway open to all traffic AMES11 (shown on sheet 7 of the rights of way and access plans)	The whole access	Reference 21 To be substituted by a new private means of access in the same location as stopped up access Reference q, but repositioned at the side road boundary of the new restricted byway Reference J, together with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference q

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(1) Area	(2) Private means of access to be stopped up	(3) Extent of stopping up	(4) New private means of access to be substituted / provided
			(as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)
	<p>Reference r</p> <p>Access to field from the south side of the existing A303, 925 metres to the east of its junction with the existing byway open to all traffic AMES11</p> <p>(shown on sheet 7 of the rights of way and access plans)</p>	The whole access	<p>Reference 22</p> <p>To be substituted by a new private means of access in the same location as stopped up access Reference r, but repositioned at the side road boundary of the new restricted byway Reference J, together with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference r</p> <p>(as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)</p>
	<p>Reference s</p> <p>Access to field from the north side of the existing A303, 665 metres to the north-west of the junction of Stonehenge Road with footpath AMES13</p> <p>(shown on sheet 8 of the rights of way and access plans)</p>	The whole access	<p>Reference 23</p> <p>To be substituted by a new private means of access in the same location as stopped up access Reference s, but repositioned at the side road boundary of the new restricted byway Reference J, together with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference s</p> <p>(as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)</p>
	Reference t	The whole access	Reference 24

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
	<p>Access to field from the north side of the existing A303, 615 metres to the north-west of the junction of Stonehenge Road with footpath AMES13</p> <p>(shown on sheet 8 of the rights of way and access plans)</p>		<p>To be substituted by a new private means of access in the same location as stopped up access Reference t, but repositioned at the side road boundary of the new restricted byway Reference J, together with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference t</p> <p>(as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)</p>
	<p>Reference u</p> <p>Access to field from the north side of the existing A303, 550 metres to the north-west of the junction of Stonehenge Road with footpath AMES 13</p> <p>(shown on sheet 8 of the rights of way and access plans)</p>	<p>The whole access</p>	<p>Reference 25</p> <p>To be substituted by a new private means of access in the same location as stopped up access Reference u, but repositioned at the side road boundary of the new restricted byway Reference J, together with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference u</p> <p>(as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)</p>
	<p>Reference v</p> <p>Access to field from the south side of the existing A303, 610 metres to the north-west of the junction of Stonehenge Road</p>	<p>The whole access</p>	<p>Reference 26</p> <p>To be substituted by a new private means of access in the same location as stopped up access Reference v, but repositioned at the side road boundary of the new restricted byway Reference J, together</p>

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(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of access to be substituted / provided</i>
	<p>with footpath AMES 13</p> <p>(shown on sheet 8 of the rights of way and access plans)</p>		<p>with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference v</p> <p>(as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)</p>
	<p>Reference w</p> <p>Access to field from the north side of the existing A303, 355 metres to the north-east of its existing junction with footpath AMES13</p> <p>(shown on sheet 8 of the rights of way and access plans)</p>	<p>The whole access</p>	<p>Reference 27</p> <p>To be substituted by a new private means of access from a point 320 metres north-west of the junction of Stonehenge Road with the footpath AMES13 to a point 610 metres north-east of the junction of Stonehenge Road with footpath AMES13, together with a right of vehicular access over new restricted byways References J, I, IA and IB to be granted for the benefit of the land affected by the stopping up of private means of access reference w</p> <p>(as shown on sheets 5, 6, 7, 8 and 14 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Bulford</p>			<p>Reference 28</p> <p>New private means of access along the route of the existing byway BULF12 (which is to be stopped up), from its junction with the A3028 Double Hedges for a distance of 100 metres in a generally southerly direction</p> <p>(as shown on sheet 11 of the rights of way and access plans)</p>
	<p>Reference x</p>	<p>The whole access</p>	<p>Reference 29</p>

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(1) Area	(2) Private means of access to be stopped up	(3) Extent of stopping up	(4) New private means of access to be substituted / provided
	<p>Access to field from the north side of the existing A3028 Double Hedges, 530 metres to the south east of the junction of Amesbury Road with the A3028</p> <p>(shown on sheet 11 of the rights of way and access plans)</p>		<p>To be substituted by a new private means of access to land on the north side of the realigned A3028, Double Hedges, 40 metres north-west of the point of the nosing of the entry filter lane on the A303 merge slip road</p> <p>(as shown on sheet 11 of the rights of way and access plans)</p>
	<p>Reference y</p> <p>Access to field from the east side of the existing Allington Track, 260 metres to the south east of the junction of the existing A303 with the Allington Track</p> <p>(shown on sheet 11 of the rights of way and access plans)</p>	<p>The whole access</p>	<p>Reference 38</p> <p>To be substituted by a new private means of access to land on the east side of the realigned Allington track link, 410 metres south east of the junction of the existing A303 with the Allington Track</p> <p>(as shown on sheet 11 of the rights of way and access plans)</p>
	<p>Reference za</p> <p>Access link to field between byway AMES1 and Allington Track</p> <p>(shown on sheet 11 of the rights of way and access plans)</p>	<p>The whole access link</p>	<p>Reference 39</p> <p>New private means of access to field from the north side of the new Allington track link, 415 metres south west of the junction of the existing A303 with the Allington Track</p> <p>(as shown on sheet 11 of the rights of way and access plans)</p>
	<p>Reference zb</p> <p>Access to land and premises located to the south-west of Equinox Drive and bridleway AMES 29</p>	<p>A length from a point 20 metres to the south-east of the junction of Equinox Drive with Solar Way, in a generally southerly direction for a distance of 280 metres</p>	<p>Reference 40</p> <p>To be substituted by a new private means of access from the west side of the new side road reference O</p> <p>(as shown on sheet 11 of the rights of way and access plans)</p>

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(1) Area	(2) Private means of access to be stopped up	(3) Extent of stopping up	(4) New private means of access to be substituted / provided
	(shown on sheet 11 of the rights of way and access plans)		
			<p>Reference 41</p> <p>New private means of access to field from the south side of the new Allington track link, 362 metres south west of the junction of the existing A303 with the Allington Track</p> <p>(as shown on sheet 11 of the rights of way and access plans)</p>
			<p>Reference 30</p> <p>New private means of access to field from the west side of the B3086, 240 metres south of existing Rollestone Cross Junction</p> <p>(as shown on sheet 13 of the rights of way and access plans)</p>
			<p>Reference 31</p> <p>New private means of access to field from the east side of the B3086, 240 metres south of the existing Rollestone Cross Junction</p> <p>(as shown on sheet 13 of the rights of way and access plans)</p>
<p>In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke</p>			<p>Reference 32</p> <p>New private means of access to field from the east side of the A360, 445 metres south of Airman's Corner</p> <p>(as shown on sheet 14 of the rights of way and access plans)</p>
	Reference zc	A length from its junction with	Reference 33

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<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>	<i>(4)</i> <i>New private means of access to be substituted / provided</i>
	<p>Access to field from the west side of the existing A360, 845 metres south of Airman’s Corner</p> <p>(shown on sheet 14 of the rights of way and access plans)</p>	<p>the existing A360 westwards for a distance of 40 metres</p>	<p>To be substituted by a new private means of access from the west side of the realigned A360, 40 metres west of the existing private means of access reference zc</p> <p>(as shown on sheet 14 of the rights of way and access plans)</p>
	<p>Reference g</p> <p>Access to field from the north side of the existing A303, 580 metres west of the existing Longbarrow roundabout</p> <p>(shown on sheet 5 of the rights of way and access plans)</p>	<p>The whole access</p>	<p>To be substituted by—</p> <p>Reference 33 (as above)</p> <p>Providing access to land on the west side of the realigned A360 north; and</p> <p>Reference 34</p> <p>Providing access to land lying between the realigned A360 north and the new restricted byway Reference IB, a new private means of access from the northernmost part of the new restricted byway Reference IB, comprising the link between the realigned A360 north and the new restricted byway Reference IB (referred to hereinafter as “the link”) located 885 metres south of Airman’s Corner, together with a right of vehicular access over the link, to be granted for the benefit of the land lying between the realigned A360 north and the new restricted byway Reference IB</p> <p>(both as shown on sheet 14 of the rights of way and access plans)</p>

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PART 4

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

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Private means of access</i>	<i>(3)</i> <i>Extent of stopping up</i>
In the administrative area of Wiltshire Council; in the parish of Winterbourne Stoke	Reference h Access to field from the south side of the existing A303, 220 metres west of the existing Longbarrow roundabout (shown on sheet 5 of the rights of way and access plans)	The whole access

SCHEDULE 4

Article 22

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

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed</i>
The land plans – sheet 3		
In the administrative area of Wiltshire Council, in the parish of Steeple Langford	03-13, 03-14	New rights required for— the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development); the installation, use, protection and maintenance of, and access to, Esso's apparatus (for the benefit of Esso and its undertaking; and for the benefit of the undertaker and the authorised development); the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling; and the construction of a new private means of access to and egress from land (lying generally to the south and west of plots 03-03, 03-13 and 03-14) and being generally as shown on sheet 3 of the rights

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(1) Area	(2) Plot reference number(s) shown on land plans	(3) Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed
		of way and access plans; and a right to use and maintain such private means of access (including a right of access with or without vehicles, plant and machinery) for the benefit of that land
	03-21, 03-28	New rights required for— the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development); and the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling
In the administrative area of Wiltshire Council, in the parish of Shrewton	03-12	New rights required for— the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development); and the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling and deposition of excavated material
	03-18	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and the Applicant)
The land plans – sheet 4		
In the administrative area of Wiltshire Council, in the parish of Winterbourne Stoke	04-01	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development)
	04-03, 04-05, 04-27, 04-32, 04-36, 04-38	New rights required for— the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development); and

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(1) Area	(2) Plot reference number(s) shown on land plans	(3) Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed
		the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling
	04-22	<p>New rights required for—</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development);</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling; and</p> <p>the construction of a new private means of access to and egress from land (lying within plot 04-17) and being generally as shown on sheet 4 of the rights of way and access plans; and a right for the undertaker to use and maintain such private means of access (including a right of access with or without vehicles, plant and machinery) for the benefit of that land</p>
The land plans – sheet 5		
In the administrative area of Wiltshire Council, in the parish of Winterbourne Stoke	05-07	<p>New rights required for—</p> <p>the installation, use, protection and maintenance of and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling</p>
	05-02, 05-10, 05-14, 05-15, 05-18	<p>New rights required for—</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation</p>
The land plans – sheet 9		

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(1) <i>Area</i>	(2) <i>Plot reference number(s) shown on land plans</i>	(3) <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed</i>
In the administrative area of Wiltshire Council, in the parish of Amesbury	09-06, 09-12, 09-13, 09-14, 09-24, 09-25, 09-26, 09-27, 09-36, 09-37, 09-38, 09-40, 09-41, 09-45, 09-47, 09-48	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development)
The land plans – sheet 10		
In the administrative area of Wiltshire Council, in the parish of Amesbury	10-02	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development)
In the administrative area of Wiltshire Council, in the parish of Amesbury	10-18, 10-19	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking)
The land plans – sheet 11		
In the administrative area of Wiltshire Council, in the parish of Amesbury	11-04, 11-05, 11-10, 11-12, 11-19, 11-25, 11-27	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking)
In the administrative area of Wiltshire Council, in the parish of Bulford	11-17	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking)
In the administrative area of Wiltshire Council, in the parish of Bulford	11-18	New rights required for— the installation, use, protection and maintenance of, and access to, statutory undertakers' apparatus (for the benefit of the relevant statutory undertaker and its undertaking); and the construction of new private means of access to and egress from land (lying to the east and west of plots 11-18 and 11-19) and being generally as shown on sheet 11 of the rights of way and access plans; and rights to use and maintain such private means of access (including rights of access with or without vehicles, plant and machinery) for the benefit of that land
The land plans – sheet 12		

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(1) <i>Area</i>	(2) <i>Plot reference number(s) shown on land plans</i>	(3) <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed</i>
In the administrative area of Wiltshire Council, in the parish of Shrewton	12-02	<p>New rights required for—</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers’ apparatus (for the benefit of the relevant statutory undertaker and its undertaking);</p> <p>the installation, use, protection and maintenance of, and access to, Esso’s apparatus (for the benefit of Esso and its undertaking and for the benefit of the undertaker and the authorised development); and</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling and deposition of excavated material</p>
The land plans – sheet 13		
In the administrative area of Wiltshire Council, in the parish of Shrewton	13-01, 13-04	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers’ apparatus (for the benefit of the relevant statutory undertaker and its undertaking)
The land plans – sheet 14		
In the administrative area of Wiltshire Council, in the parish of Winterbourne Stoke	14-01	<p>New rights required for—</p> <p>the installation, use, protection and maintenance of, and access to, statutory undertakers’ apparatus (for the benefit of the relevant statutory undertaker and its undertaking);</p> <p>the provision, maintenance and retention of ecological or landscape mitigation, including re-profiling; and</p> <p>the construction of new private means of access to and egress from land (lying to the west and to the south of plots 14-01, 14-02 and 14-03) and being generally as shown on sheets 5 and 14 of the rights of way and access plans; and rights to use and maintain such private means of access (including rights of access with or without vehicles, plant and machinery) for the benefit of that land</p>
	14-09	New rights required for the installation, use, protection and maintenance of, and access to, statutory undertakers’ apparatus (for the benefit of the relevant statutory undertaker)
The land plans – sheet 15		

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(1) <i>Area</i>	(2) <i>Plot reference number(s) shown on land plans</i>	(3) <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed</i>
In the administrative area of Wiltshire Council, in the parish of Winterbourne Stoke	15-02	New rights required for— the installation, use, protection and maintenance of, and access to, statutory undertakers’ apparatus (for the benefit of the relevant statutory undertaker); and the provision, maintenance and retention of ecological or landscape mitigation

SCHEDULE 5

Article 22(6) and (7)

MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR THE CREATION OF NEW RIGHTS

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 as respects compensation on the compulsory purchase of land and interests in land.

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) of the 1961 Act substitute—

“5A. If—

- (a) the acquiring authority enters on land for the purpose 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 5 to the A303 (Amesbury to Berwick Down) Development Consent Order 2023 (“the 2023 Order”));
- (b) the acquiring authority is subsequently required by a determination under paragraph 12 of Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act (as substituted by paragraph 5(8) of Schedule 5 to the 2023 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 where it entered on that land for the purpose of exercising that right.”

3.—(1) Without limitation on the scope of paragraph 1, the Land Compensation Act 1973(5) has effect subject to the modifications set out in sub-paragraph (2).

(5) 1973 c. 26.

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(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”.

