
STATUTORY INSTRUMENTS

2020 No. 746

INFRASTRUCTURE PLANNING

**The A19 Downhill Lane Junction
Development Consent Order 2020**

Made - - - - 16th July 2020

Coming into force 6th August 2020

**THE A19 DOWNHILL LANE JUNCTION
DEVELOPMENT CONSENT ORDER 2020**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

PRINCIPAL POWERS

3. Development consent etc. granted by the Order
4. Maintenance of authorised development
5. Maintenance of drainage works
6. Limits of deviation
7. Benefit of Order
8. Consent to transfer benefit of Order

PART 3

STREETS

9. Application of the 1991 Act
10. Construction and maintenance of new, altered or diverted streets
11. Classification of roads, etc.
12. Temporary stopping up and restriction of use of streets
13. Permanent stopping up and restriction of use of streets and private means of access

Status: This is the original version (as it was originally made).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

14. Access to works
15. Clearways
16. Traffic regulation

PART 4

SUPPLEMENTAL POWERS

17. Discharge of water
18. Protective work to buildings
19. Authority to survey and investigate the land

PART 5

POWERS OF ACQUISITION AND POSSESSION OF LAND

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

PART 6

OPERATIONS

35. Felling or lopping of trees and removal of hedgerows

PART 7

MISCELLANEOUS AND GENERAL

36. Disapplication of legislative provisions, etc.
37. Application of landlord and tenant law
38. Operational land for purposes of the 1990 Act
39. Defence to proceedings in respect of statutory nuisance
40. Protection of interests
41. Certification of documents, etc.
42. Service of notices
43. Arbitration
- Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

1. Interpretation
 2. Time limits
 3. Detailed design
 4. Construction environmental management plan
 5. Landscaping
 6. Contaminated land and groundwater
 7. Protected species
 8. Surface and foul water drainage
 9. Archaeological remains
 10. Traffic management
 11. Amendments to approved details
 12. Fencing
- PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
13. Applications made under requirements
 14. Further information
 15. Register of requirements
 16. Anticipatory steps towards compliance with any requirement

SCHEDULE 3 — CLASSIFICATION OF ROADS, ETC.

PART 1 — TRUNK ROADS

PART 2 — OTHER CLASSIFIED ROADS

PART 3 — NON-MOTORISED USER ROUTES

PART 4 — ROADS SUBJECT TO 40 MILES PER HOUR LIMIT

SCHEDULE 4 — PERMANENT STOPPING UP OF STREETS AND PRIVATE MEANS OF ACCESS

PART 1 — STREETS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

PART 2 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

PART 3 — STREETS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 5 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

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

Application of Part 1 of the 1965 Act

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

SCHEDULE 6 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 7 — PROTECTIVE PROVISIONS

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

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

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

On street apparatus

3. This Part of this Schedule does not apply to apparatus...

Apparatus in stopped up streets

4. (1) Where any street is stopped up under article 13...

Protective works to buildings

5. The undertaker, in the case of the powers conferred by...

Acquisition of land

6. Regardless of any provision in this Order or anything shown...

Removal of apparatus

7. (1) If, in the exercise of the powers conferred by...

Facilities and rights for alternative apparatus

8. (1) Where, in accordance with the provisions of this Part...

Retained apparatus

9. (1) Not less than 28 days before starting the execution...

Expenses and costs

10. (1) Subject to the following provisions of this paragraph, the...
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...

Cooperation

12. Where in consequence of the proposed construction of any part...
13. Nothing in this Part of this Schedule affects the provisions...

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

14. For the protection of any operator, the following provisions have...
15. In this Part of this Schedule— “the 2003 Act” means...
16. The exercise of the powers conferred by article 32 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as the...

SCHEDULE 8 — AMENDMENTS TO THE A19/A184 TESTO’S JUNCTION ALTERATION DEVELOPMENT CONSENT ORDER 2018

SCHEDULE 9 — DOCUMENTS TO BE CERTIFIED

Explanatory Note