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STATUTORY INSTRUMENTS

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**2022 No. 475**

**INFRASTRUCTURE PLANNING**

**The M54 to M6 Link Road Development Consent Order 2022**

*Made - - - - 21st April 2022*

*Coming into force- 12th May 2022*

**THE M54 TO M6 LINK ROAD  
DEVELOPMENT CONSENT ORDER 2022**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

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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

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9. Application of the 1991 Act
10. Construction and maintenance of new, altered or diverted streets and other structures
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, public rights of way and private means of access
14. Access to works
15. Clearways
16. Traffic regulation

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#### PART 4

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22. Time limit for exercise of authority to acquire land compulsorily
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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
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36. Application of landlord and tenant law
37. Operational land for purposes of the Town and Country Planning Act 1990
38. Defence to proceedings in respect of statutory nuisance
39. Protection of interests
40. Certification of documents, etc.
41. Service of notices
42. Arbitration  
Signature

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#### SCHEDULES

##### SCHEDULE 1 — AUTHORISED DEVELOPMENT

##### SCHEDULE 2 — REQUIREMENTS

##### PART 1 — REQUIREMENTS

*Interpretation*

1. (1) In this Schedule— “bank or public holiday” means Christmas...

*Time limits*

2. The authorised development must commence no later than the expiration...

*Detailed design*

3. (1) The authorised development must be designed in detail and...

*Construction and handover environmental management plans*

4. (1) No part of the authorised development is to commence...

*Landscaping*

5. (1) The authorised development must be landscaped in accordance with...

*Contaminated land and groundwater*

6. (1) In the event that contaminated land, including groundwater, is...

*Protected species*

7. (1) No part of the authorised development is to commence...

*Surface and foul water drainage*

8. (1) No part of the authorised development is to commence...

*Archaeological remains*

9. (1) Any archaeological remains not previously identified which are revealed...

*Fencing*

10. Any permanent and temporary fencing and other means of enclosure...

*Signage to Saredon Filling Station*

11. No part of the authorised development constituting Work No. 36...

*Weight Restriction Warning Signs*

12. Before the authorised development is open for traffic, two warning...

*Details of consultation*

13. (1) With respect to any requirement which requires details to...

**PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS**

*Applications made under requirements*

14. (1) Where an application has been made to the Secretary...

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*Further information*

15. (1) In relation to any part of an application made...

*Anticipatory steps towards compliance with any requirement*

16. If before the coming into force of this Order the...

SCHEDULE 3 — CLASSIFICATION OF ROADS, ETC.

- PART 1 — SPECIAL ROADS
- PART 2 — TRUNK ROADS
- PART 3 — CLASSIFIED ROADS
- PART 4 — UNCLASSIFIED ROADS
- PART 5 — SPEED LIMITS: NEW ROADS
- PART 6 — PUBLIC RIGHTS OF WAY
- PART 7 — CREATION OF NEW TRAFFIC REGULATION ORDERS
- PART 8 — VARIATION OF EXISTING TRAFFIC REGULATION ORDERS

SCHEDULE 4 — PERMANENT STOPPING UP OF STREETS, PUBLIC RIGHTS OF WAY AND PRIVATE MEANS OF ACCESS

- PART 1 — STREETS TO BE STOPPED UP AND FOR WHICH A SUBSTITUTE IS TO BE PROVIDED
- PART 2 — STREETS TO BE STOPPED UP AND FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED
- PART 3 — PUBLIC RIGHTS OF WAY TO BE STOPPED UP AND FOR WHICH A SUBSTITUTE IS TO BE PROVIDED
- PART 4 — PUBLIC RIGHTS OF WAY TO BE STOPPED UP AND FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED
- PART 5 — ALTERATIONS TO PUBLIC RIGHTS OF WAY
- PART 6 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP AND FOR WHICH A SUBSTITUTE IS TO BE PROVIDED
- PART 7 — PROVISION OR ALTERATIONS TO PRIVATE MEANS OF ACCESS

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

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

*Compensation enactments*

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

*Application of Part 1 of the 1965 Act*

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

SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — HEDGEROWS AND TREES  
PART 1 — HEDGEROWS  
PART 2 — TREES SUBJECT TO TREE PRESERVATION ORDERS

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

1. (1) For the protection of the utility undertakers referred to...
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...

*Co-operation*

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 31 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as the...

PART 3 — FOR THE PROTECTION OF CADENT GAS LTD AS GAS UNDERTAKER

18. Application
19. Interpretation

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20. On Street Apparatus
21. Apparatus of Cadent in stopped up streets
22. Protective works to buildings
23. Acquisition of land
24. Removal of apparatus
25. Facilities and rights for alternative apparatus
26. Retained apparatus: protection of Cadent
27. Expenses
28. Indemnity
29. Enactments and agreements
30. Co-operation
31. Access
32. Arbitration
33. Notices

PART 4 — FOR THE PROTECTION OF NATIONAL GRID AS  
ELECTRICITY UNDERTAKER

34. Application
35. Interpretation
36. On street apparatus
37. Apparatus of National Grid in stopped up streets
38. Protective works to buildings
39. Acquisition of land
40. Removal of apparatus
41. Facilities and rights for alternative apparatus
42. Retained apparatus: protection of electricity undertaker
43. Expenses
44. Indemnity
45. Enactments and agreements
46. Co-operation
47. Access
48. Arbitration
49. Notices

PART 5 — FOR THE PROTECTION OF WESTERN POWER  
DISTRIBUTION LIMITED (WEST MIDLANDS) PLC AS  
ELECTRICITY UNDERTAKER

50. Application
51. Interpretation
52. Precedence of 1991 Act in respect of apparatus in streets
53. No acquisition except by agreement
54. Removal of apparatus
55. Facilities and rights for alternative apparatus
56. Retained apparatus
57. Expenses and costs
58. (1) Subject to sub-paragraph (2), if by reason or in...
59. Expert determination

SCHEDULE 10 — DOCUMENTS TO BE CERTIFIED

Explanatory Note