Application 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 25 (modification of Part 1 of the 1965 Act)) to the acquisition of land under article 19 (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 22(1) (compulsory acquisition of rights)—

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

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 context, 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 restriction 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 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(6) (powers of entry) of the 1965 Act is modified to secure that, where the acquiring authority has served notice to treat in respect of any right or restricted covenant, as well as the

(6) 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)

notice of entry required by subsection (1) of that section (as it applies to a compulsory acquisition under article 19), 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 11A(7) (powers of entry: further notices of entry), 11B(8) (counter-notice requiring possession to be taken on specified date), 12(9) (unauthorised entry) and 13(10) (refusal to give possession to acquiring authority) of the 1965 Act are modified correspondingly.

(6) Section 20(11) (tenants at will, etc.) 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 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 as modified by article 25(4) is also modified 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 or enforce the restrictive covenant imposed, subject to compliance with that section as respects compensation.

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

“SCHEDULE 2A COUNTER-
NOTICE REQUIRING
PURCHASE OF LAND NOT
IN NOTICE TO TREAT

Introduction

1.—(1) This Schedule applies where an acquiring authority serve a notice to treat in respect of a right over, or restrictive covenant affecting, the whole or part of a house, building or factory and have not executed a general vesting declaration under section 4 of the 1981 Act as applied by article 26 (application of the 1981 Act) of the A303 (Amesbury to Berwick Down) Development Consent Order 2023 in respect of the land to which the notice to treat relates.

(2) But see article 27(4) (acquisition of subsoil, etc., only) of the A303 (Amesbury to Berwick Down) Development Consent Order 2023 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.

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 (c. 22) and S.I. 2009/1307.

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

(8) Section 11B was inserted by section 187(3) of the Housing and Planning Act 2016.

(9) Section 12 was amended by section 56(2) of, and Part 1 of Schedule 9 to, the Courts Act 1971 (c. 23) and paragraphs (2) and (4) of Schedule 16 to the Housing and Planning Act 2016.

(10) 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).

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

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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 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 authority decide to refer the counter-notice to the Upper Tribunal they must do so within the decision period.

8. If the authority do not serve notice of a decision within the decision period they are to be treated as if they had served notice of a decision to withdraw the notice to treat at the end of that period.

9. If the 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 included the owner’s interest in the house, building or factory.

Determination by 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 its determination, the Upper Tribunal must take into account—

- (a) the effect of the acquisition of the right or the imposition of the restrictive covenant,
- (b) the use to be made of the right or restrictive covenant proposed to be acquired or imposed, and
- (c) if the right or restrictive 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 restrictive covenant would have either of the consequences described in paragraph 10, it must determine how much of the house, building or factory the authority ought to be required to take.

13. If the Upper Tribunal determines that the authority 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 authority ought to be required to take some or all of the house, building or factory, the 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.

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

(3) Any dispute as to the compensation is to be determined by the Upper Tribunal.”.

SCHEDULE 6

Article 27

LAND IN WHICH ONLY SUBSOIL OR NEW RIGHTS IN
AND ABOVE SUBSOIL AND SURFACE MAY BE ACQUIRED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Depth of subsoil beneath the level of the surface of the land</i>	<i>(4)</i> <i>Purposes for which the subsoil and new rights (including restrictive covenants) are required</i>
The land plans – sheet 6			
In the administrative area of Wiltshire Council, in the parish of Wilford Cum Lake	06-06	1.2 metres	Acquisition of subsoil for the construction and operation of the tunnel and for the installation of ground anchors adjacent to its western end, and new rights (including restrictive covenants) above, adjoining such subsoil, for the protection and maintenance of the tunnel and ground anchors
In the administrative area of Wiltshire Council, in the parish of Amesbury	06-08	1.2 metres	Acquisition of subsoil for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
	06-11	3 metres	
	06-13		
The land plans – sheet 7			
In the administrative area of Wiltshire Council, in the parish of Amesbury	07-02	3 metres	Acquisition of subsoil for the construction and operation of the tunnel, and new rights (including restrictive
	07-05		
	07-07	1.2 metres	

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(1) Area	(2) Plot reference number(s) shown on land plans	(3) Depth of subsoil beneath the level of the surface of the land	(4) Purposes for which the subsoil and new rights (including restrictive covenants) are required
	07-13	3 metres	covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
The land plans – sheet 8			
In the administrative area of Wiltshire Council, in the parish of Amesbury	08-02	15 metres	Acquisition of subsoil for the construction and operation of the tunnel, and new rights (including restrictive covenants) above and adjoining such subsoil, for the protection and maintenance of the tunnel
	08-07		
	08-09		
	08-10		
	08-11		
	08-12		
In the administrative area of Wiltshire Council, in the parish of Amesbury	08-14	1.2 metres	<p>Acquisition of subsoil for the construction and operation of the tunnel and for the installation of ground anchors adjacent to its eastern end;</p> <p>new rights (including the right to impose restrictive covenants) above, up to and including the surface, for the protection and maintenance of the tunnel and ground anchors;</p> <p>new rights for the construction of a new private means of access to land on the north side of the new and improved A303 (as shown illustratively on sheet 8 of the rights of way and access plans, as</p>

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Depth of subsoil beneath the level of the surface of the land</i>	<i>(4)</i> <i>Purposes for which the subsoil and new rights (including restrictive covenants) are required</i>
			new private means of access Reference 27); and new rights to use and maintain such private means of access (including a right of access with or without vehicles, plant and machinery) to be granted for the benefit of the land served by that private means of access, being land to the north of the new and improved A303

SCHEDULE 7

Article 29

LAND OF WHICH ONLY TEMPORARY POSSESSION MAY BE TAKEN

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Relevant part of the authorised development</i>
The land plans – sheet 1			
In the administrative area of Wiltshire Council, in the parish of Steeple Lanford	01-07, 01-09	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work No. 1A
The land plans – sheet 3			
In the administrative area of Wiltshire Council, in the parish of Winterbourne Stoke	03-05	Required to facilitate the construction of the new and improved A303 and the de-trunking of the existing A303; for archaeological and	Work Nos. 1A and 3A

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(1) Area	(2) Plot reference number(s) shown on land plans	(3) Purpose for which temporary possession may be taken	(4) Relevant part of the authorised development
		ecological mitigation; and to provide temporary storage, laydown areas and working space	
The land plans – sheet 4			
In the administrative area of Wiltshire Council, in the parish of Winterbourne Stoke	04-04	Required to facilitate the construction of the new and improved A303 and the realigned B3083; for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work Nos. 1A, 1B and 2
	04-21	Required to facilitate the construction of the new and improved A303; and the de-trunking of the existing A303; for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work Nos. 1B, 1C, 3A and 3B
	04-23, 04-25	Required to facilitate the construction of the new and improved A303 and of the new link road between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for use in connection with the de-trunking of the existing A303; for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work Nos. 1B, 1C, 3B and 3C
	04-31, 04-34	Required to facilitate the construction of the new and improved A303 and of the new link road between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for	Work Nos. 1C, 3B and 3C

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Relevant part of the authorised development</i>
		use in connection with the de-trunking of the existing A303; for landscape re-profiling; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	
The land plans – sheet 5			
In the administrative area of Wiltshire Council, in the parish of Winterbourne Stoke	05-01	Required to facilitate the construction of the new link road between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work Nos. 3B and 3C
	05-11	Required to facilitate the construction of the new and improved A303 and of the new link road between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for construction of the new alignment of the A360; for use in connection with the de-trunking of the existing A303; for archaeological and ecological mitigation; for landscape re-profiling; and to provide temporary storage, laydown areas and working space	Work Nos. 1C, 3B, 3C and 4
	05-13	Required to facilitate the construction of the new and improved A303 and of the new link road between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; for landscape re-profiling; for construction of the new alignment of the A360; for	Work Nos. 1C, 3B, 3C and 4

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(1) <i>Area</i>	(2) <i>Plot reference number(s) 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>
		archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	
	05-37	Required for construction of the new restricted byway and private means of access on the line of the existing A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work No. 6
The land plans – sheet 8			
In the administrative area of Wiltshire Council, in the parish of Amesbury	08-21	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work Nos. 1G and 1H
The land plans – sheet 9			
In the administrative area of Wiltshire Council, in the parish of Amesbury	09-01	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work Nos. 1G, 1H
In the administrative area of Wiltshire Council, in the parish of Amesbury	09-07, 09-15, 09-16, 09-17	Required to facilitate the construction of the new and improved A303; and to provide temporary storage, laydown areas and working space	Work No. 1H
The land plans – sheet 10			
In the administrative area of Wiltshire Council, in the parish of Amesbury	10-20, 10-23	Required to facilitate the construction of a new highway connecting Equinox Drive and Allington Track; to facilitate the provision of replacement land given in exchange for open space; for archaeological and ecological mitigation; and to provide temporary storage,	Work No. 7

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Relevant part of the authorised development</i>
		laydown areas and working space	
The land plans – sheet 11			
In the administrative area of Wiltshire Council, in the parish of Amesbury	11-11	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; and for works in connection with the stopping up of byway AMES1 and its substitution with a footpath; and to provide temporary storage, laydown areas and working space	Work Nos. 1H and 7
	11-14, 11-15	Required to facilitate the construction of the new and improved A303; for archaeological and ecological mitigation; for improvements to Amesbury Road; and to provide temporary storage, laydown areas and working space	Work No. 1H
	11-23, 11-26	Required to facilitate the construction of the new and improved A303; for use in connection with the stopping up of Allington Track; for archaeological and ecological mitigation; to facilitate the construction of a new highway connecting Equinox Drive with Allington Track; and to provide temporary storage, laydown areas and working space	Work Nos. 1H and 7
	11-32	Required to facilitate the construction of a new highway connecting Equinox Drive with Allington Track; to facilitate the provision of replacement land given in exchange for open space; for archaeological and ecological	Work No. 7

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Relevant part of the authorised development</i>
		mitigation; and to provide temporary storage, laydown areas and working space	
The land plans – sheet 12			
In the administrative area of Wiltshire Council, in the parish of Shrewton	12-05	Required in connection with the construction of the new and improved A303; for archaeological and ecological mitigation; to facilitate traffic management associated with the realignment of the B3083; and to provide temporary storage, laydown areas and working space	Work No. 2
The land plans – sheet 13			
In the administrative area of Wiltshire Council, in the parish of Shrewton	13-06	Required to facilitate the realignment of the Rolleston Cross junction; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work No. 5
	13-09, 13-10	Required to facilitate the provision of private means of access to land south of the Rolleston Cross junction; and for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work No. 5
The land plans – sheet 14			
In the administrative area of Wiltshire Council, in the parish of Shrewton	14-03	Required to facilitate the realignment of the A360 and construction of a new restricted byway; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	Work No. 4
The land plans – sheet 15			
In the administrative area of Wiltshire	15-01	Required to facilitate the construction of the new	Work Nos. 1C, 3B, 3C and 4

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot reference number(s) shown on land plans</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Relevant part of the authorised development</i>
Council, in the parish of Winterbourne Stoke		and improved A303 and of the new link road between the de-trunked A303 at Winterbourne Stoke and the new Longbarrow Junction; to facilitate the construction of the new alignment of the A360; for archaeological and ecological mitigation; and to provide temporary storage, laydown areas and working space	

SCHEDULE 8

Article 44

BYELAWS

PART 1

PRELIMINARY

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

Interpretation

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

“authorised person” means—

- (a) a person acting in the course of that person’s duties who—
 - (i) is an employee, agent, contractor or sub-contractor of the undertaker; or
 - (ii) is authorised by the undertaker to exercise one or more of its functions under this Order; or
- (b) a constable, Police Community Support Officer, an officer of the Driver and Vehicle Standards Agency, an officer of the Health and Safety Executive, a person authorised for the purposes of section 44 (powers of fire-fighters etc in an emergency etc) of the Fire and Rescue Services Act 2004(12), a person accredited by or under section 41 (accreditation

(12) 2004 c. 21. Section 44 was amended by section 6 of the Emergency Workers (Obstruction) Act 2006 (c. 39).

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under community safety accreditation schemes) of the Police Reform Act 2002(13), or a traffic officer, acting in the execution of that person’s duties within the tunnel;

“byelaws” means these byelaws;

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

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

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

“traffic officer” means an individual designated under section 2 (designation of traffic officers) of the Traffic Management Act 2004(14);

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

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

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

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

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

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

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

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

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

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

(2) The Interpretation Act 1978(15) applies to the interpretation of these byelaws as it applies to the interpretation of an Act of Parliament.

PART 2

CONDUCT AND BEHAVIOUR

Smoking etc.

3. A person in the tunnel area must not—

(13) 2002 c. 30. Section 41 was amended by section 52 of, and paragraph 42 of Schedule 14 to, the Police and Justice Act 2006 (c. 48).

(14) 2004 c. 18.

(15) 1978 c. 30.

- (a) smoke or carry an item that is alight including a lit cigar, cigarette, cigarillo, match, pipe or lighter; or
- (b) use a vaporiser.

Unacceptable behaviour

4. A person must not—
- (a) climb upon, remove or damage (whether deliberately or negligently) any tunnel infrastructure or tunnel equipment;
 - (b) remove, move or otherwise interfere with the tunnel or any machinery, apparatus, tools or other things in use or intended for use in connection with the tunnel or the tunnel approaches;
 - (c) post a bill, placard or notice on any tunnel infrastructure or tunnel equipment;
 - (d) write, print, draw or paint on or cut, mark or stamp any tunnel infrastructure or tunnel equipment;
 - (e) fix anything to any tunnel equipment or tunnel infrastructure;
 - (f) spit, urinate or defecate in the tunnel area;
 - (g) leave litter or waste in the tunnel area;
 - (h) move, alter, deface or otherwise interfere with any notice belonging to the undertaker which is exhibited or placed in the tunnel area; or
 - (i) without prejudice to any other requirement of these byelaws, act in any way as to cause a nuisance in the tunnel area.

PART 3

EQUIPMENT AND SAFETY

General safety

- 5.—(1) A person must not operate, obstruct, interfere with or stop any tunnel equipment except—
- (a) by means of any of the controls intended for use by that person; or
 - (b) in an emergency and by means of equipment on or near which is a notice indicating that it is to be used in an emergency.
- (2) A person must not place, throw, drop or trail anything which is capable of injuring or endangering any person or damaging any property in the tunnel area.
- (3) A person must not obstruct or in any way interfere with the tunnel area.
- (4) A person must not, without reasonable cause, activate, use or interfere with any emergency, safety or communications equipment within the tunnel area.

PART 4

ACCESS AND TRAFFIC

Unauthorised access and loitering

6.—(1) A person must not enter, attempt to enter or remain in any part of the tunnel area where there is a notice prohibiting or restricting access.

(2) A person must not loiter in the tunnel area if asked to leave by an authorised person.

(3) A driver of a motor vehicle must not sleep within the tunnel area.

Traffic regulation

7.—(1) A person must not enter the tunnel area on foot.

(2) A person (other than an authorised person) must not use or cause to be used within the tunnel area a pedal cycle (whether electric or not), tricycle, barrow, cart, buggy, pedicab, rickshaw, vehicle used as a personal transporter, or human or animal drawn means of conveyance except if it is conveyed as the load or part of the load of a motor vehicle.

(3) A person must not take into the tunnel area an animal unless the animal is enclosed in a motor vehicle or trailer.

(4) A person must not release an animal from a motor vehicle in the tunnel area.

(5) A person must not enter the tunnel area in a vehicle which has insufficient fuel or power for the journey to be completed in the tunnel area without the need for additional fuel or power.

(6) A person must not abandon a motor vehicle in the tunnel area except in an emergency as directed by an authorised person.

(7) A person must not operate a motor vehicle music or sound system at such volume as to cause nuisance to users of the tunnel area.

(8) A person must not unnecessarily, inappropriately or excessively use a car horn, klaxon or lights (including car lamps) in the tunnel area.

(9) A person must not take or cause to be taken into the tunnel area a motor vehicle which by reason of its condition is likely to break down or is in such condition as is likely to injure persons or damage property.

(10) A person must not use or cause to be used a motor vehicle in the tunnel area unless the load carried by the motor vehicle is at all times contained or secured (if necessary by physical restraint other than its own weight) and is in such a position that neither danger nor nuisance is caused or is likely to be caused to a person or property by reason of the load or any part of the load falling or being thrown from the motor vehicle.

(11) No driver of or passenger in a motor vehicle which has broken down may carry out repairs to or refuel a motor vehicle in the tunnel area without the permission of an authorised person.

(12) A driver of a motor vehicle which has broken down in the tunnel area must—

- (a) immediately notify an authorised person of the breakdown; and
- (b) switch on the motor vehicle's hazard lights.

(13) A driver of a motor vehicle which has shed its load in full or in part in the tunnel area such that it has caused, or may cause, an obstruction or other hazard to users of the tunnel area must—

- (a) not attempt to reclaim the load;
- (b) immediately inform an authorised person of the loss of the load and of its approximate location; and

(c) immediately inform an authorised person of the identity of, and contact details for, the owner of the load.

(14) A driver of a motor vehicle must not (unless directed by an authorised person) drive in the tunnel area at a speed of less than ten miles per hour except where the driver is prevented from driving at or above ten miles per hour on account of the traffic flow.

(15) A driver of a motor vehicle must comply with any direction given by an authorised person or traffic notice, sign or signal at any time in terms of the traffic lanes to be used by motor vehicles or not to be used by motor vehicles.

Dangerous goods

8.—(1) A person must not, except with the consent of the undertaker, take or cause or permit to be taken into the tunnel area a motor vehicle carrying dangerous goods and must at all times when in the tunnel area comply with the conditions imposed by paragraph (2) below.

(2) The consent of the undertaker, if granted, is subject to the condition that no person may drive into the tunnel area any motor vehicle to which paragraph (1) applies except with such escort as may be directed or required by an authorised person and the driver of every such motor vehicle must take and comply with such directions or precautionary measures as an authorised person considers expedient in the circumstances.

(3) The consent of the undertaker under this byelaw may be granted generally or specifically, including in respect of any category or description of dangerous goods.

(4) The undertaker must provide and maintain on its website a mechanism for potential tunnel users to obtain the consent required under paragraph (1) above or granted under paragraph (3).

(5) A driver of a motor vehicle in the tunnel area must not prevent an authorised person from inspecting the motor vehicle for the purpose of ascertaining compliance with the requirements which apply at any time in respect of the carriage of dangerous goods.

PART 5

ENFORCEMENT, ETC.

Name and address

9.—(1) A person reasonably suspected by an authorised person of breaching or attempting to breach a byelaw must immediately give that person's name and address when requested to do so by an authorised person.

(2) The authorised person requesting details under paragraph (1) must state the nature of the suspected breach of the byelaw in general terms at the time of the request.

Compliance with instructions and notices, etc.

10.—(1) A person in the tunnel area must carry out the reasonable instructions of an authorised person or the requirements of a notice displayed by the undertaker.

(2) A person must not obstruct an authorised person acting in the course of the person's duties.

(3) A person acting in compliance with the instructions of an authorised person does not commit a breach of the byelaw which otherwise prohibits the act.

(4) A person is not subject to a penalty for breach of a byelaw by disobeying a notice unless it is proved to the satisfaction of the Court before which the complaint is laid that the notice referred to in the particular byelaw was displayed.

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Identification of authorised persons

11.—(1) An authorised person who is exercising any power conferred on an authorised person by any of the byelaws must produce a form of identification when requested to do so.

(2) The form of identification mentioned in paragraph (1) must include the name of the authorised person's employer and a means of identifying the authorised person.

Breaches by authorised persons

12. An authorised person acting in the course of the authorised person's duties is not liable for a breach of a byelaw.

Attempted breach

13. A person who attempts to breach a byelaw is liable to the same penalty as a person who breaches a byelaw.

SCHEDULE 9

Article 46

CLASSIFICATION OF ROADS ETC.

PART 1

THE NEW AND IMPROVED A303 TRUNK ROAD

In the administrative area of Wiltshire Council—

An 11.6 kilometre length of new road

1. An 11.6 km length of new road to be constructed and classified (as identified in sub-paragraphs (a) to (i) below) as part of the A303 trunk road (such length also including existing highway to be improved, as identified in sub-paragraphs (a) and (i) below)—

- (a) commencing from a point 1.26 km to the east of the centre point of iron age hillfort Yarnbury Castle and following the existing A303 alignment for a distance of 1000 metres in a generally easterly direction to a point 1.85 km west of the junction of the existing A303 with Berwick Road B3083;
- (b) then departing from the existing alignment in a north easterly direction, to the north of Winterbourne Stoke, for a distance of 1.74 km, to cross the route of the existing B3083 at a point 475 metres north of its junction with the existing A303;
- (c) continuing to the north of Winterbourne Stoke for a distance of 517 metres and crossing the River Till on a new viaduct at a point 395 metres north of the existing A303 river crossing;
- (d) departing from the River Till and continuing in a generally easterly direction for a distance of 1.48 km to a crossing point with the existing A303 at a point 693 metres to the west of the centre of the existing Longbarrow roundabout;
- (e) passing beneath the new bridge at Longbarrow Junction which it is proposed will carry the realigned A360 and then continuing in an easterly direction for a distance of 694 metres to pass the existing A360 in cutting at a point 95 metres south of the centre of the existing Longbarrow roundabout;

- (f) from the A360 continuing in a generally easterly direction, running parallel with and to the south of the existing A303 for a distance of 971 metres to the new western tunnel portal, at a point 940 metres to the west of the crossing point of existing byway AMES12 and 60 metres to the south of the existing A303 at that point;
- (g) continuing within the new tunnel for a distance of 2.25 km, to the crossing point of the existing A303 located 920 metres east of the junction of byway AMES 11;
- (h) continuing within the new tunnel in an easterly direction, for a distance of 1.01 km to the new eastern tunnel portal, located at a point 710 metres to the east of the junction of the existing A303 and Bridleway AMES10 and 65 metres to the north of the centre of the existing A303; and
- (i) from the new eastern portal eastwards for a distance of 1.93 km, following the route of the existing A303 and continuing through the improved Countess junction on a new flyover, then terminating at a point located 630 metres to the east of the centre point of the existing Countess roundabout,

identified by a red line on the classification of roads plan.

PART 2

THE NEW LONGBARROW JUNCTION AND THE SLIP ROADS

In the administrative area of Wiltshire Council—

A303 eastbound diverge slip road

2. A 525 metre length of new slip road to be classified as part of the A303 trunk road, commencing from its diverge point on the centre of the new A303 eastbound carriageway in an easterly direction to its junction with the new northern roundabout at Longbarrow Junction,

identified by a red line on the classification of roads plan.

A303 eastbound merge slip road

3. A 485 metre length of new slip road to be classified as part of the A303 trunk road, commencing from its junction with the new northern roundabout at Longbarrow Junction and continuing in an easterly direction to its merge point on the centre of the eastbound carriageway of the new A303 trunk road,

identified by a red line on the classification of roads plan.

A303 westbound diverge slip road

4. A 495 metre length of new slip road to be classified as part of the A303 trunk road, commencing from its diverge point on the centre on the new A303 westbound carriageway in a westerly direction to its junction with the new southern roundabout at Longbarrow Junction,

identified by a red line on the classification of roads plan.

A303 westbound merge slip road

5. A 540 metre length of new slip road to be classified as part of the A303 trunk road, commencing from its junction with the new southern roundabout at Longbarrow Junction and continuing in a westerly direction to its merge point on the centre of the westbound carriageway of the new A303 trunk road,

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identified by a red line on the classification of roads plan.

PART 3

THE NEW LONGBARROW JUNCTION AND LINK ROADS

In the administrative area of Wiltshire Council—

A360 northern link to new Longbarrow junction

6. A 1083 metre length of new road to be classified as part of the re-aligned A360 commencing from its junction with the new northern roundabout at Longbarrow Junction and extending in a north-easterly direction, to the point where it merges with the existing A360, at a point 760 metres north of the centre of the existing Longbarrow roundabout,

identified by a blue line on the classification of roads plan.

Northbound and Southbound Link between the new northern and southern roundabouts at Longbarrow Junction

7. A 180 metre length of new road to be classified as part of the A360, commencing from its junction with the new northern roundabout at Longbarrow Junction in a southerly direction to its junction with the new southern roundabout at Longbarrow Junction, and including the whole of the circulatory carriageway of the new northern and southern roundabouts at Longbarrow Junction,

identified by a blue line on the classification of roads plan.

A360 south-eastern link to new Longbarrow junction

8. A 785 metre length of new road to be classified as part of the re-aligned A360 commencing from its junction with the new southern roundabout at Longbarrow Junction and extending in a south-easterly direction, to the point where it merges with the existing A360, at a point 760 metres south of the centre of the existing Longbarrow roundabout,

identified by a blue line on the classification of roads plan.

South-western link to new Longbarrow junction

9. A 610 metre length of new road to be classified as a C class road and recorded by the local highway authority as the C507 commencing from its junction with the new southern roundabout at Longbarrow Junction and extending in a westerly direction, to where it merges with the existing A303, at a point 625 metres west of the new southern roundabout at Longbarrow Junction and 280 metres to the east of the junction of existing Byway WST06B with the existing A303,

identified by an orange dashed line on the classification of roads plan.

PART 4

THE NEW ROLLESTONE CROSS

In the administrative area of Wiltshire Council—

A 230 metre length of new road (B3086 northbound approach)

10. A 230 metre length of new road to be constructed and classified as part of the B3086 commencing from a point 2.97 km north of the existing Longbarrow roundabout and extending northwards, to a point 85 metres to the east of the existing Rollestone Cross, identified by a green line on the classification of roads plan.

A 135 metre length of new road (Unclassified westbound approach)

11. A 135 metre length of new road to be constructed and classified as part of the Unclassified 094402 (The Packway) from a point 85 metres east of the existing Rollestone Cross to a point 165 metres east of the existing Rollestone Cross, identified by a green line overlaid with a black dashed line on the classification of roads plan.

A 140 metre length of new road (B3086 eastbound approach)

12. A 140 metre length of new road to be constructed and classified as part of the B3086 between a point 55 metres west of the existing Rollestone Cross and a point 85 metres east of the existing Rollestone Cross, identified by a green line on the classification of roads plan.

PART 5

THE NEW B3083

In the administrative area of Wiltshire Council—

A 725 metre length of new road (realigned B3083)

13. A 725 metre length of new road to be constructed and classified as part of the realigned B3083 Road located 50 metres to the west of the existing B3083, north of Winterbourne Stoke, and extending generally northwards from a point 160 metres north of the existing junction of the B3083 and the A303, identified by a cyan line on the classification of roads plan.

PART 6

THE NEW COUNTESS JUNCTION SLIP ROADS

In the administrative area of Wiltshire Council—

A303 eastbound diverge slip road

14. A 570 metre length of new slip road to be classified as part of the A303 trunk road, commencing from its diverge point on the centre of the improved A303 eastbound carriageway in an easterly direction to a point 14 metres west of its junction with the existing Countess roundabout, identified by a red line on the classification of roads plan.

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A303 eastbound merge slip road

15. A 470 metre length of new slip road to be classified as part of the A303 trunk road, commencing from a point 17 metres east of its junction with the existing Countess roundabout and continuing in an easterly direction to its merge point on the centre of the eastbound carriageway of the improved A303 trunk road,

identified by a red line on the classification of roads plan.

A303 westbound diverge slip road

16. A 425 metre length of new slip road to be classified as part of the A303 trunk road, commencing from its diverge point on the centre on the improved A303 westbound carriageway in a westerly direction to a point 25 metres east of its junction with the existing Countess roundabout,

identified by a red line on the classification of roads plan.

A303 westbound merge slip road

17. A 475 metre length of new slip road to be classified as part of the A303 trunk road, commencing from a point 26 metres west of its junction with the existing Countess roundabout and continuing in a westerly direction to its merge point on the centre of the westbound carriageway of the improved A303 trunk road,

identified by a red line on the classification of roads plan.

PART 7

THE EXISTING A303

In the administrative area of Wiltshire Council—

A 570 metre length of existing A303 trunk road

18. A 570 metre length of the existing A303 trunk road to the west of Winterbourne Stoke to be declassified (changing from its trunk road status to an unclassified road) from a point immediately west of its junction with the existing southern B3083 in a westerly direction,

identified by a purple line overlaid with a black dashed line on the classification of roads plan.

A 350 metre length of existing A303 trunk road

19. A 350 metre length of existing A303 trunk road to be reclassified as part of the B3083 from a point immediately to the west of its junction with the existing B3083 south, to the west of Winterbourne Stoke, to a point immediately east of the existing junction of the B3083 north with the existing A303,

identified by a cyan line on the classification of roads plan.

A 1.24 kilometre length of existing A303 trunk road

20. A 1.24 km length of existing A303 trunk road to be classified as a C class road and recorded by the local highway authority as the C507, commencing from a point immediately to the east of its junction with the existing B3083 north at Winterbourne Stoke to a point 280 metres to the east of the junction of existing byway WST06B with the existing A303,

identified by a dashed orange line on the classification of roads plan.

A 345 metre length of existing A303 trunk road

21. A length of 345 metres of highway, comprising the existing A303 circulatory carriageway (and related highway verge) at Countess junction roundabout to be re-classified as the A345, together with the following connecting lengths of slip road—

- (a) a 14 metre length of the existing A303 eastbound diverge slip road to be re-classified as part of the A345, commencing from the edge of the circulatory carriageway and extending in a westerly direction;
- (b) a 17 metre length of the existing A303 eastbound merge slip road to be re-classified as part of the A345, commencing from the edge of the circulatory carriageway and extending in an easterly direction;
- (c) a 25 metre length of the existing A303 westbound diverge slip road to be re-classified as part of the A345, commencing from the edge of the circulatory carriageway and extending in an easterly direction; and
- (d) a 26 metre length of the existing A303 westbound merge slip road to be re-classified as part of the A345, commencing from the edge of the circulatory carriageway and extending in a westerly direction,

as shown by a pink line on the classification of roads plan.

PART 8

THE NEW ALLINGTON TRACK LINK ROAD

In the administrative area of Wiltshire Council—

A 985 metre length of new road

22. A 985 metre length of new road to be unclassified, located from its junction with Equinox Drive for a distance of 955 metres in a generally easterly direction, identified by a dashed black line on the classification of roads plan.

PART 9

ROADS TO BE DE-TRUNKED

In the administrative area of Wiltshire Council—

A 2.28 kilometre length of the existing A303 trunk road

23. A length of 2.28 kilometres of the existing A303 trunk road from point A on sheet 1 of the de-trunking plans, being a point on the A303 trunk road 900 metres west of its junction with the B3083 north, in an easterly direction (including the lay-by on the north side of the existing A303, west of Winterbourne Stoke) to point B on sheet 2 of the de-trunking plans, being a point on the existing A303 trunk road, 400 metres east of its intersection with byway WST06B.

A 345 metre length of the existing A303 trunk road

24. A length of 345 metres of highway, comprising the existing A303 circulatory carriageway (and related highway verge and footway links on the east and west sides of the A345 route) at Countess junction roundabout, together with the following connecting lengths of slip road—

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- (a) a 14 metre length of the existing A303 eastbound diverge slip road commencing from the edge of the circulatory carriageway and extending in a westerly direction;
- (b) a 17 metre length of the existing A303 eastbound merge slip road commencing from the edge of the circulatory carriageway and extending in an easterly direction;
- (c) a 25 metre length of the existing A303 westbound diverge slip road commencing from the edge of the circulatory carriageway and extending in an easterly direction; and
- (d) a 26 metre length of the existing A303 westbound merge slip road commencing from the edge of the circulatory carriageway and extending in a westerly direction,

as shown at point C on sheet 3 of the de-trunking plans.

SCHEDULE 10

Articles 47 and 48

TRAFFIC REGULATION MEASURES

Note 1: The naming conventions used in this Schedule to describe roads, junctions and structures relate to the naming conventions used in the labels on the traffic regulation measures plans.

Note 2: References to the national speed limit in column (3) of the table in Part 1 of this Schedule are references to the maximum speed limits specified under the 1984 Act and to provision made, or deemed to have been made, under the 1984 Act.

PART 1

SPEED LIMITS

(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Speed limit</i>
The traffic regulation measures plans (speed limits) – sheets 1, 2 and 3		
Steeple Langford, Berwick St James	New eastbound A303 trunk road (dual carriageway) From a point 350 metres to the south east of the centre of Yarnbury Castle to a point 2.7 kilometres west of the existing Longbarrow roundabout.	National speed limit (70 miles per hour)
The traffic regulation measures plans (speed limits) – sheets 1, 2, 3, 4 and 5		
Steeple Langford and Berwick St James and Winterbourne Stoke	New westbound A303 trunk road (dual carriageway) From a point 370 metres to the south east of the centre of Yarnbury Castle to a point 740 metres west of the existing Longbarrow roundabout.	National speed limit (70 miles per hour)
The traffic regulation measures plans (speed limits) – sheet 3		
Winterbourne Stoke	New (realigned) B3083 Between a point 840 metres north of the junction of the existing B3083 North and the existing A303 at Winterbourne Stoke and a point 25 metres north	50 miles per hour

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(1) Parish(es)	(2) Road name, number and length	(3) Speed limit
	of the existing junction of the B3083 North and the existing A303.	
The traffic regulation measures plans (speed limits) – sheets 3 and 4		
Winterbourne Stoke	Existing A303 Trunk Road Between a point 890 metres west of the junction of the existing A303 with the B3083 North and a point 285 metres east of the junction of the existing A303 with the B3083 North at Winterbourne Stoke, for a distance of 1.2 kilometres.	30 miles per hour
The traffic regulation measures plans (speed limits) – sheets 3, 4, 5, 6, 7, 8, 9 and 10		
Winterbourne Stoke, Wilsford Cum Lake and Amesbury	New eastbound A303 Trunk Road (including Tunnel Section) Between a point 2.7 kilometres west of the existing Longbarrow roundabout and a point 870 metres east of the centre of the existing Countess Roundabout, a distance of 9.1 km.	Variable speed limit
	New westbound A303 Trunk Road (including Tunnel Section) Between a point 2 kilometres east of the centre of the existing Countess roundabout and a point 740 metres west of the existing Longbarrow roundabout, a distance of 8.3 kilometres.	Variable speed limit
The traffic regulation measures plans (speed limits) – sheets 4 and 5		
Winterbourne Stoke	Existing A303 Trunk Road Between a point 285 metres east of the junction of the existing A303 with the B3083 North at Winterbourne Stoke and the centre point of the southern roundabout at the new Longbarrow Junction.	40 miles per hour
	New A303 Trunk Road Longbarrow Junction Eastbound Diverge Slip Road From a point 670 metres west of the centre point of the existing Longbarrow roundabout for a distance of 450 metres in a westerly direction.	Variable speed limit
The traffic regulation measures plans (speed limits) – sheet 5		
Winterbourne Stoke	New A303 Trunk Road Longbarrow Junction Eastbound Diverge Slip Road From a point 670 metres west of the centre point of the existing Longbarrow roundabout for a	40 miles per hour

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(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Speed limit</i>
	distance of 75 metres in a generally easterly direction.	
	New A303 Trunk Road Longbarrow Junction Eastbound Merge Slip Road From a point 505 metres west of the centre point of the existing Longbarrow roundabout for a distance of 50 metres in a generally westerly direction.	40 miles per hour
	New A303 Trunk Road Longbarrow Junction Eastbound Merge Slip Road From a point 505 metres west of the centre point of the existing Longbarrow roundabout for a distance of 435 metres in a generally easterly direction.	Variable speed limit
	New A303 Trunk Road Longbarrow Junction Westbound Diverge Slip Road From a point 585 metres south-west of the centre point of the existing Longbarrow roundabout for a distance of 95 metres in a generally easterly direction.	40 miles per hour
	New A303 Trunk Road Longbarrow Junction Westbound Diverge Slip Road From a point 495 metres south-west of the centre point of the existing Longbarrow roundabout for a distance of 400 metres in a generally easterly direction.	Variable speed limit
	New A303 Trunk Road Longbarrow Junction Westbound Merge Slip Road From a point 640 metres south-west of the centre point of the existing Longbarrow roundabout for a distance of 50 metres in a generally westerly direction.	40 miles per hour
	New A303 Trunk Road Longbarrow Junction Westbound Merge Slip Road From a point 665 metres south-west of the centre point of the existing Longbarrow roundabout for a distance of 495 metres in a generally westerly direction.	National speed limit (70 miles per hour)
	Re-aligned A360 between northern and southern roundabouts at the new Longbarrow Junction	40 miles per hour

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(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Speed limit</i>
	<p>From a point 570 metres west of the existing Longbarrow roundabout to a point 610 metres south-west of the existing Longbarrow roundabout, a distance of 180 metres along both carriageways between the northern and the southern roundabouts at the new Longbarrow junction, including the circulatory carriageway of both new roundabouts.</p>	
	<p>Realigned A360 South at the New Longbarrow Junction</p> <p>From a point 605 metres southwest of the centre point of the existing Longbarrow roundabout for a distance of 70 metres along the realigned A360 South in a generally southerly direction.</p>	40 miles per hour
	<p>Realigned A360 North at the New Longbarrow Junction</p> <p>From a point 550 metres west of the centrepoint of the existing Longbarrow roundabout for a distance of 70 metres along the realigned A360 North in a generally north-westerly direction</p>	40 miles per hour
The traffic regulation measures plans (speed limits) – sheets 5 and 15		
Winterbourne Stoke	<p>Realigned A360 South at the New Longbarrow Junction</p> <p>From a point 570 metres southwest of the centre point of the existing Longbarrow roundabout for a distance of 715 metres along the realigned A360 South in a generally southerly direction.</p>	National speed limit (60 miles per hour)
The traffic regulation measures plans (speed limits) – sheets 5 and 14		
Winterbourne Stoke	<p>Realigned A360 North at the New Longbarrow Junction</p> <p>From a point 500 metres west of the existing Longbarrow roundabout for a distance of 1.01 km in a generally northerly direction along the realigned A360 North.</p>	National speed limit (60 miles per hour)
The traffic regulation measures plans (speed limits) – sheet 8		
Amesbury	<p>Stonehenge Road</p> <p>From a point 50 metres west of its junction with Woodford Valley Road for a distance of 440 metres in a generally north-westerly direction.</p>	40 miles per hour
The traffic regulation measures plans (speed limits) – sheets 8 and 9		

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(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Speed limit</i>
Amesbury	<p>A303 Trunk Road Eastbound Diverge Slip Road to the Countess Roundabout</p> <p>From a point 640 metres west of the centre point of the existing Countess roundabout for a distance of 485 metres in a generally easterly direction.</p>	Variable speed limit
The traffic regulation measures plans (speed limits) – sheet 9		
Amesbury	<p>A303 Trunk Road Eastbound Diverge Slip Road to the Countess Roundabout</p> <p>From a point 160 metres west of the centre of the existing Countess roundabout to its junction with the western edge of that roundabout, a distance of 100 metres.</p>	40 miles per hour
	<p>A303 Trunk Road Eastbound Merge Slip Road from the Countess Roundabout</p> <p>From the eastern edge of its junction with the existing Countess roundabout in a generally easterly direction to a point 170 metres east of the centre of that roundabout, a distance of 120 metres.</p>	40 miles per hour
	<p>A303 Trunk Road Eastbound Merge Slip Road from the Countess Roundabout</p> <p>From a point 115 metres east of its junction with the existing Countess roundabout in a generally easterly direction to a point 535 metres east of the centre of the existing Countess roundabout.</p>	Variable speed limit
	<p>A303 Trunk Road Westbound diverge slip road to the Countess roundabout</p> <p>From a point 495 metres east of the centre point of the existing Countess roundabout for a distance of 350 metres in a generally westerly direction to a point 150 metres east of the centre point of the existing Countess roundabout.</p>	Variable speed limit
	<p>A303 Trunk Road Westbound diverge slip road to the Countess Roundabout</p> <p>From a point 150 metres east of the centre of Countess roundabout to the junction with the eastern edge of that roundabout, a distance of 100 metres.</p>	40 miles per hour
	A303 Trunk Road Westbound Merge Slip Road from the Countess Roundabout	40 miles per hour

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(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Speed limit</i>
	<p>From the junction with the western edge of the Countess roundabout in a generally westerly direction to a point 90 metres west of the centre of that roundabout, a distance of 40 metres.</p> <p>New A303 Trunk Road Westbound Merge Slip Road from the Countess Roundabout</p> <p>From a point 90 metres west of the western edge of the Countess roundabout in a generally westerly direction to a point 530 metres west of the centre point of the existing Countess roundabout, a distance of 460 metres.</p>	Variable speed limit
The traffic regulation measures plans (speed limits) – sheet 11		
Amesbury	<p>Link Road between Allington Track and Equinox Drive</p> <p>From a point 510 metres southeast of the junction of the A303 with Allington Track, for a distance of 1070 metres in a generally westerly direction to a point 525 metres southwest of the junction of the A303 with the Amesbury Road.</p>	30 miles per hour
Amesbury	<p>Eastbound diverge slip road from A303 to Amesbury Road</p> <p>From the point of the nosing of the left filter lane on the A303 diverge slip road for a distance of 120 metres in a generally westerly direction.</p>	National speed limit (70 miles per hour)
	<p>Amesbury Road</p> <p>From its junction with the existing A303 for a distance of 50 metres in a generally northerly direction.</p>	National speed limit (60 miles per hour)
Bulford	<p>Eastbound merge slip road from A3028 Double Hedges to the existing A303 Trunk Road</p> <p>From the point of the nosing of the entry filter lane on the A303 merge slip road for a distance of 105 metres in a generally westerly direction.</p>	National speed limit (70 miles per hour)
	<p>A3028 Double Hedges</p> <p>From a point 465 metres southeast of the junction of the existing A3028 and the existing Amesbury Road for a distance of 140 metres in a generally south-easterly direction.</p>	National speed limit (60 miles per hour)
The traffic regulation measures plans (speed limits) – sheet 13		

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<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed limit</i>
Shrewton and Winterbourne	New Rollestone Cross junction (realigned section of the B3086 south) From a point 335 metres south of the centre point of the existing Rollestone Cross junction to a point 370 metres east of the centre point of the existing Rollestone cross junction.	40 miles per hour
Shrewton	New Rollestone Cross junction (realigned section of the B3086 west) From a point 225 metres west of the centre point of the existing Rollestone Cross junction to a point 85 metres southeast of the centre point of the existing Rollestone Cross junction, a distance of 310 metres.	40 miles per hour
	New Rollestone Cross junction (realigned section of the unclassified road north of the existing Rollestone cross junction north) From the centre point of the existing Rollestone cross junction to a point 250 metres north of the centre point of the existing Rollestone Cross junction.	40 miles per hour

PART 2

CLEARWAYS AND PROHIBITIONS

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
The traffic regulation measures plans (clearways and prohibitions) – sheets 1, 2, 3, 4, 5, 6, 7, 8 and 9		
Berwick St James, Winterbourne Stoke, Wilsford Cum Lake, Amesbury, Bulford, Steeple Lanford	New and improved A303 trunk road For a length of 12.7 kilometres, from a point 355 metres to the south of the centre of Yarnbury Castle (shown on sheet 1) along the existing and new A303 Trunk Road, on both the eastbound and westbound carriageways, to a point 630 metres east of	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)

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<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
	the centre point of the existing Countess Roundabout (shown on sheet 9).	
The traffic regulation measures plans (clearways and prohibitions) – sheets 4 and 5		
Winterbourne Stoke	New A303 Eastbound diverge slip road From its junction with the northern roundabout at the new Longbarrow Junction for a distance of 525 metres in a generally westerly direction.	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)
	New A303 Westbound merge slip road From its junction with the southern roundabout at the new Longbarrow Junction for a distance of 540 metres in a generally westerly direction.	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)
The traffic regulation measures plans (clearways and prohibitions) – sheet 5		
Winterbourne Stoke	New A303 Eastbound merge slip road From its junction with the northern roundabout at the new Longbarrow Junction for a distance of 485 metres in a generally easterly direction	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)
	New A303 Westbound diverge slip road From its junction with the southern roundabout at the new Longbarrow Junction for a distance of 495 metres in a generally easterly direction	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)
The traffic regulation measures plans (clearways and prohibitions) – sheets 8 and 9		
Amesbury	A303 Eastbound diverge slip road From its junction with the new Countess roundabout junction for a distance of 588 metres in a generally westerly direction.	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)

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(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Measures</i>
The traffic regulation measures plans (clearways and prohibitions) – sheet 9		
Amesbury	New A303 Eastbound merge slip road From its junction with the new Countess roundabout junction for a distance of 485 metres in a generally easterly direction.	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)
	New A303 Westbound diverge slip road From its junction with the new Countess roundabout junction for a distance of 450 metres in a generally easterly direction.	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)
	New A303 Westbound merge slip road From its junction with the new Countess roundabout junction for a distance of 500 metres in a westerly direction.	Clearway (to include verges, hard shoulders and slip roads; and to exclude laybys)
The traffic regulation measures plans (clearways and prohibitions) – sheet 11		
Bulford	A3028 Double Hedges and Amesbury Road junction A3028 Double Hedges northbound to the junction of the A3028 Double Hedges and the Amesbury Road.	Prohibition of entry (no left turn)
	A3028 Double Hedges and Amesbury Road junction A3028 Double Hedges southbound to the junction of the A3028 Double Hedges and the Amesbury Road.	Prohibition of entry (no right turn)
	A3028 Double Hedges and Amesbury Road junction Amesbury Road southbound to the junction of the A3028 Double Hedges and the Amesbury Road.	Prohibition of entry (no traffic ahead)

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<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
Bulford and Amesbury	Amesbury Road The southbound carriageway of Amesbury Road in a south westerly direction from its junction with the A3028 Double Hedges to the junction of the existing A303 and Amesbury Road.	Prohibition of southbound traffic
The traffic regulation measures plans (clearways and prohibitions) – sheets 4, 5, 6, 7, 8 and 9		
Winterbourne Stoke, Wilsford Cum Lake and Amesbury	A303 Trunk Road Eastbound From a point 1.06 kilometres west of the centre of the existing Longbarrow roundabout (shown on sheet 5 by a green arrow marked ‘S’) along the new and improved A303 Trunk Road on the eastbound carriageway to a point 525 metres to the east of the centre of the existing Countess roundabout (shown on sheet 9 by a green arrow marked ‘E’), a distance of 7.13 kilometres.	Prohibition of pedestrians, bicycles, ridden or accompanied horses, vehicles drawn by animals and motorcycles where the cylinder capacity of the engine is less than 50 cubic centimetres
	A303 Trunk Road Eastbound From a point 1.06 kilometres west of the centre of the existing Longbarrow roundabout (shown on sheet 5 by a green arrow marked ‘S’) along the new and improved A303 Trunk Road on the eastbound carriageway to a point 80 metres to the west of the centre of the existing Countess roundabout (shown on sheet 9 by a green arrow marked ‘E’), a distance of 6.5 kilometres.	Prohibition of pedestrians, bicycles, ridden or accompanied horses, vehicles drawn by animals and motorcycles where the cylinder capacity of the engine is less than 50 cubic centimetres
	The new A303 Trunk Road Eastbound Merge Slip Road from Longbarrow Junction	Prohibition of pedestrians, bicycles, ridden or accompanied horses, vehicles drawn by animals and motorcycles where the cylinder

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(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Measures</i>
	<p>From a point 535 metres west of the centre of the existing Longbarrow roundabout (shown on sheet 5 by a green arrow marked 'S') to the point where it joins the main carriageway 120 metres south west of the existing Longbarrow roundabout (shown on sheet 5 by a green arrow marked 'E').</p>	<p>capacity of the engine is less than 50 cubic centimetres</p>
	<p>A303 Trunk Road westbound From a point 510 metres east of the centre of the existing Countess roundabout (shown on sheet 9 by a green arrow marked 'S') to a point 1.00 kilometres to the west of the centre of the existing Longbarrow roundabout (shown on sheet 5 by a green arrow marked 'E'), a distance of 7.06 kilometres.</p>	<p>Prohibition of pedestrians, bicycles, ridden or accompanied horses, vehicles drawn by animals and motorcycles where the cylinder capacity of the engine is less than 50 cubic centimetres</p>
	<p>A303 Trunk Road westbound From a point 510 metres east of the centre of the existing Countess roundabout (shown on sheet 9 by a green arrow marked 'S') to a point 585 metres to the south west of the centre of the existing Longbarrow roundabout (shown on sheet 5 by a green arrow marked 'E'), a distance of 6.61 kilometres.</p>	<p>Prohibition of pedestrians, bicycles, ridden or accompanied horses, vehicles drawn by animals and motorcycles where the cylinder capacity of the engine is less than 50 cubic centimetres</p>
	<p>The new A303 Trunk Road Westbound Merge Slip from Countess Roundabout From a point 80 metres west of the centre point of the existing Countess roundabout (shown on sheet 9 by a green arrow marked 'S') to a point 530 metres west of the centre</p>	<p>Prohibition of pedestrians, bicycles, ridden or accompanied horses, vehicles drawn by animals and motorcycles where the cylinder capacity of the engine is less than 50 cubic centimetres</p>

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<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
	point of the existing Countess roundabout (shown on sheet 9 by a green arrow marked 'E').	

PART 3

REVOCATIONS AND VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Revocations or variations</i>
The traffic regulation measures plans (clearways and prohibitions) – sheets 1 and 2			
Berwick St James	The existing A303 Trunk Road From a point 350 metres to the south of the centre of Yarnbury Castle to a point 1.48 kilometres west of its junction with the B3083 south at Winterbourne Stoke.	The A303 Trunk Road (Wiltshire and Dorset) (24 hours clearway) Order 2001 (S.I. 2001/2919)	Order to be partially revoked between the points stated in column (2) as shown on sheets 1 and 2 by a red dashed line
The traffic regulation measures plans (clearways and prohibitions) – sheets 3 and 4			
Winterbourne Stoke	The existing A303 trunk road The existing A303 eastbound and westbound carriageways from a point 205 metres west of the centre point of its junction with the B3083 south to a point 275 metres east of the centre point of its junction with the B3083 north, a distance of 830 metres.	The A303 Trunk Road (Winterbourne Stoke, Wiltshire) (40 mph speed limit) Order 1994 (S.I. 1994/3326)	Order to be revoked Identified on sheets 3 and 4 and being the length of highway lying between the two blue squared symbols numbered 1
The traffic regulation measures plans (clearways and prohibitions) – sheet 4			

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<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Revocations or variations</i>
Winterbourne Stoke	<p>The existing A303 trunk road</p> <p>From a point 420 metres east of its junction with the B3083 north to a point 1.33 kilometres east of its junction with the B3083 north, a distance of 930 metres.</p>	<p>The A303 Trunk Road (Wiltshire and Dorset) (24 hours clearway) Order 2001 (S.I. 2001/2919)</p>	<p>Order to be partially revoked between the points stated in column (2) as shown on sheet 4 by a red dashed line</p>
The traffic regulation measures plans (clearways and prohibitions) – sheet 6			
Amesbury	<p>Byway AMES12, Amesbury, where it meets the existing A303 trunk road</p> <p>At the intersection of byway AMES12 (south) and the existing A303 trunk road.</p>	<p>The County of Wiltshire (Byway 12, Amesbury) (Prohibition of Right Hand Turn) Order 2015</p>	<p>Order to be revoked</p> <p>Location of the revocation is as stated in column (2) and as shown on sheet 6 between the two blue squared symbols numbered 8</p>
The traffic regulation measures plans (clearways and prohibitions) – sheets 8 and 9			
Amesbury	<p>The existing A303 trunk road</p> <p>From a point on the eastbound carriageway 620 metres east of its junction with the Stonehenge Road to the junction with the western edge of the Countess roundabout eastbound, a distance of 1.06 kilometres.</p>	<p>The A303 Trunk Road (Wiltshire and Dorset) (24 hours clearway) Order 2001 (S.I. 2001/2919)</p>	<p>Order to be partially revoked between the points stated in column (2) as shown on sheets 8 and 9 by a red dashed line</p>
	<p>The existing A303 trunk road</p> <p>From its junction with the western edge of Countess roundabout westbound to a point 770 metres east of its junction with the Stonehenge Road,</p>	<p>The A303 Trunk Road (Wiltshire and Dorset) (24 hours clearway) Order 2001 (S.I. 2001/2919)</p>	<p>Order to be partially revoked between the points stated in column (2) as shown on sheets 8 and 9 by a red dashed line</p>

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	a distance of 925 metres.		
The traffic regulation measures plans (clearways and prohibitions) – sheet 9			
Amesbury	The existing A303 trunk road From its junction with the eastern edge of Countess roundabout eastbound to a point 625 metres east of the centre of that roundabout, a distance of 580 metres.	The A303 Trunk Road (Wiltshire and Dorset) (24 hours clearway) Order 2001 (S.I. 2001/2919)	Order to be partially revoked between the points stated in column (2) as shown on sheet 9 by a red dashed line
	The existing A303 trunk road From a point 625 metres east of the centre of the existing Countess roundabout to its junction with the eastern edge of Countess roundabout westbound, a distance of 585 metres.	The A303 Trunk Road (Wiltshire and Dorset) (24 hours clearway) Order 2001 (S.I. 2001/2919)	Order to be partially revoked between the points stated in column (2) as shown on sheet 9 by a red dashed line
	The existing A303 trunk Road From a point on the eastbound carriageway 450 metres west of the centre of Countess roundabout to the junction with the western edge of that roundabout, a distance of 395 metres.	The A303 Trunk Road (Countess Roundabout, Amesbury, Wiltshire) (40 mph speed limit) Order 2011 (S.I. 2011/851)	Order to be partially revoked between the points stated in column (2) Identified on sheet 9 and being a length of highway between the two blue squared symbols numbered 2
	The existing A303 trunk road From a point on the westbound carriageway 460 metres east of the centre of Countess	The A303 trunk Road (Countess Roundabout, Amesbury, Wiltshire) (40 mph speed limit) Order 2011 (S.I. 2011/851)	Order to be partially revoked between the points stated in column (2) Identified on sheet 9 and being a length of highway between

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<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Revocations or variations</i>
	roundabout to the junction with the eastern edge of that roundabout, a distance of 410 metres.		the two blue squared symbols numbered 3
	The existing A303 trunk Road (Countess Roundabout) From its junction with the western edge of Countess roundabout westbound to a point 165 metres west of the centre of that roundabout, a distance of 120 metres.	The A303 trunk Road (Countess Roundabout, Amesbury, Wiltshire) (40 mph speed limit) order 2011 (S.I. 2011/851)	Order to be partially revoked between the points stated in column (2) Identified on sheet 9 and being a length of highway between the two blue squared symbols numbered 4
	The existing A303 trunk Road (Countess Roundabout) From its junction with the eastern edge of Countess roundabout eastbound to a point 220 metres to the east of the centre of that roundabout, a distance of 170 metres.	The A303 trunk Road (Countess Roundabout, Amesbury, Wiltshire) (40 mph speed limit) order 2011 (S.I. 2011/851)	Order to be partially revoked between the points stated in column (2) Identified on sheet 9 and being a length of highway between the two blue squared symbols numbered 9
The traffic regulation measures plans (clearways and prohibitions) – sheet 11			
Amesbury	The existing left turn access from Allington Track onto the A303 westbound From a point 35 metres south of its junction with Allington Track to a point 305 metres east of Amesbury Road, a length of 35 metres.	The A303 Trunk Road (Wiltshire and Dorset) (24 hours clearway) order 2001 (S.I. 2001/2919)	Order to be partially revoked between the points stated in column (2) as shown on sheet 11 by a dashed red line
	The existing left turn access from Amesbury Road onto the A303 eastbound	The A303 Trunk Road (Wiltshire and Dorset) (24 hours	Order to be partially revoked between the points stated in column

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(1) <i>Parish(es)</i>	(2) <i>Road name, number and length</i>	(3) <i>Title of Order</i>	(4) <i>Revocations or variations</i>
	From a point 60 metres north of its junction with Amesbury Road to a point 280 metres west of Allington Track, a length of 65 metres.	clearway) order 2001 (S.I. 2001/2919)	(2) as shown on sheet 11 by a dashed red line
The traffic regulation measures plans (clearways and prohibitions) – sheet 13			
Shrewton	UC 094402, The Packway From its junction with the B3086 south to a point 85 metres east of that junction.	The County of Wiltshire (various roads, Stapleford, Berwick St James and Winterbourne Stoke) (50 mph speed limit) Order 2012	Order to be partially revoked between the points stated in column (2) Identified on sheet 13 and being a length of highway between the two blue squared symbols numbered 5
	B3086, The Packway From a point 30 metres to the south of its junction with the B3086 south and with the UC 094401, a distance of 255 metres in a generally westerly direction.	The County of Wiltshire (various roads, Stapleford, Berwick St James and Winterbourne Stoke) (50 mph speed limit) Order 2012	Order to be partially revoked between the points stated in column (2) Identified on sheet 13 and being a length of highway between the two blue squared symbols numbered 6
	UC 094401, Shrewton From its junction with the B3086 south and with the B3086 west (The Packway), a distance of 65 metres in a generally northerly direction.	The County of Wiltshire (various roads, Stapleford, Berwick St James and Winterbourne Stoke) (50 mph speed limit) Order 2012	Order to be partially revoked between the points stated in column (2) Identified on sheet 13 and being a length of highway between the two blue squared symbols numbered 7

SCHEDULE 11

Articles 31 and 54

PROTECTIVE PROVISIONS

PART 1

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

1. The provisions of this Part of this Schedule have effect for the protection of utility undertakers unless otherwise agreed in writing between the undertaker and the utility undertaker in question.

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 not less efficient than previously;

“apparatus” means—

- (a) in the case of a utility undertaker within paragraph (a) of the definition of that term, electric lines or electrical plant (as defined in the Electricity Act 1989(16)), belonging to or maintained by the utility undertaker for the purposes of electricity supply;
- (b) in the case of a utility undertaker within paragraph (b) of the definition of that term, any mains, pipes or other apparatus belonging to or maintained by the utility undertaker for the purposes of gas supply;
- (c) in the case of a utility undertaker within paragraph (c) of the definition of that term—
 - (i) mains, pipes or other water apparatus belonging to or maintained by the utility undertaker for the purposes of water supply; and
 - (ii) mains, pipes or other water apparatus that is the subject of an agreement to adopt made under section 51A (agreements to adopt water main or service pipe at future date) of the Water Industry Act 1991(17); and
- (d) in the case of a sewerage undertaker—
 - (i) any drain or works vested in the sewerage undertaker under the Water Industry Act 1991; and
 - (ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4)(18) (adoption of sewers and disposal works) of that Act or an agreement to adopt made under section 104(19) (agreements to adopt sewer, drain or sewage disposal works, at future date) of that Act,

and includes a sludge main, disposal main (within the meaning of section 219 (general interpretation) 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 in each case 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;

(16) 1989 c. 29. The definition of “electrical plant” (in section 64) was amended by paragraphs 24 and 38(1) and (3) of Schedule 6 to the Utilities Act 2000 (c. 27).

(17) 1991 c. 56. Section 51A was inserted by section 92(1) of the Water Act 2003 (c. 37) and amended by section 10(1) and (2) of the Water Act 2014 (c. 21).

(18) Section 102(4) was amended by section 96(1)(c) of the Water Act 2003 and paragraph 90 of Schedule 7 to the Water Act 2014.

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

“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 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⁽²⁰⁾;
- (c) a water undertaker within the meaning of the Water Industry Act 1991; and
- (d) a sewerage undertaker within the meaning 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.

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 Part 3 (street works in England and Wales) of the 1991 Act.

4.—(1) Regardless of the temporary stopping up, alteration or diversion of streets under the powers conferred by article 11 (temporary stopping up and restriction of use of streets), a utility undertaker is at liberty at all times to take all necessary access across any such street and to carry out and do all such works and things in, upon or under any such street as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the temporary stopping up, alteration or diversion was in that street.

(2) Where any street is stopped up under article 10 (permanent stopping up 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 6 or to carry out works under paragraph 8.

5. Despite any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than in accordance with this Part of this Schedule or by agreement.

6.—(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 over which access to any apparatus is enjoyed 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 and to gain access to it must not be extinguished, until alternative apparatus has been constructed and is in operation, and access to it has been provided, to the reasonable satisfaction of the utility undertaker in question in accordance with sub-paragraphs (2) to (6).

(2) If, for the purpose of carrying out 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 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

(20) 1986 c. 44. A new section 7 was substituted by section 5 of the Gas Act 1995 (c. 45) and was further amended by section 76 of the Utilities Act 2000 (c. 27).

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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 practicable use reasonable 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 57 (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 57 (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 it desires itself to carry out any work, or part of any work, in connection with the construction or removal of apparatus in any land controlled by the undertaker, that work, instead of being carried out by the utility undertaker, may be carried out by the undertaker, without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of the utility undertaker.

(7) Nothing in sub-paragraph (6) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus.

7.—(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 must 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 57 (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 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.

8.—(1) Not less than 21 days before starting the carrying out of any works authorised by this Order that will or may affect any apparatus the removal of which has not been required by the undertaker under paragraph 6(2), the undertaker must submit to the utility undertaker in question a plan, section and description of the works to be carried out.

(2) Those works must be carried out only in accordance with the plan, section and description 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 carrying out of those works.

(3) Any requirements made by a utility undertaker under sub-paragraph (2) must be made within a period of 14 days beginning with the date on which a plan, section and description under sub-paragraph (1) are 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 4 applies as if the removal of the apparatus had been required by the undertaker under paragraph 6(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 carrying out of any works, a new plan, section and description instead of the plan, section and description previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan, section and description.

(6) The undertaker is not required to comply with sub-paragraph (1) 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, section and description of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances.

(7) Nothing in sub-paragraph (6) entitles the undertaker to carry out works to any apparatus, but upon receipt of notice from the undertaker, the utility undertaker must proceed to carry out such works as may be required without unnecessary delay.

9.—(1) Subject to the following provisions of this paragraph, the undertaker must repay to the utility undertaker in question the proper and reasonable expenses incurred by that utility undertaker in, or in connection with the inspection, removal, alteration or protection of any apparatus which may be required in consequence of the execution of any such works as are referred to in paragraph 6(2).

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

(3) If in accordance with 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 57 (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) is to 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

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(b) where the provision of a joint in a 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 a utility undertaker in respect of works by virtue of sub-paragraph (1) must, 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 in question 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.

10.—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction, maintenance or failure of any of the works referred to in paragraph 6(2), any damage is caused to any 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, damage, penalty or costs incurred by the undertaker,

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 a utility undertaker, its officers, servants, contractors or agents.

(3) The utility undertaker must at all time take reasonable steps to prevent and mitigate any such expenses, loss, damage, penalty or costs.

(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 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.

PART 2

FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

11.—(1) For the protection of any operator, the following provisions have effect, unless otherwise agreed in writing between the undertaker and the operator.

(2) In this Part of this Schedule—

“the 2003 Act” means the Communications Act 2003(21);

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

“electronic communications code” means the code set out in Schedule 3A (the electronic communications code) to the 2003 Act(22);

“electronic communications code network” means—

(21) 2003 c. 21.

(22) See section 106 was amended by section 4(3) to (9) of the Digital Economy Act 2017 (c. 30).

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- (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⁽²³⁾ 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.

12. The exercise of the powers of article 31 (statutory undertakers) is subject to Part 10 (undertakers’ works affecting electronic communications apparatus) of the electronic communications code.

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

- (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 those works), 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 57 (arbitration).

14. 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 interruptions, caused by electro-magnetic interference arising from the construction or use of the authorised development.

15. 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 laid or erected in land belonging to the undertaker on the date on which this Order is made.

(23) The electronic communications code was inserted by Schedule 1 to the Digital Economy Act 2017.

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PART 3

FOR THE PROTECTION OF DRAINAGE AUTHORITIES

16. The provisions of this Part have effect for the protection of the drainage authority unless otherwise agreed in writing between the undertaker and the drainage authority.

17. In this Part of this Schedule—

“construction” includes execution, placing, altering, replacing, relaying and removal and excavation and “construct” and “constructed” is to be construed accordingly;

“drainage authority” means in relation to an ordinary watercourse, the drainage board concerned within the meaning of section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991⁽²⁴⁾;

“drainage work” means any ordinary watercourse and includes any bank, wall, embankment or other structure, or any appliance, constructed or used for land drainage or flood defence in connection with an ordinary watercourse which is the responsibility of the drainage authority;

“independent review” means a review carried out by a third party confirming the findings of the undertaker in the assessment of the impact of the proposed specified work on flood risk;

“ordinary watercourse” has the meaning given by section 72 (interpretation) of the Land Drainage Act 1991;

“plans” includes any information reasonably required by the drainage authority including location details, grid references, sections, drawings, specifications, assessments and method statements; and

“specified work” means so much of any work or operation authorised by this Order as is in, on, under over or within 8 metres of a drainage work and which comprises any of the following works carried out in relation to or which may affect any ordinary watercourse—

- (a) the erection of any mill, dam, weir, or other similar obstruction to the flow of an ordinary watercourse, or raising or otherwise altering any such obstruction;
- (b) the construction or installation of a bridge or other structure;
- (c) the erection of a culvert in an ordinary watercourse;
- (d) the alteration of an ordinary watercourse or a culvert or other form of drainage infrastructure in a manner that would be likely to affect the flow of an ordinary watercourse;
- (e) the introduction by means of any channel, siphon, pipeline or sluice or by any other means whatsoever any water into any ordinary watercourse within the Order limits so as to directly or indirectly increase the flow or volume of water in any ordinary watercourse within the Order limits without the previous consent of the drainage authority;
- (f) any work likely to obstruct flow or adversely affect the integrity of any embankment, wall or enclosing structure containing an ordinary watercourse.

18.—(1) Before commencing construction of a specified work, the undertaker must submit to the drainage authority plans of the specified work, including an independent review and such further particulars available to it as the drainage authority may within 14 days of the submission of the plans reasonably request.

(2) The undertaker must not commence construction of the specified work until approval, unconditionally or conditionally, has been given as provided in this paragraph.

⁽²⁴⁾ 1991 c. 59. Section 23 was amended by paragraph 192 of Schedule 22 to the Environment Act 1995 (c. 25), paragraphs 25 and 32 of Schedule 2 to the Flood and Water Management Act 2010 (c. 29) and S.I. 2013/755.

(3) A specified work must not be constructed except in accordance with such plans as may be approved in writing by the drainage authority or determined under paragraph 27.

(4) Any approval of the drainage authority required under this paragraph—

- (a) must not be unreasonably withheld or delayed;
- (b) is deemed to have been given if it is neither given nor refused within 28 days of the submission of the plans for approval, or submission of further particulars (where required by the drainage authority under sub-paragraph (1)) whichever is the later; and
- (c) may be given subject to such reasonable requirements as the drainage authority may make for the protection of any drainage work, for the protection of any ordinary watercourse or for the prevention of flooding.

(5) Any refusal under this paragraph must be accompanied by a statement of the reasons for refusal.

19. Without limiting paragraph 18, the requirements which the drainage authority may make under that paragraph include conditions requiring the undertaker at its own expense to construct such protective works, whether temporary or permanent, during the construction of the specified work (including the provision of flood banks, walls or embankments or other new works and the strengthening, repair or renewal of existing banks, walls or embankments) as are reasonably necessary—

- (a) to safeguard any drainage work against damage by reason of any specified work; or
- (b) to secure that the efficiency of any drainage work for flood defence and land drainage purposes is not impaired, and that the risk of flooding is not otherwise increased, by reason of any specified work.

20.—(1) Subject to sub-paragraph (2), any specified work, and all protective works required by the drainage authority under paragraph 19, must be constructed—

- (a) without unreasonable delay in accordance with the plans approved or deemed to have been approved or settled under this Part of this Schedule; and
- (b) to the reasonable satisfaction of the drainage authority,

and an officer of the drainage authority is entitled to watch and inspect the construction of such works.

(2) The undertaker must give to the drainage authority—

- (a) not less than 14 days' notice in writing of its intention to commence construction of any specified work; and
- (b) notice in writing of its completion not later than 7 days after the date of completion.

(3) If the drainage authority reasonably requires, the undertaker must construct all or part of the protective works so that they are in place before the construction of the specified work to which the protective works relate.

(4) If any part of a specified work or any protective work required by the drainage authority is constructed otherwise than in accordance with the requirements of this Part of this Schedule, the drainage authority may by notice in writing require the undertaker at the undertaker's expense to comply with the requirements of this Part of this Schedule or (if the undertaker so elects and the drainage authority in writing consents, such consent not to be unreasonably withheld or delayed) to remove, alter or pull down the work and, where removal is agreed, to restore the site to its former condition to such extent and within such limits as the drainage authority reasonably requires.

(5) Subject to sub-paragraph (6) and paragraphs 24 and 25, if within a reasonable period, being not less than 28 days from the date when a notice under sub-paragraph (4) is served on the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and

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subsequently to make reasonably expeditious progress towards their implementation, the drainage authority may execute the works specified in the notice and any reasonable expenditure incurred by it in so doing is recoverable from the undertaker.

(6) In the event of any dispute as to whether sub-paragraph (4) is properly applicable to any work in respect of which notice has been served under that sub-paragraph, or as to the reasonableness of any requirement of such a notice, the drainage authority must not except in an emergency exercise the powers conferred by sub-paragraph (5) until the dispute has been finally determined in accordance with paragraph 27.

21.—(1) Subject to sub-paragraph (5), the undertaker must from the commencement of the construction of the specified work maintain in good repair and condition and free from obstruction any drainage work which is situated within the limits of deviation on land held by the undertaker for the purpose of or in connection with the specified work, whether or not the drainage work is constructed under the powers conferred by this Order or is already in existence.

(2) If any drainage work which the undertaker is liable to maintain is not maintained to the reasonable satisfaction of the drainage authority, the drainage authority may by notice in writing require the undertaker to repair and restore the work, or any part of the work, or (if the undertaker so elects and the drainage authority in writing consents, such consent not to be unreasonably withheld or delayed), to remove the specified work and restore the site to its former condition, to such extent and within such limits as the drainage authority reasonably requires.

(3) Subject to sub-paragraph (4) and paragraphs 24 and 25), if, within a reasonable period being not less than 28 days beginning with the date on which a notice in respect of any drainage work is served under sub-paragraph (2) on the undertaker, the undertaker has failed to begin taking steps to comply with the reasonable requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the drainage authority may do what is reasonably necessary for such compliance and may recover any reasonable expenditure reasonably incurred by it in so doing from the undertaker.

(4) In the event of any dispute as to the reasonableness of any requirement of a notice served under sub-paragraph (2), the drainage authority must not except in a case of emergency exercise the powers conferred by sub-paragraph (3) until the dispute has been finally determined in accordance with paragraph 27.

(5) This paragraph does not apply to—

- (a) drainage works which are vested in the drainage authority, or which the drainage authority or another person is liable to maintain and is not prevented by this Order from so doing; and
- (b) any obstruction of a drainage work for the purpose of a work or operation authorised by this Order and carried out in accordance with the provisions of this Part of this Schedule provided that any obstruction is removed as soon as reasonably practicable.

22. Subject to paragraphs 24 and 25 and sub-paragraph 21(5)(b), if by reason of the construction of any specified work or of the failure of any such work the efficiency of any drainage work for flood defence purposes or land drainage is impaired, or that drainage work is otherwise damaged, such impairment or damage must be made good by the undertaker to the reasonable satisfaction of the drainage authority and, if the undertaker fails to do so, the drainage authority may make good the impairment or damage and recover from the undertaker any expenditure incurred by the drainage authority in so doing from the undertaker.

23. If by reason of the construction of the specified work the drainage authority's access to flood defences or equipment maintained for flood defence purposes is materially obstructed, the undertaker must provide such alternative means of access that will allow the drainage authority to maintain the flood defence or use the equipment no less effectively than was possible before the obstruction within 24 hours of the undertaker becoming aware of such obstruction.

24. The undertaker must make reasonable compensation for costs, charges and expenses which the drainage authority may reasonably incur—

- (a) in the examination or approval of plans under this Part of this Schedule;
- (b) in the inspection of the construction of the specified works or any protective works required by the drainage authority under this Part of this Schedule; and
- (c) in the carrying out of any surveys or tests by the drainage authority which are reasonably required in connection with the construction of the specified works.

25.—(1) The undertaker must make reasonable compensation for costs and losses which may be reasonably incurred or suffered by the drainage authority by reason of—

- (a) the construction of any specified work comprised within the authorised works; or
- (b) any act or omission of the undertaker, its employees, contractors or agents or others whilst engaged upon the construction of the specified works.

(2) In sub-paragraph (1)—

“costs” includes—

- (a) expenses and charges;
- (b) staff costs and overheads; and
- (c) legal costs; and

“losses” includes physical damage.

(3) The undertaker must make reasonable compensation for liabilities, claims and demands against the drainage authority arising out of or in connection with the specified works or otherwise out of the matters referred to in sub-paragraphs (1)(a) and (1)(b).

(4) In sub-paragraph (3)—

“claims” and “demands” include as applicable—

- (a) costs (within the meaning of sub-paragraph (2)) incurred in connection with any claim or demand; and
- (b) any interest element of sums claimed or demanded; and

“liabilities” includes—

- (a) contractual liabilities;
- (b) tortious liabilities (including liabilities for negligence or nuisance);
- (c) liabilities to pay statutory compensation or for breach of statutory duty; and
- (d) liabilities to pay statutory penalties imposed on the basis of strict liability (but does not include liabilities to pay other statutory penalties).

(5) The drainage authority must give to the undertaker notice of any such claim or demand.

(6) The undertaker may at its own expense conduct all negotiations for the settlement of the same and any litigation that may arise therefrom.

(7) The drainage authority must not compromise or settle any such claim or make any admission which might be prejudicial to the claim without the agreement of the undertaker which agreement must not be unreasonably withheld or delayed.

(8) The drainage authority must, at all times take reasonable steps to prevent and mitigate any such claims, demands, proceedings, costs, damages, expenses or loss.

(9) The drainage authority must, at the request of the undertaker, afford all reasonable assistance for the purpose of contesting any such claim or action and is entitled to be repaid its reasonable expenses reasonably incurred in so doing.

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26. The fact that any work or thing has been executed or done by the undertaker in accordance with a plan approved or deemed to be approved by the drainage authority, or to its satisfaction, or in accordance with any directions or award of an arbitrator, does not relieve the undertaker from any liability under this Part of this Schedule.

27. Any dispute arising between the undertaker and the drainage authority under this Part of this Schedule, if the parties agree, is to be determined by arbitration under article 57 (arbitration), but otherwise is to be determined by the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Transport acting jointly on a reference to them by the undertaker or the drainage authority, after notice in writing by one to the other.

PART 4

FOR THE PROTECTION OF ESSO PETROLEUM COMPANY LIMITED

Application

28. The provisions of this Part of this Schedule have effect for the protection of Esso unless otherwise agreed in writing between the undertaker and Esso.

Interpretation

29. In this Part of this Schedule—

“alternative apparatus” means alternative apparatus adequate to enable Esso to fulfil its functions as a pipe-line operator in a manner no less efficient than previously and having regard to Esso’s standards for the construction and operation of a pipeline;

“alternative rights” means new rights for the construction and for access to and for the use, protection, inspection, maintenance, repair and renewal of apparatus or alternative apparatus including any restrictions on the landowner and occupiers for the protection of the apparatus or alternative apparatus and to allow Esso to perform its functions in a manner not less efficient than under the existing rights and having regard to Esso’s standards for the construction and operation of a pipeline;

“apparatus” means the pipeline and storage system owned by Esso within or adjacent to the Order limits and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus and includes any ancillary works and apparatus all protective wrappings, valves, sleeves and slabs, cathodic protection units, together with ancillary cables and markers and such legal interest and benefit of property rights and covenants as are vested in Esso in respect of those items and, where the context allows, includes alternative apparatus;

“Esso” means Esso Petroleum Company, Limited and any successor in title;

“existing rights” means the rights and benefits of covenants enjoyed by Esso in land within the Order limits;

“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 to describe the works to be executed;

“specified work” means any works that are near to, or will or are likely to affect any apparatus or power supply to any apparatus including—

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- (a) all intrusive or non-intrusive works within 15 metres of any apparatus;
- (b) the crossing of apparatus by other utilities;
- (c) the use of explosives within 400 metres of any apparatus; and
- (d) piling, undertaking of a 3D seismic survey or the sinking boreholes within 30 metres of any apparatus,

whether carried out by the undertaker or any third party in connection with the authorised development; and

“works agreement” means an agreement containing sufficient detail as to responsibilities for the design, programming, supervision and carrying out of works under this Part of this Schedule or in connection with the authorised development which affect the apparatus.

Acquisition of apparatus

30.—(1) Despite any provision in this Order or anything shown on the land plans or if the Order covers any interest in any land in which any apparatus is placed or over which existing rights are enjoyed by Esso, the undertaker must not acquire any apparatus or acquire, suspend, extinguish or affect any of the existing rights, otherwise than in accordance with this Part of this Schedule or by agreement with Esso.

(2) Where the undertaker acquires land which is subject to any existing rights and the provisions of paragraph 31 do not apply, the undertaker must retain any notice of the existing rights on the title to the relevant land when registering the undertaker’s title to such acquired land.

Removal of apparatus and rights for alternative apparatus

31.—(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 over which access to any apparatus is enjoyed or requires that any apparatus is relocated or diverted, that apparatus must not be removed by the undertaker and any right of Esso to maintain and use that apparatus in that land and to gain access to it must not be extinguished until alternative apparatus has been constructed and is in operation, and access to it has been provided, to the reasonable satisfaction of Esso.

(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, it must give Esso 56 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 Esso reasonably needs to remove any apparatus) the undertaker must, subject to sub-paragraph (3), afford to Esso the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently grant alternative rights for the maintenance of that apparatus in accordance with paragraph (6).

(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 undertaker must afford to and, if necessary, acquire for the benefit of Esso the necessary facilities and rights for the construction, maintenance and use of the alternative apparatus and access to it.

(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 Esso and the undertaker or in default of agreement settled by arbitration in accordance with article 57 (arbitration).

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(5) Esso must, after the alternative apparatus to be provided or constructed has been agreed or settled in accordance with article 57 (arbitration), and after the grant to Esso of any such facilities and rights as are referred to in sub-paragraph (2), proceed as soon as reasonably practicable using reasonable endeavours to construct and bring into operation the alternative apparatus and subsequently to remove (or if agreed between the parties allow the undertaker to remove) any redundant apparatus required by the undertaker to be removed under the provisions of this Schedule.

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

(7) Nothing in sub-paragraph (6) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 3000 millimetres of the apparatus without Esso's consent unless that apparatus is redundant and disconnected from Esso's remaining system and is more than 3000 millimetres from any live apparatus.

Facilities and rights for alternative apparatus

32.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to Esso 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 Esso in accordance with this paragraph or in default of agreement settled by arbitration in accordance with article 57 (arbitration).

(2) Alternative rights must be granted before any alternative apparatus is brought into use or any existing rights extinguished.

(3) The undertaker must grant Esso alternative rights by way of a deed of grant of easement, substantially in the form of Esso's precedent from time to time. If any third party is required to be involved for the grant of alternative rights, the undertaker must secure their agreement at its own cost.

(4) Nothing in this Part of this Schedule or contained in the alternative rights requires Esso to divert or remove any alternative apparatus installed in accordance with the provisions of this Part of this Schedule and any other agreement between Esso and the undertaker.

(5) In settling those terms and conditions for the alternative rights in respect of alternative apparatus the arbitrator must give effect to all reasonable requirements of the undertaker and Esso for ensuring the safety and efficient operation of the authorised development and the apparatus respectively.

(6) 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 Esso 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 Esso as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

Retained apparatus: protection

33.—(1) Unless a shorter period is otherwise agreed in writing between the undertaker and Esso, not less than 35 days before commencing any specified work in relation to apparatus the removal of which has not been required by the undertaker under sub-paragraph 31(2) the undertaker must submit to Esso a plan of the works to be executed.

(2) The plan to be submitted to Esso 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;
- (f) any intended maintenance regime; and
- (g) and any other information reasonably required by Esso to assess the works.

(3) The specified work must be executed only in accordance with the plan submitted under sub-paragraph (1) and approved by Esso, and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (4) by Esso for the alteration or otherwise for the protection of the apparatus, or for securing access to it; and Esso is entitled to watch and inspect the execution of the specified work and the undertaker must follow any reasonable instructions from Esso for the safety of the apparatus and those working nearby.

(4) Any reasonable requirements made by Esso under sub-paragraph (2) must be made within a period of 21 days (unless a shorter period is otherwise agreed in writing between the undertaker and Esso) beginning with the date on which a plan under sub-paragraph (1) is submitted to it.

(5) If Esso in accordance with sub-paragraph (2) 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, this paragraph applies as if the removal of the apparatus had been required by the undertaker under paragraph 31(2) but the undertaker is not required to serve Esso with a new notice under paragraph 31.

(6) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time but (unless otherwise agreed in writing between the undertaker and Esso) in no case less than 28 days before commencing any specified work, 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.

(7) The undertaker is not required to comply with sub-paragraph (1) where it needs to carry out emergency works as defined in the 1991 Act but in that case it must give to Esso notice of the works it intends to carry out to remedy the emergency together with a plan as soon as is reasonably practicable and must comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances.

(8) In relation to any works which will or may be situated on, over, under or within 15 metres measured in any direction of apparatus, or (wherever situated) impose any load directly upon the apparatus or involve embankment works within 15 metres of the apparatus, the plan to be submitted to Esso under sub-paragraph (1) must include a material statement describing—

- (a) the exact position of the work;
- (b) the level at which the work is to be constructed or renewed;
- (c) the manner of its construction or renewal;
- (d) the position of the apparatus; and
- (e) by way of detailed drawings, every alteration proposed to be made to the apparatus.

Cathodic protection testing

34. Where in the reasonable opinion of the undertaker—

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- (a) the authorised development might interfere with the existing cathodic protection forming part of any apparatus; or
- (b) any apparatus might interfere with the proposed or existing cathodic protection forming part of the authorised development,

Esso and the undertaker must co-operate in undertaking the tests which the undertaker considers reasonably necessary for ascertaining the nature and extent of such interference and measures for providing or preserving cathodic protection.

Expenses

35.—(1) Subject to the following provisions of this paragraph, the undertaker must pay to Esso the reasonable costs and expenses incurred by Esso in, or in connection with—

- (a) the inspection, removal, alteration or protection of any apparatus;
- (b) the execution of any works required by this Part of this Schedule including the purchase, installation and commission of alternative apparatus;
- (c) the review and assessment of plans;
- (d) the watching and inspecting the execution of any specified work, any associated works and any works undertaken by third parties as a result of any specified work (including the assessment of plans); or
- (e) imposing reasonable requirements for the protection or alteration of apparatus affected by the authorised development or works as a consequence of the authorised development,

which may reasonably be required in consequence of the execution of any such works as are required under this Part of this Schedule or are authorised by the Order.

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

(3) Upon the submission of proper and reasonable estimates of costs and expenses to be incurred by Esso, the undertaker must pay Esso sufficiently in advance to enable Esso to undertake its obligations under this Part of this Schedule in a manner that is neutral to its cashflow provided that in the event that the costs incurred by Esso are less than the amount paid by the undertaker pursuant to this sub-paragraph (3) then Esso must promptly repay any overpayment to the undertaker.

(4) Where reasonably required by either party, in view of the complexity of any proposed works, timescales, phasing or costs, the parties must with due diligence and good faith negotiate a works agreement.

(5) 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 settled by arbitration in accordance with article 57 (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 Esso by virtue of sub-paragraph (1) must be reduced by the amount of that excess save where it

is not possible in the circumstances to obtain the existing type of operations, capacity, dimensions or place at the existing depth in which case full costs must be borne by the undertaker.

- (6) For the purposes of sub-paragraph (5)—
- (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;
 - (b) the placing of apparatus that is to Esso's current specification and standards for diversions and protective works must not be treated as a placing of apparatus of better type, greater capacity, greater dimensions or greater depth than those of the existing apparatus; and
 - (c) 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.

Damage to property and other losses

36.—(1) Subject to the following provisions of this paragraph, the undertaker must make reasonable compensation to Esso—

- (a) for all loss, damage, liability, costs and expenses reasonably suffered or incurred by Esso for which Esso is legally liable as a result of legally sustainable claims brought against Esso by any third party solely arising out of the carrying out of any relevant works;
- (b) for the cost reasonably incurred by Esso in making good any damage to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal or abandonment) arising from or caused by the carrying out of any relevant works and the authorised development; and
- (c) for the cost reasonably incurred by Esso in stopping, suspending and restoring the supply through its pipe-line and make reasonable compensation to Esso for any other expenses, losses, damages, penalty or costs incurred by Esso by reason or in consequence of any such damage or interruption provided that the same arises in consequence of the carrying out of any relevant works and the authorised development.

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

(3) Irrespective of anything to the contrary elsewhere in this Part of this Schedule—

- (a) the undertaker and Esso must at all times take reasonable steps to prevent and mitigate any loss, damage, liability, claim, cost or expense recoverable from the other under this Part of this Schedule; and
- (b) neither the undertaker nor Esso are liable for any loss, damage, liability, claim, cost or expense suffered or incurred by the other to the extent that the same are incurred as a result of or in connection with the sole, partial or complete breach of this Part of this Schedule or negligence arising out of an act, omission, default or works of the other, its officers, servants, contractors or agents.

(4) Esso must give to the undertaker reasonable notice of any claim or demand to which this paragraph 36 applies. If Esso agrees (such agreement not to be unreasonably withheld or delayed), the undertaker may at its own expense conduct all negotiations for the settlement of the same and any litigation that may arise therefrom. Esso must not compromise or settle any claim or demand or make any admission which might be prejudicial to the claim or demand without the undertaker's consent (such consent not to be unreasonably withheld). Esso must, at the request of the undertaker,

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afford all reasonable assistance for the purpose of contesting any such claim or action, and is entitled to be repaid all reasonable expenses incurred in so doing.

(5) Nothing in this Part of this Schedule excludes or limits the liability of the undertaker for death or personal injury resulting from the negligence of the undertaker or any of its officers, employees or agents.

(6) In this paragraph “relevant works” means such of the authorised development as—

- (a) does, will or is likely to affect any apparatus; or
- (b) involves a physical connection or attachment to any apparatus.

Co-operation and reasonableness

37.—(1) Where in consequence of the proposed construction of any of the authorised development, the undertaker requires the removal of apparatus under this Part of this Schedule or Esso makes requirements for the protection or alteration of apparatus under this Part of this Schedule, the undertaker must use 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 Esso’s undertaking and Esso must use its reasonable endeavours to co-operate with the undertaker for that purpose.

(2) The undertaker and Esso must act reasonably in respect of any given term of this Part of this Schedule and, in particular, (without prejudice to generality) where any consent or expression of satisfaction is required by this Part of this Schedule it must not be unreasonably withheld or delayed.

Miscellaneous

38. Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and Esso in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made provided that the terms of the relevant enactment or agreement are not inconsistent with the provisions of this Order, including this Part of this Schedule. In the case of any inconsistency, the provisions of this Order, including this Part of this Schedule, prevail.

PART 5

FOR THE PROTECTION OF THE ENVIRONMENT AGENCY

39.—(1) The following provisions apply for the protection of the Agency unless otherwise agreed in writing between the undertaker and the Agency.

(2) In this Part of this Schedule—

“the Agency” means the Environment Agency;

“construction” includes execution, placing, altering, replacing, relaying and removal and excavation and “construct and “constructed” must be construed accordingly;

“drainage work” means any main river and includes any land which provides or is expected to provide flood storage capacity for any main river and any bank, wall, embankment or other structure, or any appliance, constructed or used for land drainage, flood defence;

“fishery” means any waters containing fish and fish in, or migrating to or from, such waters and the spawn, spawning ground, habitat or food of such fish;

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“main river” means all watercourses shown as such on the statutory main river maps held by the Agency and the Department for Environment Food and Rural Affairs including any structure or appliance for controlling or regulating the flow of water in or out of such watercourses;

“plans” includes sections, drawings, specifications, calculations and method statements;

“specified work” means so much of any work or operation authorised by this Order as is in, on, under, over or within 8 metres of a drainage work or is otherwise likely to—

- (a) affect any drainage work or the volumetric rate of flow of water in or flowing to or from any drainage work;
- (b) affect the flow, purity or quality of water in any watercourse or other surface waters or ground water;
- (c) cause obstruction to the free passage of fish or damage to any fishery;
- (d) affect the conservation, distribution or use of water resources; or
- (e) affect the conservation value of the main river and habitats in its immediate vicinity.

40.—(1) Before commencing construction of any specified work, the undertaker must submit to the Agency plans of the specified work and such further particulars available to it as the Agency may within 14 days of the receipt of the plans reasonably request.

(2) Any such specified work must not be constructed except in accordance with such plans as may be approved in writing by the Agency, or determined under paragraph 49.

(3) Any approval of the Agency required under this paragraph—

- (a) must not be unreasonably withheld or delayed;
- (b) in the case of a refusal must be accompanied by a statement of grounds of refusal;
- (c) is deemed to have been refused if it is neither given nor refused within 2 months of the submission of the plans or receipt of further particulars if such particulars have been requested by the Agency for approval; and
- (d) may be given subject to such reasonable requirements as the Agency may have for the protection of any drainage work or the fishery or for the protection of water resources, or for the prevention of flooding or pollution or in the discharge of its environmental duties.

(4) The Agency must use its reasonable endeavours to respond to the submission of any plans before the expiration of the period mentioned in sub-paragraph (3)(c).

41. Without limiting paragraph 40, the requirements which the Agency may have under that paragraph include conditions requiring the undertaker, at its own expense, to construct such protective works, whether temporary or permanent, before or during the construction of the specified works (including the provision of flood banks, walls or embankments or other new works and the strengthening, repair or renewal of existing banks, walls or embankments) as are reasonably necessary—

- (a) to safeguard any drainage work against damage; or
- (b) to secure that its efficiency for flood defence purposes is not impaired and that the risk of flooding is not otherwise increased,

by reason of any specified work.

42.—(1) Subject to sub-paragraph (2), any specified work, and all protective works required by the Agency under paragraph 41, must be constructed—

- (a) without unreasonable delay in accordance with the plans approved under this Part of this Schedule; and
- (b) to the reasonable satisfaction of the Agency,

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and the Agency is entitled by its officer to watch and inspect the construction of such works.

(2) The undertaker must give to the Agency—

- (a) not less than 14 days' notice in writing of its intention to commence construction of any specified work; and
- (b) notice in writing of its completion not later than 7 days after the date on which it is completed.

(3) If the Agency reasonably requires, the undertaker must construct all or part of the protective works so that they are in place prior to the construction of the specified work to which the protective works relate.

(4) If any part of a specified work or any protective work required by the Agency is constructed otherwise than in accordance with the requirements of this Part of this Schedule, the Agency may by notice in writing require the undertaker at the undertaker's own expense to comply with the requirements of this Part of this Schedule or (if the undertaker so elects and the Agency in writing consents, such consent not to be unreasonably withheld or delayed) to remove, alter or pull down the work and, where removal is required, to restore the site to its former condition to such extent and within such limits as the Agency reasonably requires.

(5) Subject to sub-paragraph (6) and paragraph 47, if, within a reasonable period, being not less than 28 days beginning with the date when a notice under sub-paragraph (4) is served upon the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the Agency may execute the works specified in the notice and any reasonable expenditure incurred by the Agency in so doing is recoverable from the undertaker.

(6) In the event of any dispute as to whether sub-paragraph (4) is properly applicable to any work in respect of which notice has been served under that sub-paragraph, or as to the reasonableness of any requirement of such a notice, the Agency must not, except in the case of an emergency, exercise the powers conferred by sub-paragraph (5) until the dispute has been finally determined in accordance with paragraph 49.

43.—(1) Subject to sub-paragraph (5) the undertaker must from the commencement of the construction of the specified works maintain in good repair and condition and free from obstruction any drainage work which is situated within the limits of deviation and on land held by the undertaker for the purposes of or in connection with the specified works, whether or not the drainage work is constructed under the powers conferred by this Order or is already in existence.

(2) If any such drainage work which the undertaker is liable to maintain is not maintained to the reasonable satisfaction of the Agency, the Agency may by notice in writing require the undertaker to repair and restore the drainage work, or any part of such drainage work, or (if the undertaker so elects and the Agency in writing consents, such consent not to be unreasonably withheld or delayed), to remove the specified work and restore the site to its former condition, to such extent and within such limits as the Agency reasonably requires.

(3) Subject to sub-paragraph (4) and paragraph 47, if, within a reasonable period, being not less than 28 days beginning with the date on which a notice in respect of any drainage work is served under sub-paragraph (2) on the undertaker, the undertaker has failed to begin taking steps to comply with the reasonable requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the Agency may do what is reasonably necessary for such compliance and any reasonable expenditure incurred by the Agency in so doing is recoverable from the undertaker.

(4) In the event of any dispute as to the reasonableness of any requirement of a notice served under sub-paragraph (2), the Agency must not, except in the case of an emergency, exercise the

powers conferred by sub-paragraph (3) until the dispute has been finally determined in accordance with paragraph 49.

- (5) This paragraph does not apply to—
- (a) drainage works which are vested in the Agency, or which the Agency or another person is liable to maintain and is not proscribed by the powers of the Order from doing so; or
 - (b) any obstruction of a drainage work for the purpose of a work or operation authorised by this Order and carried out in accordance with the provisions of this Part of this Schedule provided that any obstruction is removed as soon as reasonably practicable.

44. Subject to paragraphs 47 and 43(5)(b), if by reason of the construction of any specified work or of the failure of any such work, the efficiency of any drainage work for flood defence purposes is impaired, or that drainage work is otherwise damaged, such impairment or damage must be made good by the undertaker to the reasonable satisfaction of the Agency and if the undertaker fails to do so, the Agency may make good the impairment or damage and recover any expenditure incurred by the Agency in so doing from the undertaker.

45. If by reason of construction of the specified work the Agency's access to flood defences or equipment maintained for flood defence purposes is materially obstructed, the undertaker must provide such alternative means of access that will allow the Agency to maintain the flood defence or use the equipment no less effectively than was possible before the obstruction within 24 hours of the undertaker becoming aware of such obstruction.

46.—(1) The undertaker must take all such measures as may be reasonably practicable to prevent any interruption of the free passage of fish in the fishery during the construction of any specified work.

- (2) If by reason of—
- (a) the construction of any specified work; or
 - (b) the failure of any such work,

damage to the fishery is caused, or the Agency has reason to expect that such damage may be caused, the Agency may serve notice on the undertaker requiring it to take such steps as may be reasonably practicable to make good the damage, or, as the case may be, to protect the fishery against such damage.

(3) Subject to paragraph 47, if within such time as may be reasonably practicable for that purpose after the receipt of written notice from the Agency of any damage or expected damage to a fishery, the undertaker fails to take such steps as are described in sub-paragraph (2), the Agency may take those steps and any reasonable expenditure reasonably incurred by the Agency in so doing is recoverable from the undertaker.

(4) Subject to paragraph 47, in any case where immediate action by the Agency is reasonably required in order to secure that the risk of damage to the fishery is avoided or reduced, the Agency may take such steps as are reasonable for the purpose, and may recover from the undertaker any reasonable expenditure incurred in so doing provided that notice specifying those steps is served on the undertaker as soon as reasonably practicable after the Agency has taken, or commenced to take, the steps specified in the notice.

47. The undertaker must make reasonable compensation for costs, charges and expenses which the Agency may reasonably incur—

- (a) in the examination or approval of plans under this Part of this Schedule;
- (b) in the inspection of the construction of the specified works or any protective works required by the Agency under this Part of this Schedule; and

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- (c) in the carrying out of any surveys or tests by the Agency which are reasonably required in connection with the construction of the specified works.

48.—(1) The undertaker must make reasonable compensation for costs and losses which may be reasonably incurred or suffered by the Agency by reason of—

- (a) the construction of any specified work comprised within the authorised works; or
- (b) any act or omission of the undertaker, its employees, contractors or agents or others whilst engaged upon the construction of the authorised works.

(2) In sub-paragraph (1)—

“costs” includes—

- (a) expenses and charges;
- (b) staff costs and overheads; and
- (c) legal costs; and

“losses” includes physical damage.

(3) The undertaker must make reasonable compensation for liabilities, claims and demands against the Agency arising out of or in connection with the authorised works or otherwise out of the matters referred to in sub-paragraphs (1)(a) and (1)(b).

(4) In sub-paragraph (3)—

“claims” and “demands” include as applicable—

- (a) costs (within the meaning of sub-paragraph (2)) incurred in connection with any claim or demand; and
- (b) any interest element of sums claimed or demanded; and

“liabilities” includes—

- (a) contractual liabilities;
- (b) tortious liabilities (including liabilities for negligence or nuisance);
- (c) liabilities to pay statutory compensation or for breach of statutory duty; and
- (d) liabilities to pay statutory penalties imposed on the basis of strict liability (but does not include liabilities to pay other statutory penalties).

(5) The Agency must give to the undertaker notice of any such claim or demand.

(6) The undertaker may at its own expense conduct all negotiations for the settlement of the same and any litigation that may arise therefrom.

(7) The Agency must not compromise or settle any such claim or make any admission which might be prejudicial to the claim without the agreement of the undertaker which agreement must not be unreasonably withheld or delayed.

(8) The Agency must, at all times take reasonable steps to prevent and mitigate any such claims, demands, proceedings, costs, damages, expenses or loss.

(9) The Agency must, at the request of the undertaker, afford all reasonable assistance for the purpose of contesting any such claim or action, and is entitled to be repaid its reasonable expenses reasonably incurred in so doing.

(10) The fact that any work or thing has been executed or done by the undertaker in accordance with a plan approved by the Agency, or to its satisfaction, or in accordance with any directions or award of an arbitrator, does not relieve the undertaker from any liability under the provisions of this Part of this Schedule.

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49. Any dispute arising between the undertaker and the Agency under this Part of this Schedule, if the parties agree, may be determined by arbitration under article 57 (arbitration), but must otherwise be determined by the Secretary of State for Environment, Food and Rural Affairs or its successor and the Secretary of State for Transport or its successor acting jointly on a reference to them by the undertaker or the Agency, after notice in writing by one to the other.

SCHEDULE 12

Articles 2 and 55

DOCUMENTS TO BE CERTIFIED

<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Description</i>
book of reference	The book of reference contained in document reference 4.3 (3) Book of Reference
classification of roads plan	The classification of roads plan contained in document reference 2.13 (1) Classification of Roads Plan
Crown land plans	The Crown land plans contained in document reference 2.4 Crown land plans
detailed archaeological mitigation strategy	The detailed archaeological mitigation strategy contained in document reference 8.11 (7) Detailed Archaeological Mitigation Strategy (DAMS) – Revised response to Department for Transport request further information dated 4th May 2020
de-trunking plans	The de-trunking plans contained in document reference 2.12 (1) De-trunking Plans
engineering section drawings (cross sections)	The engineering section drawings (cross sections) contained in document reference 2.8 Engineering Section Drawings (Cross Sections)
engineering section drawings (plan and profiles)	The engineering section drawings (plan and profiles) contained in document reference 2.7 Engineering Section Drawings (Plan and Profiles)
environmental statement	<p>The environmental statement, figures and appendices contained in document references 6.1 Environmental Statement, 6.2 Environmental Statement Figures, 6.3 Environmental Statement Appendices and 6.4 Environmental Statement Non-Technical Summary, subject to the following substitutions and corrections—</p> <p>6.1 Environmental Statement, each of the following chapters are to be read as incorporating the corresponding corrections contained in the document reference 8.45 Errata Report, in relation to that chapter—</p> <ul style="list-style-type: none"> (a) Chapter 5: Air Quality; (b) Chapter 7: Landscape and visual; (c) Chapter 10: Geology and Soils; and (d) Chapter 13: People and communities. <p>6.2 Environmental Statement Figures—</p>

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(1) <i>Document</i>	(2) <i>Description</i>
	<p>(a) Environmental Masterplan Figures 2.5A to 2.5S are to be substituted with Environmental Masterplan Figures 2.5A to 2.5S Revision 2;</p> <p>(b) Figure 13.2 Existing NMU Routes is to be substituted with the Figure 13.2 Existing Public Rights of Way contained in Appendix A of document reference 8.45 Errata Report; and</p> <p>(c) Figures 13.3A and 13.3B Proposed NMU Routes is to be substituted with Figures 13.3A and 13.3B Proposed NMU Routes (Revision 3).</p> <p>6.3 Environmental Statement Appendices—</p> <p>(a) Each of the following appendices are to be read as incorporating the corresponding corrections and substitutions contained in document reference 8.45 Errata Report in relation to that appendix—</p> <ul style="list-style-type: none"> (i) Appendix 6.1 Heritage Impact Assessment; (ii) Appendix 6.3 Archaeological Gazetteer; (iii) Appendix 6.9 Cultural Heritage Setting Assessment; (iv) Appendix 7.10 Arboricultural Impact Assessment; (v) Appendix 8.25 Habitats Regulation Assessment (HRA): Statement to Inform Appropriate Assessment; (vi) Appendix 11.2 Water Framework Directive Compliance Assessment; and (vii) Appendix 11.4 Groundwater Risk Assessment; <p>(b) Appendix 8.7B Aquatic macrophyte survey River Till is to be substituted with the Appendix 8.7B Aquatic macrophyte survey River Till – Corrected Version – August 2019, contained in Appendix B of the document reference 8.45 Errata Report;</p> <p>(c) Appendix 8.9A Aquatic macro-invertebrate survey River Avon is to be substituted with the Appendix 8.9A Aquatic macro-invertebrate survey River Avon Corrected Version – August 2019, contained in Appendix B of the document reference 8.45 Errata Report;</p> <p>(d) Appendix 11.3 Road Drainage Strategy is to be substituted with Appendix 11.3(1) 6.3 Environmental Statement Appendices Appendix 11.3: Road Drainage Strategy; and</p> <p>(e) Appendix 11.5 Level 3 Flood Risk Assessment is to be substituted with Appendix 11.5 (1) Level 3 Flood Risk Assessment which is to be read as incorporating the corrections contained in document reference 8.45 Errata Report in relation to that appendix.</p>
land plans	The land plans contained in document reference 2.2 Land Plans
outline environmental management plan	The outline environmental management plan contained in document reference 6.3(8) Final Outline Environmental Management Plan - Revised response to Department for Transport request for further information, May 2020

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<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Description</i>
rights of way and access plans	The rights of way and access plans contained in document reference 2.6 (1) Rights of Way and Access Plans
special category land plans	The special category land plans contained in document reference 2.3 Special Category Land Plans
stone curlew breeding plot specification	The stone curlew breeding plot specification contained in document reference 8.58 – Stone curlew breeding plot specification
traffic regulation measures plans (clearways and prohibitions)	The traffic regulation measures plans (clearways and prohibitions) contained in document reference 2.11 Traffic Regulation Measures Plans (Clearways and Prohibitions)
traffic regulation measures plans (speed limits)	The traffic regulation measures plans (speed limits) contained in document reference 2.10 Traffic Regulation Measures Plans (Speed Limits)
tunnel area plan	The tunnel area plan contained in document reference 2.15 Tunnel Area Plan
tunnel limits of deviation plan	The tunnel limits of deviation plan contained in document reference 2.16 Bored Tunnel Limits of Deviation Plan
works plans	The works plans contained in document reference 2.5 Works Plans